

MINUTES
Bloomfield Borough Council
June 1, 2010

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, John J. Patterson, V., Leroy J. Weller, Karl L. Cless, Jayne M. Eckert and Edwin G. Robinson.

Also present: Solicitor P. Richard Wagner, Mayor Jean Anstine, Secretary Nancy Pote, Dale Beaston, Steve Dowell, Richard Groff, Richard Miller, Jason Hoffman, David Owen and Arlis Krammes.

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

MEETING OPENING

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 and reminded everyone that talking when someone else is speaking also disrupts the meeting and affects the recording.

Approval of Minutes – Councilwoman Eckert made a motion, seconded by Vice President Long, to approve the minutes of the May 4, 2010 meetings as reviewed. Motion carried.

Approval of Financial Report – Councilman Patterson made a motion, seconded by Councilman Weller, to approve the financial report for May 2010 as presented. Motion carried.

AGENDA REQUEST

New Bloomfield Emergency Medical Services (EMS) – Jason Hoffman representing the New Bloomfield EMS provided members of Council with a detailed description of the matter he will be discussing tonight. Mr. Hoffman stated that due to the increasing numbers of emergency and life-threatening calls and the inability of the West Shore EMS to keep up with the demand of the advanced life support services to our community, New Bloomfield EMS would like to add advanced life support to the list of services they provide to our community. Mr. Hoffman further stated that the New Bloomfield EMS ambulance membership is \$60 and \$35 of the money currently leaves Perry County; therefore, with keeping 100% of the ambulance membership and third party billing, New Bloomfield EMS will be able to purchase the required equipment and medicine needed by a paramedic and staff on a 24 hour crew. Mr. Hoffman stated their goal is to be up and running by September 1, 2010 and by the end of the year progress within the county. Mr. Hoffman further stated that there is no foreseen request for funding. After a question and answer session, Mr. Hoffman reported that to move forward with their proposal, they must have the backing of Bloomfield Borough and Centre Township; therefore, he requested Council to proceed with a resolution authorizing the selection of New Bloomfield EMS to provide advanced life support (ALS) services to the residents of the Borough of Bloomfield. Council decided to await the arrival of the Solicitor prior to adopting a resolution.

ADMINISTRATIVE

Announcements and Correspondence

Thank You – President Clouser read a thank you letter from the New Bloomfield Lions Club for the cooperation of the Borough to pick up and assist with spreading the playground cover at the Lions playground located on Chestnut Street.

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. Hearing none, President Clouser continued the meeting.

Mayor's Report

Tires – Mayor Anstine reported that DEP will not get involved where there are less than 500 tires stored on a property and she cannot trespass on the property to better access the situation. Mayor Anstine is certain that less than 500 tires are stored at the property located across the private alley behind 303 West Main Street. Secretary Pote stated that Solicitor Wagner will address this matter as a health issue.

Bloomfield Borough Planning Commission (BBPC) Report

Shed – BBPC Chairman Steve Dowell reported that they met on May 24, 2010 and discussed the placement of a 12' X 20' shed with a gravel base in the backyard of Kevin McCarty, 131 West Main Street. BBPC Chairman Dowell further stated that a written letter from the neighbor permitting the placement of the shed within two feet of the property line was also received. BBPC Chairman Dowell stated that approval for the placement of the shed was granted at that meeting.

Zoning/Permit Officer's Report

Update – Secretary Pote stated that Zoning/Permit Officer Watson issued two sidewalk permits and is investigating a complaint of a garage being constructed without a permit.

Administrative Committee Report

Library Ceiling – Councilman Cless reported that a section of ceiling fell in the library and he installed new ceiling tile to fill the void and nailed the remaining tile to keep them in place.

Building Maintenance and Equipment – Councilman Cless reported that he replaced some bulbs and ballasts in the downstairs lighting. Councilman Cless further reported that he obtained a telephone quote from Lloyd Geesaman to repair the handicap ramp at 25 East McClure Street in the amount of \$3,690; and separate quotes to repoint the building at \$850 and screen and parge the east end of the building, after removing the T111 siding, the quote for the upper windows would be \$1,500 and the lower windows quote is \$1,350. Councilman Cless stated he would like to wait to do the repointing and parging until the roof is replaced. Councilman Cless made a motion, seconded by Councilman Weller, to accept Lloyd Geesaman's proposal in the amount of \$3,690 for the repair of the handicap ramp. Motion carried. Councilman Cless stated he will take care of notifying our tenants concerning the inconvenience they will experience while the ramp is being repaired.

Second Floor Window Replacement – Councilman Cless stated that the two air conditioners have been purchased and Hershock's is currently working on the framework for the windows and no date has been set for the installation.

Chain Link Ballfield Fence – Councilman Cless reported that Fences and More expect to get to the fence project very shortly. President Clouser reported that the VFW donated \$815 or 50% of the total cost of the project.

Solicitor Wagner arrived at the meeting at 7:25 p.m.

Lighting – Councilman Patterson reported that three lights around the Borough Building have been changed to high pressure sodium at a cost of \$378 and the illumination is better.

Library Board Request – Vice President Long reported that a request was received from the Library Board for the exchange of the library classroom for the much larger Scout room and President Clouser, Councilman Weller and himself met with the Scouts to determine the impact on them with such a move. Vice President Long further stated that they then met with the Library Board and they were not able to provide information for the utilization of the larger room and they were requested to provide Council with a sketch of what their plans are so a decision can be made. Vice President Long stated that the Girl Scouts had no problem with the move; however, the Boy Scouts felt that with larger groups for training as well as the pine box derby, it would have a negative impact on them.

Space Shuttle – Vice President Long stated that to reduce the interest of teenagers after dark, it was determined that taking out some boards on the side of the shuttle would provide more light and the Boy Scouts had no objections with this change. Vice President Long further stated that a sign indicating that the shuttle is for use by children ages 12 and under has been ordered.

Grants – Councilman Patterson reported that Community Development Block Grant (CDBG) money in the amount of \$65,000 was approved for the Borough to replace the sewer line on East McClure Street and this will now permit us to move forward with the project. Councilman Patterson presented a proposal from Buchart Horn, Inc. in the amount of \$9,800 for engineering the project and stated that former Councilman Beaston requested the quote and would like approval tonight so the project can proceed. Councilman Patterson further questioned if anyone else was involved and stated he would like to get a second quote. Councilman Patterson stated that the Rights of Way and Utilities Committee would like to further discuss this matter prior to a determination. President Clouser stated that before anyone is contacted, the Rights of Way and Utilities Committee should meet and make a decision. Councilman Patterson feels a little more time needs to put into this prior to a recommendation. Councilman Cless made a motion, seconded by Vice President Long, to allow the Rights of Way and Utilities Committee to determine their selection for an engineer and approve that firm in an amount not to exceed \$9,800. Motion carried.

Perry County Boroughs Association – Vice President Long stated that at last month's meeting of the Perry County Boroughs Association that Karen Dowell representing Viridian discussed electric choice and savings associated with their program and Bob Peiffer of Roush Insurance Company discussed workers compensation, OSHA compliance, etc. Vice President Long reported that a representative from the Pennsylvania State Police will be at the June 17, 2010 meeting to discuss what Perry County communities can do with problems involving juveniles and other persons.

Computer and News Information – Councilman Cless reported that the Bloomfield Borough Water Authority requested that their water service application be posted on our website and it has been done.

Capital Tax Collection Bureau – Councilman Cless reported that Juniata County has selected Capital Tax Collection Bureau for their collector and they are getting calls from all over the state and it is possible this organization may grow.

Bid Openings

President Clouser hopes that everyone is bidding on the same project since several addendums were done and in the future he would like to see one bid advertised instead of going out and later revised by several addendums. Solicitor Wagner expressed concern with addendums and bidders with respect to advertising. Secretary Pote stated that all addendums were sent by fax, received and a fax confirmation report printed.

Barnett Street Paving/Stormwater Project

<i>Bidder</i>	<i>Stormwater Portion S. Carlisle to 29 Barnett St.</i>	<i>Optional Additional Stormwater Portion 29 Barnett Street to Church St</i>	<i>Paving Portion</i>
	<i>A&B</i>	<i>B&C</i>	<i>II</i>
<ul style="list-style-type: none"> G & R. Charles Excavating, LTD 4729 S. Susquehanna Trail Port Trevorton, PA 17864 	\$16,786.65	\$12,700.31	\$58,230.70
<ul style="list-style-type: none"> Jerry Justice Excavating, Inc. 31 Center Mills Road Aspers, PA 17304 	\$20,259.80	\$18,724.00	\$90,716.50

Solicitor Wagner stated that the description of work in the advertisement does not state to the public that this will be in phases and this poses a problem. Councilman Weller stated that bid packages contained all pertinent information for the bidders. Solicitor Wagner further stated that the public were unaware of the phases based upon the advertisement. Solicitor Wagner feels not all bidders are on the same page as a prospective bidder because there is nothing in the advertisement referring to segments or phases and the public has no clue what is going on unless they pick up the bidding documents. Solicitor Wagner said that we need to step back and put yourself in the position of a contractor...I read this in the newspaper, did it adequately give me notice of what the project was so that I have the fair opportunity of a.) knowing what it was and b.) the opportunity to be able to respond to it. Further discussion by Council is that this still is a stormwater and paving project. Solicitor Wagner feels for future projects a statement such as "Specificity of the project shall be picked up etc. etc." and "The Borough reserves the right to segments." Councilman Weller agreed this can be done for future projects. Solicitor Wagner stated that the bid notice must fairly and accurately let the person know what the nature of the project is, what the number of phases can potentially be and what they are bidding on. President Clouser stated that there were no phases and it was basically a project with an option. President Clouser requested if he could proceed and all documents would be turned over to Solicitor Wagner for his review and approval. Solicitor Wagner agreed to President Clouser proceeding with the bid opening. President Clouser proceeded to open the bids as follows:

<ul style="list-style-type: none"> Eastern Industries, Inc. P.O. Box 177 Winfield, PA 17889 	\$31,080.00	\$35,260.00	\$68,095.00
<ul style="list-style-type: none"> Mid-State Paving, LLC 2991 Paxtonville Road P.O. Box 366 Paxtonville, PA 17861 	\$24,483.00	\$19,715.00	\$70,880.00

Councilman Weller stated that paving was budgeted at \$60,000. Vice President Long stated that he is not in favor of doing B&C because we are over budget and would like to have the paving done and only A&B. President Clouser stated that the lowest bidder is G & R Charles for II, A&B and B&C. Councilman Cless made a motion, seconded by Vice President Long, to award the bid to G & R Charles Excavating for II in the amount of \$58,230.70 and \$16,786.65 for A&B pending approval by the Rights of Way and Utilities Committee and forwarded to Solicitor Wagner for his review and approval. Motion carried.

Borough Building Rubber Roofing

President Clouser stated that only one contractor submitted a bid in response to the advertised notice and Solicitor Wagner stated that since the project was properly advertised, the Council should proceed with the bid opening. President Clouser then proceeded to open the following bid for the rubber roof replacement:

- Perry Roof Systems \$11,242.00
455 Cherry Road
Liverpool, PA 17045

Councilman Cless stated that inquiries as well as faxes were made to the western part of the state because this project was listed as a "Bloomfield" project and there was no further interest in this project. Councilman Patterson made a motion, seconded by Councilman Cless, to award the bid for the rubber roof replacement to Perry Roof Systems in the amount of \$11,242.00. Motion carried. Councilman Cless reported that the Borough truck will be used to transport stone removed from the roof.

East McClure Street Curbing

President Clouser proceeded to open the following bids for the East McClure Street curbing:

- Lloyd E. Geesaman, Jr. Masonry \$7,505.00
1028 Clouser Hollow Road
New Bloomfield, PA 17068
- G & R Charles Excavating, Ltd. \$9,550.00
4729 S. Susquehanna Trail
Port Trevorton, PA 17864
- Jerry Justice Excavating, Inc. \$11,970.00
31 Center Mills Road
Aspers, PA 17304

Councilman Weller made a motion, seconded by Councilman Patterson, to accept the bid of Lloyd E. Geesaman, Jr. Masonry in the amount of \$7,505.00. Motion carried.

New Bloomfield Emergency Medical Services (EMS) - Following review of the proposed ALS Resolution, Solicitor Wagner questioned Mr. Hoffman if the Borough would have to pay since this is an exclusive service. Mr. Hoffman stated it would not. Solicitor Wagner stated the Resolution could be approved. Councilwoman Eckert made a motion, seconded by Councilman Robinson, to adopt Resolution #10-03 authorizing the selection of New Bloomfield EMS to provide advanced life support (ALS) services to residents of the Borough of Bloomfield. Motion carried.

ENFORCEMENT

Enforcement Committee Report

License # Authorization – President Clouser questioned if a councilperson can be authorized to check license #'s and Solicitor Wagner stated it is up to the State Police to determine that. Mayor Anstine reported that the State Police won't approve a councilperson and it must be an employee to do checking for cars. Solicitor Wagner stated that Secretary Pote could do that. President Clouser stated that Bob Anstine currently does this and that is the way we are going to keep it until another person is also authorized.

Crime Watch – Vice President Long reported that President Clouser and he met with James McLaughlin, 133 West McClure Street, with regards to his desire to do something to deter juvenile delinquency and other acts of misconduct by establishing a crime watch and he agreed to canvas his community to determine interest and agreed to report back to Vice President Long. Vice President Long stated he has not heard anything further from Mr. McLaughlin.

Code Enforcement – Vice President Long reported that we are looking at other options, besides a police officer, to enforce local code as they apply to our younger generations in the community. Vice President Long stated this is basically to have someone keep an eye on situations and if necessary cite them. Vice President Long further stated this would primarily involve individuals for evenings and weekends when activities are at their highest. President Clouser and he have talked with an individual that has a decent amount of experience with juveniles and is retired from Newport School District as a security officer. Vice President Long stated he would like to get together with the Enforcement Committee to develop a job description and also to have the individual meet with the committee. President Clouser stated that this is not to take the place of the current Code Enforcement Officer that is under the Mayor. Councilman Cless stated that he has an interested individual and questioned if the position was going to be advertised. Solicitor Wagner stated that it can be advertised but doesn't have to. Vice President Long asked that Councilman Cless have the interested individual contact him. Mayor Anstine requested that she be included in the interviews because she is over the Code Enforcement Officer. Solicitor Wagner stated it depends on the description once it is decided what ordinances this person is going to enforce and/or what new ordinances Council may pass in anticipation of this person. Solicitor Wagner further stated that that the general section of the Borough Code talks about enacting ordinances that are necessary to carry out the Borough Code. Mayor Anstine provided Council with a chart put together when she requested to access license numbers and stated it clearly details she is over the Code Enforcement Officer. President Clouser stated that the chart was developed to put the Code Enforcement Officer responsible for the enforcement of the grass and snow shoveling ordinance under her authority. Mayor Anstine reiterated that she would like to be involved if she is going to be over the Code Enforcement Officer.

Solicitor's Report

Thank You – Solicitor Wagner stated he appreciated all of the concerns expressed for his father who recently had a stroke that prevented him from being at the last meeting.

Vehicle Ordinance Pre-Trial Follow-Up – Solicitor Wagner reported that the pre-trial follow-up is the stipulation of facts has been signed, this week the cross motions are due, briefs are due and a meeting is scheduled on June 23, 2010 with the Judge.

Final Sub-Division – Solicitor Wagner stated that the description of the previous owners of parcels that went into the parcels that are subject to the sub-division has been provided by Roger Watson, Navtech, and this information was sent to the abstractors to prepare the two deeds.

Deteriorated Structure Status – Solicitor Wagner stated that our Zoning Officer is on top of this and he is aware the primary issue is that the building has remained unoccupied for a period exceeding one year; and as a result thereof, may not necessarily be rebuilt due to complying with all new ordinances and if that is the case, rebuilding cannot be done. BBPC Chairman Dowell reported that Zoning Officer Watson briefly stated to the Planning Commission that there seems to be a disagreement between Mr. Slike and Zoning Officer Watson concerning the proper procedure for procuring the necessary COG and Borough permits. BBPC Chairman Dowell further stated that the Mr. Slike now desires to remodel for rental purposes versus demolition. Solicitor Wagner questioned if a permit was requested was it issued or did someone deny it. BBPC Chairman Dowell stated he did not know. Solicitor Wagner suggested that a decision be made whether Zoning Officer Watson will issue the permit or not issue the permit and if denied, notify the applicant that he cannot get a zoning permit because he has not complied with the applicable Borough Ordinances. Solicitor Wagner further stated that if denied the appeal process will kick into play what the applicant needs to do and that will get the process going.

Zoning Officer/Councilman – Solicitor Wagner stated that in the absence of the Zoning Officer, a Councilman cannot stand in for him and the primary reason is the Zoning Officer interprets the applicability of the zoning ordinance and if an individual is denied he can request a hearing before the Zoning Hearing Board and Council is a party to that because they draft and adopt those ordinances; therefore, the two positions are incompatible.

Curfew – Solicitor Wagner stated that the development of the curfew ordinance goes hand in hand with the Code Enforcement Officer and the issue is who is going to enforce it. Solicitor Wagner feels once the Code Enforcement Officer is hired then a curfew can be prepared and adopted.

Tires/Health Issues – Solicitor Wagner stated that under the Borough Code, subsection known as nuisances, where you cannot declare the activities a nuisance but you can declare the results of an activity to constitute a nuisance. Solicitor Wagner stated that the actual keeping of ten tires does not necessarily constitute a nuisance, but if those ten tires are generating vermin, mosquitoes, etc. that can constitute a nuisance and that person can be cited under that section of the Borough Code. Solicitor Wagner feels to reasonably enforce the law, the Code Enforcement Officer can go on that property to access the situation. Solicitor Wagner stated that the tires in question must be out in open view and not stored in a garage, shed, etc.

Sewer Bond – Solicitor Wagner stated he has contacted Mr. Long at 1st National Bank of Mifflintown to reschedule the possible sewer bond refinance.

Springlake Development Sidewalks – Councilman Weller questioned the status of the sidewalks in Springlake Development. Councilman Cless stated that Pam Keller discussed with him that they do not have the money and cannot afford to do them. Solicitor Wagner stated we can force them to do the sidewalks. Upon further discussion, Solicitor Wagner reported that DEP is going after all of their assets.

AESTHETIC

Aesthetic Committee Report

Ribbons on Square - Councilwoman Eckert reported that the red, white and blue ribbons on the square were paid for by the VFW and a thank you was sent to them.

Flower Pots on Square – Councilwoman Eckert reported that the flower pots on the square have been planted.

Flags/Banners/Signs – Ad-Hoc Committee Member Arlis Krammes questioned if the signs and flags to be displayed in town are to have Borough of Bloomfield or New Bloomfield. Upon further discussion, Council agreed to use Borough of Bloomfield. Ad-Hoc Committee Member Krammes wanted to know if the banners could display veterans from around the County or just the Borough. Councilman Patterson stated that could increase due to the two wars. Upon further discussion, they would like to think about this. Ad-Hoc Committee Member Krammes stated there are three historical signs that she would like to have moved and feels one in the square and one at the Borough Building would protect and preserve them from traffic and road elements.

Shade Tree Commission – Councilwoman Eckert stated that James Tressler trimmed the trees at 200 South Carlisle Street.

FINANCE, INSURANCE AND SAFETY

Finance, Insurance and Safety Committee Report

Verizon Wireless Discount – Councilman Patterson reported that Verizon Wireless, our cell phone supplier, met with Secretary Pote and being government, we are entitled to an approximate 18% discount that will be seen on our next bill. Councilman Patterson further stated that all sales tax paid for the last two years will also be refunded.

Certificates of Deposit – Councilman Patterson reported that in June many certificates of deposit will mature and he will put a report together and have further information next month based upon how the certificates of deposit were handled.

PERSONNEL

Personnel Committee Report

Second Secretarial Part-time Position – President Clouser reported that an individual was interviewed; however, she declined accepting the position because of travel and lack of hours.

RIGHTS OF WAY & UTILITIES COMMITTEE

West Main Street Between Church & Chestnut Streets Sidewalks – Councilman Weller reported that several sidewalks have been replaced.

16 West McClure Street – Councilman Weller stated that the property located on the northeast corner of South Carlisle and West McClure Street has been neglected and a letter sent to property owner Pam Dum requiring that the uneven sidewalk must be repaired or replaced by July 15, 2010. Councilman Weller also stated that vegetation was growing over the sidewalk and pedestrians couldn't walk on it. Mayor Anstine stated that Ms. Dum does not respond her letters or telephone calls. Solicitor Wagner will upon the direction of Council, proceed to write her a letter.

Emergency Generator Electrical Upgrades – Councilman Patterson reported we have run into some snags and there is further work needed to determine if we can make this happen. Councilman Patterson reported that there is a problem with the transfer switch and he will report back to Council as information is received.

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There being no further business, upon motion by Councilman Weller, seconded by Councilman Robinson, meeting adjourned to meet on Tuesday, July 6, 2010. Motion carried.

Respectfully submitted,

Nancy A. Pote
Secretary