

The Bloomsburg Town Council held a meeting on Monday, June 28, 2021, beginning at 7:02 p.m. in Council Chambers, Town Hall and also via teleconference. The public joined by dialing: +1 646 558 8656 U.S. and included the meeting ID: 456-920-3798. The public could also join online at: <https://us02web.zoom.us/j/4569203798>.

Present were Mayor William Kreisher, Council Vice President Toni Bell, James Huber, James Garman, Bonnie Crawford, Justin Hummel, and Vince DeMelfi, Town Manager/Secretary/Treasurer Lisa Dooley, Chief of Police Roger Van Loan, Director of Public Works John Fritz, Fire Chief Scott McBride, Director of Code Enforcement Ken Roberts and Airport Coordinator BJ Teichman. Also present were Julye Wemple, Corey Kreischer, Chris Ackerman, Clayton Ackerman, Bill Barrett, Randy Karshner, Mike Byrne, Jamie, Jim Walsh, Jennifer Wescoe, Missy Crawford, Lois Street, Dennis, Tom Benner, Steve Coladonato, Barbara Coladonato, Jared Harris, Mary & Dick Osborne, Jake Arnold, Jennifer Sanford, Eric Ness (7:08 p.m.), Craig Seamans (7:08 p.m.), Colin Barton, Josh Huncy (7:22 p.m.), David's I-Pad, Billy, a citizen by phone and Mary Ward (7:21 p.m.).

Council remarks.

B. Kreisher announced the July 4th celebration will occur on Saturday, July 3rd at the Bloomsburg Fair grounds.

B. Kreisher announced that an executive session on June 14, 2021 occurred from 9:04 p.m.- 9:11 p.m. regarding a police personnel matter.

T. Bell noted that the survey regarding the races at the fairgrounds is still live on Facebook and she has received information that will be given to the Fair board.

B. Kreisher announced that since Council meetings are now being held in person the pledge of allegiance will be recited starting with the next meeting.

Citizens to be heard.

Jennifer Wescoe was present to request to "Light up the Town Blue" in support of the Idiopathic Pulmonary Fibrosis Support Network of PA. This network is the first in the United States and links UPMC, Geisinger, Temple and Penn State hospitals to provide patients with up-to-date care for this disease. Ms. Wescoe would like to light the fountain blue for the 2nd week in July. Lois Street was also present to help support this topic.

James Walsh of 247 Leonard Street, Bloomsburg was present to discuss the newly built auto race track at the Fairgrounds. Mr. Walsh read a prepared five-page statement which is enclosed on the next page. This statement was in regards to the impact the June 20, 2021 racing event had on the neighborhood and what damage future races will inflict on the residents, he also questioned how this project is "grandfathered" in and what criteria was used to come to this conclusion. In closing, Mr. Walsh is requesting the Town to send a letter to the Fair Board requesting the immediate suspension of all races this year and in the future. Additional concerns regarding the noise, dirt and time of the race were also discussed.

Good evening Mayor , council and fellow residents

My name is Jim Walsh and I have been a resident in town for over 25 years , and in that time I have never felt a need or such an urgency to come and address town council on any topic especially as the one I do now I

I am referring to the Race at the Bloomsburg Fair grounds that took place On Fathers Day Sunday June 20th . I can only compare this disruption to one other time period since I have lived in Bloomsburg that was more disruptive and dangerous to the public and that would be flooding (there is a similar type of dust that is left behind when the flood waters recede and can cause breathing problems from that dust) .

The physical and psychological health of the community took a pounding for the little over 4 hours the event went on , but this did not stop after race night which was at or around 10 pm . The effects of the race continued the next day to see the coverings of Dust all over our personal property and the exposure to breathing in this clay talcum powder like dust . I am sure this to be very dangerous to our respiratory health and this is not something residents need or want . Breathing could be very difficult at times when the wind blew the wrong way depending where you are located in town as I have heard through different people through social Media as far as Fennville , the university , and toward the airport and park all had varying layers of this dust coverings cars , porches , lawn furniture not to mention what a mess it made on swimming pools , and if anyone forgot clothes on the clothes line what a mess . I again state it depends on the way the wind blows which as we know is constantly is changing , and I also would say the closer you are the worse it is , but almost everyone got this dust . I also have to say that after washing scrubbing my property it would not have been enough to clean this mess up as it was still all over the trees leaves houses sidewalks ,roads and cars ...basically everything . The slightest breeze can send it right back on what you just finished Scrubbing and you still can not open the windows to get fresh air in the house because it comes right in . I have to say if we did not have the thunderstorm and showers Monday afternoon at around 4 the community would be dealing with this dust for a long time . I have to mention per an article in our newspaper and a Fair Board member state that there are truckloads more of this clay type dirt sitting at a local quarry for track replenishment and maintenance ,

this only tells you the track erodes and the wind puts it on our community and our property . That is just a fact of this type of racing and is one reason why this should have never been built in town .

The next factor is the noise, all I can say it was like a million bees outside buzzing by the window of your home when they were racing , all windows and doors closed also because of the dust but it was such a buzzing frequency . It was very difficult to try and talk to my neighbor and my other neighbor stated it was giving her a headache . I was told by various people that it was heard as far as a central road , and Wonderview , and much louder the closer you are to ground zero .

I have read in the Press Enterprise with various articles on the track at the fair grounds and from various members of the council and town administrators and law enforcement regarding the exemption to the noise and other factors to further events that are and planned to continue at the Fair , I hear the words "Grandfathered in " as this has always been at the Fair and the fair does not need town approval for its "use" . Well I would like to question our town Solicitor on a few criteria regarding this term and any clarification we can be enlightened by

From different articles and information I have read the term Grandfathered "IN" and court rulings they were to protect people , Co. and organizations from ordinances and laws that came after their initial use was established and then change things to make it more difficult or unreasonable to any group mentioned to be able to function .

- With that being said and from what I have read the Fair Association has not had a auto race since 1984 or 1986 which would make it 35 years of "NON-USE" for the function of any type of Auto racing
- The track that was used in the 1980's used the outer track which I believe is still used for horses , a new track was built this year , does this now mean "change in use or "NEW USE" completely as the fair grounds has never had a track like the one currently being used

- When the fair had races 35 years or more ago , were the races only during fair (1 time a year) ? If there were more than 1 , then how many races were there from the last full season of racing in the mid 80's ? if it is less than the number 10 which is the number of races planned for this year would that not be called "EXTENDED USE " ? As this would far exceed any original "use " from years past

If any or all of these points , whether it is "CHANGE IS USE " , "NEW USE , OR "EXTENDED USE "would this not nullify any claim to THE GRANDFATHER CLAUSE ?

Would this not require hearings , zoning review of the plans and approval to discuss with town council which is our resident's voice ? I also read an article , where a fair board member stated there would be no complaints until after the track was completed and used , well I have never been contacted , and town residents I have spoken with have not seen anything from the Fair Assoc. a public comment event scheduled at the fair or where the Fair ask residents through a mailer or any other means for their thoughts and feedback . This is something that should have taken place and did not .

So I would ask I were any zoning request made , permits requested by the Fair Assoc. for this race track that was built ?

I remember reading that Columbia County Commissioner's had requested and the Fair Assoc. had agreed to relocate a donated covered bridge to the fair grounds until they found out a few months ago there was no building or structures to be placed at the fair Grounds due to flooding

So I ask if a covered bridge is not allowed to be placed at the fair grounds because of flooding concerns , how could this much s larger structure be permitted or allowed to be built ? As I thought zoning and FEMA did not allow this ?

I would further add , if the Criteria above that I mentioned would not be sufficient , which I feel it more than is to have this race track in the town stopped

The other considerations , should be considered the Mfg's of the town that work when these races are going on, a major employer right next door , with their ventilation and fan system constantly pulling air in from outside to keep there workers and machines cool , I can only imagine the dust they received or potential they can receive depending on the wind. and the day and time of the race The potential is high for the fair & track to become and be classified as a Public Nuisance . As there are many criteria this would fall under PA PUBLIC state nuisance law

1. High potential for health issues (DUST AND Noise)
2. Damage to public and private properties
3. Lowering of property values and possibly lowering tax income to the town and county if property values are affected and owners of properties apply for tax easement for the conditions similar to Fathers Day Sunday and will be under for future races and any random track practices that take place
4. The Inability for Public Peace , inability for Public Comfort

I think Council should direct law enforcement to document and record on video sound levels and document locations throughout town when the races are going on .

Request the fair Association for 2- certified laboratories for the testing on the soil that is being used on the track , and where it is from , and testing of the soil for contaminants and other harmful toxins .

The town should hire a Company to do air quality test throughout the month randomly throughout town , and then to do the same test on race day .

The air quality issue are huge health factors as this clay dust I am sure can do a lot of damage to the lungs . I have to say to be sitting in the grand stand at different

times of the race had to be very unpleasant to say the least as in pictures from the newspaper you could barely see the track or the grandstand !

This information may be needed for future action , if the Fair Assoc. is not receptive , to what the town council will need put forward to protect the town .

I would request the town draft a letter to the fair for the immediate suspension of all races this year and in the future .

We as a community and myself have supported the efforts of the members and Fair Association for trying to bring in revenue and jobs to the town County and near by area's but not at the cost and damage this will do to our Community , I know fair members and people who enjoy these races would not want the races to have the effect they are and will continue to have on our town . I wish events like the Bloomsburg Nationals could have worked out as this is a great event that does a lot of fund raising for Charities as well the business it helps in the area in and around town , and does not cause the issues the races have . I look forward to other events at the fair as I know many others do as well . I know the Fair Association which many are residents of the town and ner by area's have in the past and will continue to do what is best for the town .

I thank you for your attention and your actions in this matter

Dick and Mary Osborne, 316 W. 4th Street agrees with Mr. Walsh in that the dirt that was created by this event was intolerable.

Bonnie Crawford questioned whether any of the Fair board members are residents of the Town.

Tom Benner of 253 Leonard Street, Bloomsburg invited all Council members to his home for the next race to experience just how loud it is.

Justin Hummel voiced his disappointment that the Fair Board President had nothing to say to address the concerns of the residents of the Town or the Town Council on this matter.

Clayton Ackerman was present for the meeting as part of his Boy Scout Merit Badge in communication.

APPROVAL OF THE COUNCIL MINUTES FROM THE 6/14/2021 MEETING.

On a motion by J. Hummel, seconded by T. Bell, and voted on unanimously, Council approved the minutes from the June 14, 2021 with no corrections or additions.

APPROVAL TO HIRE ETHAN VANBRUNT AS A SEASONAL GRASS MOWER IN THE PUBLIC WORKS DEPARTMENT.

On a motion by T. Bell, seconded by J. Hummel, and voted on unanimously, Council approved the hiring of Ethan VanBrunt as a seasonal grass mower in the Public Works department at an hourly rate of \$12.00 per hour with a start date occurring on June 22, 2021.

APPROVAL OF A QUOTE FROM NORTHEAST TREE SERVICE IN THE AMOUNT OF \$2,175 TO REMOVE A DEAD TREE AT THE TOWN PARK (QUOTE IS FOR ONE TREE LOCATED ON THE WESTERN SIDE OF SOUTH MARKET STREET).

On a motion by J. Garman, seconded by T. Bell, and voted on unanimously, Council approved a quote from Northeast Tree Service in the amount of \$2,175 to remove a dead tree located on the western side of Market Street in the Town Park.

APPROVAL OF AN EASEMENT AND RIGHT-OF-WAY WITH DALE HYDE AND BRENDA MCGUIRE (BRENDA HYDE) REGARDING THE PROPERTY LOCATED AT 1220 MARKET STREET.

On a motion by T. Bell, seconded by J. Garman, and voted on unanimously, Council approved an easement and right-of-way agreement with Dale and Brenda McGuire (Brenda Hyde) regarding the property located at 1220 Market Street.

APPROVAL OF PAYMENT TO PREMIER POOL RENOVATIONS IN THE AMOUNT OF \$87,300 REGARDING THE POOL RENOVATION PROJECT.

On a motion by B. Crawford, seconded by T. Bell, and voted on unanimously, Council approved payment to Premier Pool Renovations in the amount of \$87,300 regarding the pool renovation project.

RECOMMENDATION TO APPROVE THE FFY 2020 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT #2.

On a motion by J. Garman, seconded by J. Hummel, and voted on 4 to 2 (Huber and DeMelfi voting no), Council approved the FFY 2020 Annual Action Plan Substantial Amendment # 2.

APPROVAL TO LIST ON MUNICIBID A 2006 JEEP LIBERTY FROM THE POLICE DEPARTMENT (AROUND 185,000 MILES). WITH A \$300 MINIMUM RESERVE AMOUNT. NEEDS TIRES, HAS RUST ISSUES, LEAKS OIL AND USES OIL.

On a motion by V. DeMelfi, seconded by T. Bell, and voted on unanimously, Council approved listing on Municibid a 2006 Jeep Liberty with a \$300 minimum reserve bid amount. The vehicle needs tires, has rust

issues and leaks/uses oil.

Being no further business, the meeting adjourned at 7:59 p.m.

Lisa Dooley
Town Manager/Secretary/Treasurer