

MINUTES
Bloomfield Borough Council
March 3, 2009

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: President Pierce L. Clouser, Jr., Vice President John M. Long, Edwin G. Robinson, Dale J. Beaston, Leroy J. Weller, Jayne M. Eckert and Karl L. Cless.

Also present: Solicitor Richard Wagner, Mayor Jean Anstine, Secretary Nancy Pote, Planning Commission Chairman John Patterson, Zoning Officer Rick Watson, Karin Denver, Richard Miller, Robert A. Hench, Robert I. Hench, Richard Groff, Roger Watson, Steve Dowell, *Alexis Heidelberg, Zach Smith, and Hannah Groff (Civics)*.

President Clouser called the meeting to order at 7:00 p.m.

ADMINISTRATIVE

Recording of the Meeting – President Clouser advised the attendees that the meeting was being recorded by the Council for the accuracy of the minutes and stated that side conversations should be conducted in the hallway so as to not disrupt the meeting or its recording. Robert A. Hench stated he would be recording the meeting.

Approval of Minutes – Councilman Weller made a motion, seconded by Councilman Robinson, to approve the minutes of the February 3, 2009 meeting as reviewed. Motion carried.

Announcements and Correspondence

Thank You – President Clouser read a letter from the New Bloomfield Youth Baseball thanking us for our monetary donation.

Perry County Association of Township Supervisors (PCATS) Convention – President Clouser stated that Nancy Pote attended the tax collectors session and John Long, Edwin Robinson, Leroy Weller and he attended other sessions. Vice President Long stated that presentations were given on prevailing wage frustrations among local government and the progression of the proposed increased threshold, farm preservation and specific use of liquid fuels money.

Pennsylvania State Association of Boroughs (PSAB) Annual Convention – Vice President Long stated that he and Councilman Cless are interested in attending the PSAB Annual Convention on Tuesday, March 24, 2009 only since that day includes four relevant sessions. Vice President Long stated that attendance for that day would be at a cost of \$100 per person. Vice President Long made a motion, seconded by Councilman Weller, to allocate money for those interested in attending the PSAB Annual Convention on Tuesday, March 24, 2009 at Hershey Lodge. Motion carried.

Statement of Financial Interests – Secretary Pote reminded individuals in attendance that are required to file the statement of financial interests that she is required to have them completed and returned to her by May 1, 2009.

New Bloomfield Fire Company (NBFC) Building Committee Meeting – President Clouser stated Councilman Weller and he attended the meeting of the NBFC Building Committee on Thursday, February 26, 2009 that included a tour of the existing facility, the disclosure that R.S. Mowery is to oversee all plans for the proposed new construction in Centre Township and that no target date has been set to begin. President Clouser further stated that it has not been determined whether water and sewer will be public and/or private.

Public Comments – President Clouser stated that anyone not on the agenda can have three minutes for their presentation and requested if anyone desires to discuss any matter at this time. Steve Dowell stated that he wished to address the following:

North Carlisle and High Streets Parking – Steve Dowell stated that an ongoing problem exists at the intersection of North Carlisle and High Streets, especially on court days, when cars park in front of the fire hydrant as well as into the intersection while parked outside the yellow lines painted on the pavement. Steve Dowell further stated that recently a car was parked for two days in front of the fire hydrant and any illegal parking obstructs the visibility of that intersection. Dick Groff feels as a driver of the rescue truck, this is a difficult intersection to navigate and feels enforcement is needed. Upon discussion, Council directed Steve Dowell or any other concerned citizen to contact the State Police when violations occur.

ADMINISTRATIVE

Administrative Committee Report

Council Chambers Usage Policy – Councilman Cless stated that he has drafted a usage policy along with an application for the use of Council Chambers and each Council member has been provided a copy. President Clouser requested that Council as well as our Solicitor review the information and bring back comments to our next meeting.

Borough Building Damages - Councilman Beaston stated that as far as he knows the Scout Room has been orderly and no one knows exactly who did the damage to the door in the lower level of the Borough Building that has been repaired by an unknown individual. Councilman Cless acknowledged that he personally purchased the parts and fixed the door. Councilman Beaston stated he will monitor this closely.

Property Cleanup – President Clouser stated that Frank Bailor is interested in cutting designated trees and brush along the tree row on the property the Borough recently purchased from him. President Clouser further stated that Jim Tressler is interested in the wood from the trees along the metal building on the Abbott property and other individuals have also expressed an interest in cutting and removing trees and brush. President Clouser further stated that individuals cutting and/or removing trees will be required to sign a waiver releasing the Borough from responsibility from any incurred injury.

Plaque for Council Chambers – Councilman Cless stated he would like the consideration for this purchase put on hold because a local artist is possibly interested in painting a piece of the slate chalkboard that was removed from this room due to our recent renovations.

Directory Board – Councilman Cless stated that he found an interior directory board that is 1 ½ ‘ X 2’ and is lockable at a cost of \$93.70 each plus the cost of letters. Councilman Cless further stated that the purpose of having a board on each level of the Borough Building is to guide visitors to designated rooms. Councilman Beaston made a motion, seconded by Councilman Cless, to purchase two directory boards at a cost of \$93.70 each plus an additional cost for the letters. Motion carried. Councilman Beaston

would like exterior directory boards addressed also. President Clouser stated we can attempt to purchase outside signs that will be placed on the existing directory pole.

Replacement Door for the Handicapped Ramp – Councilman Beaston stated that the cost from Herschok's to replace the door at the handicapped ramp in the lower level of the Borough Building is \$2,598.00 and this would have ½ glass in it. Councilman Beaston stated that the existing door is difficult to lock and basically worn out. Upon further discussion, Councilman Cless made a motion, seconded by Councilman Beaston, to proceed to purchase the door as presented at a cost of \$2,598.00. Motion carried.

Bloomfield Borough Water Authority (BBWA) Report

Standpipe – Secretary Pote stated that per a telephone message from BBWA Chairman Ely who is out of town due to a funeral, the standpipe is up; however, it is not filled.

Water Line at Post Office – Councilman Cless reported that he observed some of the water line repair for the Post Office and the line is spongy and in really bad shape. Councilman Cless further stated that this line needs relocated as not to disturb sidewalks, the oil tank and also the driveway. Councilman Cless stated that line needs relocated from the street and needs to come in through the building and be reconnected from within the building. Solicitor Wagner stated that the lease agreement requires the Borough to pay. Councilman Robinson made a motion, seconded by Councilman Weller, to approve the relocation of this line if the cost is under \$4,000. Motion carried.

Zoning/Permit Officer's Report

Rice Memorials Showroom Building – Zoning Officer Watson stated that he issued one permit for the construction of a commercial building to Matt Rice for the Rice Memorial showroom based upon the Planning Commission's recommendations. Councilman Cless suggested that Council consider tapping into the existing sewer lateral to avoid digging across Main Street. Upon further discussion, Councilman Cless made a motion, seconded by Councilman Robinson, to allow Collins Construction to tap into the existing sewer lateral at the south edge of West Main Street instead of crossing the street and this will be done under the supervision of Councilman Robinson. Motion carried.

Sidewalks in PRD – At the request of Zoning Officer Watson, Solicitor Wagner will be sending a letter to Spring Lake Development, Inc. telling them what they have to do to get the remaining zoning permits. Zoning Officer Watson stated that they have permission for the issuance of one more permit and he questioned if this can be issued for any building lot. Council advised Zoning Officer Watson that this permit can be used for any approved lot. Councilman Cless stated that some of the property owners do not want sidewalks because of maintenance issues. President Clouser reminded Council that the installation of the sidewalks would be at the developer's expense; however, the maintenance and snow removal will be at the owner's expense. Solicitor Wagner reminded Council that by unanimous vote at our September 2, 2008 meeting, he was directed to inform Spring Lake Development that sidewalks have not been installed as required on the approved subdivision plan as recorded and compliance is required in order for any further permits to be issued in the subdivision. Councilman Beaston stated that the streets are deplorable and he feels this is a much more prioritized item than installation of sidewalks. Solicitor Wagner reminded Council that these are separate issues as follows: 1.) Plans with regards to sidewalks must be adhered to and 2.) the street issue is they are private until such dedication and the Borough has no responsibility to a.) accept, b.) maintain or c.) repair them.

Planning Commission Report

Resignation/Appointment – President Clouser announced his resignation effective tonight from the Planning Commission with a term expiring December 31, 2012. Planning Commission Chairman Patterson stated that with the official resignation of Pierce L. Clouser, Jr., he is requesting the name of Melanie Rowlands be approved as his replacement for the unexpired term. Councilman Cless made a motion, seconded by Vice President Long, to accept the resignation of Pierce L. Clouser, Jr. and the appointment of Melanie Rowlands on the Bloomfield Borough Planning Commission to a term that expires December 31, 2012. Motion carried.

Abbott Sub-Division – Planning Commission Chairman Patterson reported that with Council's authorization, the plans will be signed tonight and the Planning Commission will again sign off because of waivers. President Clouser stated that we are basically approving the railroad bed from Barnett Woods Road west to the end of the borough tract obtained from the Barnett Building Association. President Clouser also stated that Fred Morrow must relinquish his claim to the involved right of way. Councilman Cless stated he will be getting a letter from Fred Morrow indicating he is giving the right of way to the Borough. Councilman Cless made a motion, seconded by Councilwoman Eckert, to approve the sub-division plan. Motion carried.

Final Sub-Division – President Clouser reported as soon as the Abbott plan is recorded, another plan will be offered that divides the property into two deeds, one a deed which would include the sewer plant and borough garage and the other which would include the Borough Building, ballfield, etc.

Cramer/Lesh Variance – Planning Commission Chairman Patterson stated that the variance request was submitted by Cramer Rentals, Julie Lesh and Roger Watson of Navtech, Inc. for a property sub-division at 110 South Carlisle Street and the variance request form was issued and today it has been received and submitted to the Zoning Hearing Board.

Morrison Special Exception – Planning Commission Chairman Patterson reported that a special exception application was given to Dave Morrison to turn a garage into a single family dwelling located adjacent to 102 North Carlisle Street and in order to do that a set of plans must be submitted to the Zoning Hearing Board for their consideration for approval of the special exception. Chairman Patterson further stated this meets and exceeds all requirements.

Capital Tax Collection Bureau – Councilman Cless reported that tax collection has begun. President Clouser stated that Joshua J. Vecchio, Executive Director of CapTax was present at the PCATS Convention.

Grants

Windows Replacement – Councilman Beaston reported that we are still waiting for a response from DCED and we have no information back yet.

East McClure Street – Councilman Beaston stated that we are qualified for that grant in the amount of \$75,000 and we are hoping that more money will be available from the federal government.

Perry County Borough's Association (PCBA) – Vice President Long reported that at the last PCBA meeting a presentation from a representative from Benchmark Energy Solutions, Inc. was presented. Vice President Long stated that they come to the municipality to evaluate the energy status and if appropriate, they will negotiate for cheaper services. Vice President Long further stated that with the new rate structure within the next year or so street lighting will increase as much as 135%. President Long reported they will

go back three years to review electric bills and if errors are found and a refund is due, their fee would be 30% with 70% going to the municipality. President Long stated that there are other power sources that could be potentially lower and they would also negotiate with PPL. Vice President Long stated that they also can work with fuel oil pricing; however, there are some political issues. Vice President Long recommended that we have a representative come to discuss with us electric because we have nothing to lose. Vice President Long stated that for a fee they can evaluate our energy usage. President Clouser stated that currently Secretary Pote receives many bills; however, this company could reduce this and request one bill for their review. Council concurred that we should contact a representative to meet with Borough Council.

Newsletter – Councilwoman Eckert requested that all information for the newsletter be given to her by March 10, 2009. Secretary Pote stated that the newsletter will need to be folded if it is going out with the water bills.

Mayor's Report

Boroughwide Yard Sales and Clean Up – Mayor Anstine reported that the Boroughwide yard sales will be on Saturday, May 2, 2009 with Clean Up Day on Saturday, May 9, 2009.

Post Office Directional Signs – Mayor Anstine reported that there is a problem with a lack of signage at the entrance and exit at the Post Office located at 23 East McClure Street. Councilman Robinson reported that the Post Office is buying the signs and they have been ordered.

Sidewalk on Chestnut Street - President Clouser reported that Gerald Wagner is doing the snow removal whenever possible but he is working out of town. President Clouser also stated that because of the conflict as to ownership of the property on which the sidewalk is located, he has advised Mr. Wagner that the Borough will help with the snow removal whenever Mr. Wagner cannot do it.

AESTHETICS

Aesthetics Committee Report

Trash Receptacles – Councilwoman Eckert stated that they have negotiated a deal for smaller trash receptacles and when it fits into Rick Robinson's schedule, the larger containers will be returned and the smaller containers will be picked up.

ENFORCEMENT

Solicitor's Report

Permit Fee Resolution & Policy Ordinance – Solicitor Wagner stated that he did not receive any comments back from members of Council; therefore, he assumes it is ready for advertising. Vice President Long made a motion, seconded by Councilwoman Eckert, to proceed to advertise the ordinance as reviewed. Motion carried.

Junkyard Ordinance – Solicitor Wagner stated that he has nothing new to report other than what was discussed at last month's executive session.

Shade Tree Commission Ordinance – Solicitor Wagner stated that he has amended the proposed ordinance reducing the number of members from five to three; therefore, it is ready to advertise. Councilman Cless made a motion, seconded by Councilman Weller, to proceed to advertise the proposed ordinance as presented. Motion carried.

Floodplain Management Ordinance – Solicitor Wagner stated he can provide the Secretary with a sample township ordinance to be disseminated to Council.

Perry County Assessment Report – Solicitor Wagner stated this information is not required. President Clouser stated that based upon Solicitor Wagner's determination this will not be submitted.

Borough/Abbott Property – Solicitor Wagner stated as previously discussed tonight that the agreement will be signed tonight and once approved and filed at the courthouse; the deed will be transferred to the Borough. President Clouser stated that we are trying to have Fred Morrow relinquish his right of way.

Sidewalks in PRD – Solicitor Wagner stated that this was previously discussed and we are not going to extend any further building permits until they are in compliance with the approved plan.

Letter of Credit – Secretary Pote stated that the Letter of Credit for Spring Lake Development issued by Orrstown Bank in the amount of \$25,000 has been extended through the close of business February 11, 2010.

Borough Spring Determination – Solicitor Wagner stated he received an 8 ½ " x 11" copy of the survey and he talked to Mr. Stouffer and he will do whatever needs to be done. Solicitor Wagner stated that last week he sent a copy of the proposed agreement to the Stouffers as well as the Grabiecs for their review. President Clouser requested a copy of the proposed agreement.

Bond Refinance – Solicitor Wagner stated that he still has not heard anything from Mr. Cramer concerning the bond refinance.

Late Fees – Solicitor Wagner stated that he wrote a letter to a resident concerning late fees on sewer bills and he has received the payment. Solicitor Wagner stated that the check was payable to him; therefore, he will be forwarding a check from his escrow account to Secretary Pote.

Bad Check – Secretary Pote stated she received a payment on a sewer bill and the check was returned for insufficient funds. Secretary Pote sent a letter to this individual by certified mail; however, it has not been picked up and they have exceeded the ten days to pay so she questioned what she should do next. Solicitor Wagner stated that she and one other member of Council should hand deliver a copy of the letter to that resident.

Perry County COG – Councilman Weller stated that a meeting was held here on February 12, 2009 and although housing is down and there is a loss of permit money with an average permit fee being \$313.00 over the year, everything is running well.

INSURANCE AND SAFETY

Health Insurance – Councilman Cless stated a discussion on employee paid health insurance will be discussed in executive session.

PERSONNEL

Personnel Committee Report

Personnel Manual/Job Descriptions – Vice President Long stated that the manual needs reviewed by Councilman Cless and President Clouser and then a copy will be given to Rick Robinson and Chris Sharrow for their comments. Vice President Long stated that when comments are received and addressed, the document will be prepared for review and input by all members of Council.

RIGHTS OF WAY & UTILITIES

Rights of Way & Utilities Committee Report

Barnett Street Sewer Line – Councilman Beaston stated that the surveying has been completed by Navtech, Inc. and he has sent the paperwork to DEP to add the leftover \$15,000 from the 2008 project to this year's Barnett Street project. Councilman Beaston presented the engineering proposal for the Barnett Street Sewer Rehabilitation from Buchart-Horn, Inc. in the amount of \$9,500.00 and requested approval. Councilman Beaston made a motion, seconded by Councilman Cless, to approve the engineering proposal as presented. Motion carried.

East Main Street PennDOT Project – Councilman Weller reported that the lids and risers are here and when the contract is awarded we will contact them.

North Carlisle Street Sidewalks/Curbing – Councilman Weller stated he wants a letter to go to each homeowner effected explaining that we will be going with the project and the curbing will bid in with the road resurfacing and each homeowner affected by the curbing ordinance is responsible for the cost of the curbing. Councilman Weller is hoping that homeowners that are not affected by the curbing ordinance will volunteer to install curbing. Councilman Weller feels the project will cost between \$80,000 and \$100,000.

South Carlisle Street Televising – President Clouser presented a bill from Mr. Rehab, Inc. in the amount of \$900.00 for televising the line at the intersection of South Carlisle and Barnett Streets and requested this payment be ratified. Councilman Beaston stated the results will save the Borough a significant amount of money. Councilman Weller made a motion, seconded by Councilman Robinson, to approve the payment of \$900 to Mr. Rehab as presented. Motion carried.

Additional Compensation Request for Barnett Street – Councilman Beaston stated that the request by Lech Brothers in the amount of \$9,997.00 was reviewed by the County Commissioners, Tri-County, Engineer Gross and himself and adjustments were made to reduce this to \$6,397.00 and this needs approved so it can be paid. Councilman Cless stated that some of the additional work was caused by our engineer's error. Councilman Beaston stated that some of the water lines and sewer lines were not marked on the document like they should and the manhole covers cost them additional money. Councilman Beaston stated this still came in lower than the second lowest bidder and this will be at no additional cost to the Borough because this will be paid with grant money. Councilman Cless stated he wrote a letter to our engineer stating his dissatisfaction with Lech Brothers. Councilman Beaston made a motion, seconded by Vice President Long, to pay Lech Brothers for change order no. 1 in the amount of \$6,397.00. Motion carried with Councilman Cless voting nay.

Sewer Feasibility Study – President Clouser stated that tonight we received a request from Centre Township asking the Borough to study the feasibility of treating possible sewage flows arising from potential development on the Nancy Schannauer properties that lie partially in Bloomfield Borough and in Centre Township. Vice President Long stated that a special committee consisting of Councilman Cless, Councilman Weller and himself met to discuss sewage flows with Solicitor Wagner, Roger Watson, Engineer Gross and engineering representatives from Glace Associates. Vice President Long stated that the discussion was capability of the existing plant, what the impact would be and the development. Vice President Long stated that Solicitor Wagner asked the potential developer if he would be interested or inclined to pay for additional improvements and at that point it was determined that a sewer feasibility study was needed. Vice President Long feels Chesapeake Bay requirements will significantly impact our plant and will cost us money. President Clouser stated that the letter from Centre Township indicated that up-front capital costs, planning, engineering and tapping fees will be the developer's responsibility. At this point, President Clouser presented an engineering proposal for the wastewater treatment plant expansion study in the amount of \$9,800.00 from Buchart-Horn, Inc. and questioned if this would be at the cost of the developer. Upon further discussion, Solicitor Wagner would like the developer to put \$10,000 up front in an escrow account so that if the developer backs out, the source is there to collect against. When questioned by Councilman Cless, Roger Watson acknowledged that he is aware that some of the acreage located in Centre Township may be sold for the construction of a single structure and this could significantly impact the study and the totals could be considerably less. Councilwoman Eckert questioned why the letter from Centre Township was not on official letterhead. Roger Watson stated he generated that letter for their signature. Councilman Cless made a motion, seconded by Vice President Long, to proceed with the study as set forth in the proposal upon confirmation from the developer and \$10,000.00 deposited into the escrow account and any balance remaining at the completion of the study would be returned to the developer. Motion carried. President Clouser abstained based upon his part-time employment with Navtech, Inc. Councilwoman Eckert made a motion, seconded by Councilman Cless, to hold the agreement until receipt of the \$10,000.00 to be escrowed and at that time have Vice President Long execute the proposal. Motion carried with President Clouser again abstaining.

FEMA/PEMA – Councilman Cless that that software has been installed for floodplain management and boxes of maps are available for public review.

EXECUTIVE SESSION

President Clouser called an executive session for the purpose of discussing a personnel matter.

There being no further business, upon motion by Councilman Weller, seconded by Councilwoman Eckert, meeting adjourned to meet on Tuesday, April 7, 2009. Motion carried.

Respectfully submitted,

Nancy A. Pote, Secretary

