

MINUTES
Bloomfield Borough Council
May 5, 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, Engineer Paul Gross, Mayor Jean Anstine, Secretary Nancy Pote, Planning Commission Chairman John Patterson, Richard Miller, Robert A. Hench, Robert I. Hench, Richard Groff, Steve Dowell, James J. Coggins, Howard DeTraglia, *Zach Krone, D. Fred Zook, Jr., John Fenicle and Holly R. Shearer (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 will record and video the meeting.

Approval of Minutes – Councilman Robinson made a motion, seconded by Councilman Weller, to approve the minutes of the April 7, 2009 meeting as amended. Motion carried.

Bid Opening

President Clouser proceeded to open the following bids for the Barnett Street sanitary sewer replacement:

- **E.K. Service, Inc.** \$74,338.00
260 Old York Road
New Cumberland, PA 17070
- **Zemco, Inc.** \$85,609.85
R.R. #3, Box 598, Licking Creek Road
Mifflintown, PA 17059
- **DeTraglia Excavating, Inc.** \$79,760.00
281 Texaco Road
Mechanicsburg, PA 17050
- **G & R Charles Excavating Ltd.** \$68,520.08
4729 South Susquehanna Trail
Port Trevorton, PA 17864
- **McCorkel Construction Services** \$78,801.50
1405 Zimmerman Road
Carlisle, PA 17015
- **B & R Construction Services** \$56,371.00
7045 Blue Ridge Avenue
Harrisburg, PA 17112

- **Wexcon, Inc.** \$83,822.50
379 Tilden Road
Mohrsville, PA 19541
- **Mid-State Paving** \$93,100.55
Route 690, Paxtonville Road
Paxtonville, PA 17861
- **Jerry Justice Excavating, Inc.** \$49,530.80
31 Center Mills Road
Aspers, PA 17304

Engineer Gross took all bids received with him. Councilman Beaston made a motion, seconded by Councilman Robinson, to award the contract to the lowest bidder contingent upon review and approval by our engineer and our solicitor. Motion carried.

Announcements and Correspondence

Pennsylvania State Association of Boroughs (PSAB) H1N1 Influenza Webinar – President Clouser stated that PSAB will be conducting a webinar for members of Council on Thursday, May 7, 2009 at 12:00 noon to discuss the swine influenza outbreak and questioned if there was any interest. No interest was expressed.

Bloomfield Borough Municipal Authority (BBMA) Vacancy – President Clouser stated that Karin Denver recently notified us verbally that she is moving in June and will no longer be able to serve on the BBMA. President Clouser has an interested individual; however, no appointment will be made until a written resignation is received or until she moves.

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.

ADMINISTRATIVE

Administrative Committee Report

Upper Level Restrooms – Councilman Beaston stated that today Swenson's Heating and Plumbing worked on the upper level restrooms and the project is almost complete. Councilman Beaston further stated that a major leak in Diacon's bathroom was detected and will be fixed.

Join Hands Classroom – Councilman Beaston stated that the air conditioner that was approved at our October 7, 2008 meeting at a cost of \$439 is being installed tomorrow.

Chalkboard Mural for Council Chambers – Councilman Cless reported that the New Bloomfield Fire Company will provide Arlis Krammes a room to paint the mural and he will deliver the chalkboard to her.

Directory Boards – Councilman Cless reported that the directory board at the upper level entryway was donated at no cost to us by Orrstown Bank and he will go there to personally thank them for it. Councilman Cless stated that the exterior directory board has been received and upon opening realized it was made water repellent but it is not waterproof so it will need some type of surround. Councilman Cless stated he has discussed with Wright's Welding the possibility of creating a metal surround and he also is

looking into possibly building a surround with maintenance free decking material. Councilman Cless stated that the library had requested a multiple use directory board and nothing has been purchased yet. President Clouser feels we should order a directory board for the other lower level tenants and provide the library with a bulletin board.

Post Office Water Line – Secretary Pote stated that she received an estimate from H.G. Fahnestock & Son to extend the existing water line approximately 20 feet through the front of the building and thru the basement to the storage area under the Post Office at a cost of \$1,195 for copper or \$1,075 for plastic. Upon discussion, Councilwoman Eckert made a motion, seconded by Councilman Cless, to have H.F. Fahnestock & Son proceed to install a copper water line to the Post Office at a cost of \$1,195. Motion carried.

Diakon & IOOF Leases – Secretary Pote stated that the leases for Diakon & IOOF will expire on August 31, 2009; therefore, we need to determine if they desire to renew their leases at this time. Secretary Pote stated that the IOOF would like council representation at their meeting on May 13, 2009 at 8:00 p.m. President Clouser requested that Vice President Long and Councilman Beaston attend their meeting.

Bloomfield Borough Water Authority (BBWA) Report

Test Well – President Clouser stated that the Water Authority is working with Nancy (Bailor) Schannauer with regards to a possible test well site to determine if it is suitable.

Standpipe – Secretary Pote reported that the standpipe is full and is now ready for testing and inspections.

Zoning/Permit Officer's Report

Permits Issued – Secretary Pote stated that Zoning/Permit Officer Watson issued one sidewalk permit to George Martz at 20 East Main Street and one zoning permit to Rosario Tripoli at 22 South Carlisle Street for an access door to a storage room. Councilwoman Eckert stated that Mr. Martz has agreed to plant two trees.

Outside Furnace – Secretary Pote stated she had a request from an individual requesting permission to install an outside furnace. Planning Commission Chairman John Patterson stated that our ordinance does not address this; however, the only thing we can possibly control is excessive smoke.

Borough Driveway Permit – President Clouser stated the Borough is requesting a permit for a driveway from Barnett Woods Road for the parking lot next to the ball field and requested that the \$25 permit fee be waived. President Clouser further stated that Rick Robinson intends to build two pedestrian bridges over the creek. Councilwoman Eckert made a motion, seconded by Vice President Long, to approve the driveway permit as submitted and waive the \$25 fee. Motion carried.

Bloomfield Borough Planning Commission (BBPC) Report

Cramer/Lesh Variance – Planning Commission Chairman Patterson reported that the Zoning Hearing Board met on April 16, 2009 and determined the Cramer/Lesh rental property at 110 South Carlisle Street sub-division plan was denied because it clearly did not meet requirements for R-2 and there has been no appeal.

Morrison Special Exception – Planning Commission Chairman Patterson stated that the Zoning Hearing Board is currently meeting in the Secretary's office for the special exception request of Dave Morrison for converting the garage located at 104 North Carlisle Street to a single family residential unit.

Vice Chairman – Planning Commission Chairman Patterson also reported that Steve Dowell has accepted Vice Chairman of the BBPC and Karl Cless has graciously stepped down as Vice Chairman and has kept the position of Secretary.

Capital Tax Collection Bureau – Councilman Cless reported that they met on April 15, 2009 to review and approve the disbursements to all municipalities. Councilman Cless reported that a lengthy discussion followed with regards to Act 32 (state-wide uniformity in tax rules, procedures and forms and the requirement to consolidate tax collection to the county level) that requires each political subdivision to appoint their voting delegate and alternates to the Tax Collection Committee (TCC). Councilman Cless further stated that the names of the delegate and alternates must be submitted to the County Commissioners so a meeting can be set up to select officers, develop bylaws and guidelines to collect taxes and this must be done by September 15, 2009. Councilman Cless made a motion, seconded by Councilwoman Eckert, to appoint Councilman Karl Cless as the delegate and Secretary Nancy Pote as the alternate to the TCC. Motion carried.

Grants

Borough Building Windows Replacement – Councilman Beaston stated that nobody has gotten the DCED money and we need to sit tight.

American Recovery and Reinvestment Act (ARRA) – Councilman Cless reported that the AARA is a federal stimulus bill and he has sent an email inquiring about the possibility of funding for replacing all remaining windows in the Borough Building that are scheduled for replacement; however, he has not yet received a response.

Perry County Boroughs Association – Vice President Long stated this is a great opportunity to meet with other boroughs and the last meeting borough problems were discussed. President Clouser stated that the next meeting is scheduled for Thursday, May 7, 2009 here in Council Chambers and Jamie Brown from the Perry County Chamber of Commerce will be discussing health insurance.

Mayor's Report

Crosswalks at Square – Mayor Anstine feels that the crosswalks at the Square need painted as soon as possible due to pedestrian traffic. Councilman Beaston stated that Rick Robinson painted West Main Street last week and as soon as the weather permits, the line painting will continue.

Street Closing – Mayor Anstine stated that many public sales are anticipated in the Borough and one of concern with parking is the Russell Metz estate located on the corner of West Main and Chestnut Streets. Upon a lengthy discussion, Councilwoman Eckert made a motion, seconded by Councilman Weller, to authorize the Mayor to close Chestnut Street from West Main Street to West High Street on Saturday, May 16, 2009.

At this time Solicitor Wagner arrived at the meeting.

AESTHETICS

Flower Receptacles – Councilwoman Eckert stated that the flower receptacles will be placed in the Square in the near future.

Lion's Club Park – Councilman Beaston stated that the New Bloomfield Lion's Club did an exceptional job on the bank reduction and it looks beautiful.

Borough Spring – Councilman Beaston stated that the Spring area has been cleaned up, mulched and plants put in.

Trash Receptacles – Councilman Cless stated that when the Borough returned two 32 gallon trash receptacles for 22 gallon receptacles, Dumor, Inc. did not notify George Ely Associates, Inc. that the exchange had occurred and he was questioned concerning a credit or refund for the difference of \$400. Councilman Cless further stated he has been working with them to try to recoup this money and if the restocking fee is \$400, he feels this is excessive. Councilman Beaston stated that he has worked with George Ely Associates, Inc. over the years and he has found them to be easy to work with. President Clouser stated that these receptacles were returned as received and asked Councilman Cless to continue with his inquiry.

ENFORCEMENT

Solicitor's Report

Abandoned Vehicle Ordinance – Solicitor Wagner stated that he received no response by April 23, 2009; therefore, he will move forward as directed by Council.

Ordinance #273 – Solicitor Wagner stated this is an ordinance amending Ordinance #272 providing for three, four and five year terms instead of one, two and three year terms for the Shade Tree Commission and stated that it has been properly advertised and is in a position for adoption. Vice President Long made a motion seconded by Councilman Weller, to adopt Ordinance #273 as presented. Motion carried. Councilman Beaston made a motion, seconded by Vice President Long, to appoint Phillip Eckert to a three year term, Arlis Krammes to a four year term and Jayne Eckert to a five year term on the Bloomfield Borough Shade Tree Commission. Motion carried. Councilwoman Eckert abstained because of her membership on the Shade Tree Commission.

Ordinance #274 – Solicitor Wagner stated that Ordinance #274 amending the Zoning Ordinance as it relates to variances, special exception zoning permits, driveway permits, junk dealer license fees, mobile home park permit fees, refuse collection fees, sewer renting fees, sewer tapping fees, sewer maintenance fees, sewer inspection fees, street excavation permit fees, subdivision and subdivision permit fees, television cable fees, sidewalk permit fees and curbing permit fees, further providing that all of the other provisions of all other ordinances shall remain in full force and effect has been properly advertised and is in a position for adoption. Vice president Long made a motion, seconded by Councilman Cless, to adopt Ordinance #274 as presented. Motion carried.

Garbage Placed at Curbside Prematurely Ordinance – Solicitor Wagner reported that he will have this ready by the end of the week.

Floodplain Management Ordinance - Councilman Cless reported that the proposed floodplain management ordinance has been reviewed and approved by Fred Chapman from DCED and Henry Chau from the Philadelphia FEMA office. Solicitor Wagner stated that upon adoption, a copy of the signature and ordinance number pages must be forwarded to Mr. Chapman. Councilman Cless made a motion, seconded by Vice President Long, to proceed to advertise the floodplain management ordinance as discussed. Motion carried.

Borough Abbott Sub-Division – President Clouser stated that today he had the Abbott sub-division recorded.

Sidewalks in PRD – Solicitor Wagner stated that he had heard nothing from anyone on the installation of the required sidewalks at the Springlake Development.

Bloomfield Spring Determination – Solicitor Wagner stated that Mr. Stouffer signed one agreement and we are still waiting to hear from the Grabiecs. Upon discussion, President Clouser and Solicitor Wagner tentatively agreed to meet with the Grabiecs on Friday afternoon. President Clouser further stated that Roger Watson came up with a deed where Barnett gave that land to the commissioners at one time. Solicitor Wagner questioned if it was recorded and requested to see the document. Solicitor Wagner questioned why we paid all this money to have title work and surveying and why the deed wasn't found by our title people.

Sewer Bond Refinance – Solicitor Wagner spoke with Mr. Cramer and banks have tightened up; however, some lending institutions are starting to loosen up and he will get back into making telephone calls to determine if a bank would be willing to deal with us for a lesser rate than what we are paying on the bonds we currently have. Solicitor Wagner expects to hear something back in thirty to sixty days.

Power and Energy Purchase Program – Solicitor Wagner stated that he was sent a copy of the proposed agreement asking for his review and comment and the only comment he wrote on the top was there appears to be no prohibition from Benchmark entering into a contract with a supplier that binds the Borough for a long period of time. Solicitor Wagner further stated that he contacted the Solicitor for the City of Harrisburg and received glowing remarks to the Benchmark energy program. Solicitor Wagner expressed concern that if the Borough is going to do this, we have the ability to review the contracts they enter into on our behalf. Solicitor Wagner provided an example of locking in for oil thru a consortium and being stuck at a considerably higher cost and expressed the need to be careful that when you get involved in those kinds of consortiums that you don't lose total control. Solicitor Wagner wants to make sure they do not have the authority to bind you into contracts without you knowing what is going on.

Ordinance #274 – Mayor Anstine expressed concern that the Mayor is responsible to issue certain permits when it was questioned at the last meeting. Solicitor Wagner stated that the question to him by Secretary Pote at the last meeting was “Is the Mayor required to issue permits?” and he responded that the Mayor is not required to issue permits in all cases but the ordinance already in place empowers the Mayor to do that in certain circumstances. Mayor Anstine stated that at our last meeting President Clouser questioned if the permit officer can do the permits and Solicitor Wagner stated they can. Mayor Anstine further stated that when this comes up that she does not issue permits. Solicitor Wagner stated this can be changed requiring the permit officer to issue all permits but the Borough ordinance has been in effect for decades and has the Mayor doing them in certain instances. Secretary Pote stated that the matter was discussed at our meeting last month but no action was taken. Mayor Anstine expressed concern that no action is taken and matters are left go and she is not letting go. Mayor Anstine stated if she is approached for a permit, she intends to send them to the permit officer because she has no knowledge of permits. After discussion, Councilwoman Eckert made a motion, seconded by Councilman Weller, to eliminate the mayor from issuing permits. Motion failed. Upon further discussion, Councilwoman Eckert made a motion,

seconded by Councilman Weller, to eliminate the issuance of permits under our ordinance fee schedule by the Mayor and give the responsibility to the permit officer and establish a permit officer. Motion carried.

At this time Mr. Rubb, Benchmark Energy Solutions, Inc. entered the meeting.

Sidewalk Ordinance – Councilman Weller provided Solicitor Wagner with a revised copy of the proposed change to the sidewalk ordinance.

ADMINISTRATIVE

Power and Energy Purchase Program – Jamie Rubb, Benchmark Energy Solutions, Inc., stated this program was started ten years ago and with the upcoming deregulation of electricity, they have already focused on how they can save municipalities money through bulk purchasing and are set up with multiple electric companies. Mr. Rubb reported that they will receive for audit all the bills for the municipality and one bill will be generated to the municipality. Mr. Rubb stated upon joining the program, that the electric bills of the municipality for the last three years will be audited for mistakes and a refund check will be issued if any are found. Mr. Rubb feels the electrical savings will be 20%-22% because there are many electrical companies they can get the commodity from. President Clouser questioned the fee schedule for the program. Mr. Rubb stated there is no up front cost to the program and you can be released from the program at any time with just cause and Intergovernmental Cooperation Agreement (IGCA) which the borough would sign there is no timeframe on that. Mr. Rubb stated in the Management Contract, bullet point 4, page 3, states that this is a three year contract but with a letter written to the program or the City of Harrisburg, you can be released from the program and in that letter tell them why they are not performing what they said they would perform, let them have a month to address it and if that month they have not showed the municipality that they can fix it, they will release you from the contract. Solicitor Wagner questioned if this was in the contract. Mr. Rubb stated this is in the Management Contract, not the IGCA, in bullet point 4, page 3, with written cause you can be released from the contract. Mr. Rubb stated upon the completion of the three year audit if a refund is due, the program will receive 30% and 70% will be returned to the municipality. Going forward, Mr. Rubb stated whatever the market rate from PPL with the commodity rate on the market is, whatever they find in savings from other vendors they use, 70% of the savings is passed on to the municipality and 30% goes back to the program. Mr. Rubb stated there are some clerical fees to do the auditing of \$2.20, \$4.40 or \$6.60 per month and the fee is determined by the dollar amount of the bill and that is something PPL is charging and it is now a carryover that they can collect. Vice President Long stated that what he likes is they will break out the statement any way we want them to, itemize how we want our accounts and it will also give us visibility to look at our accounts at M&T. Mr. Rubb stated in the first eight to ten months, they will be in constant contact and then approximately every six months they will visit to make sure things are going right. Councilwoman Eckert questioned what is “just cause” to get out of the contract. Mr. Rubb stated that if they are not saving the municipality money or the bills are not getting to the municipality in a timely manner that would be just cause. Mr. Rubb stated it is a performance contract; therefore, they are not making money unless they are saving us money. Mr. Rubb further stated that the more municipalities that they get, the better the pricing. Upon questioning by Councilman Weller, Mr. Rubb stated that they currently have approximately thirty participating municipalities. Mr. Rubb stated that they continue to watch the market and continue through the year to purchase at fixed and variable prices so they never get caught over the line. Solicitor Wagner questioned if they do long term contracts with suppliers. Mr. Rubb stated that he would not say that, they will do long term contracts with suppliers but there always seems to be another program out there that took bait and they can sell their commodity to them and then reinvest their money into another purchase. Mr. Rubb stated at the beginning of the year they will do a bulk purchase of the electric and they will continue to watch the market and continue to purchase the commodity of electricity. Solicitor Wagner to make this clear stated that when this commodity was purchased, they are purchasing as the agent on the behalf of the Borough. Mr. Rubb stated it was on behalf of all the municipalities. Solicitor Wagner stated that this

purchase price is ultimately the responsibility of all of those municipalities for which they purchase it. Mr. Rubb stated if they purchase the commodity at this price. Solicitor Wagner stated that we means us because we delegated to you the responsibility to make that purchase and you make a purchase of a bulk commodity, the individual members are responsible for paying that price. Mr. Rubb agreed. Mr. Rubb stated this is what is scary about bulk purchasing in the beginning of the year and that is not what they are doing, because he says they are going to buy the commodity of electricity at the beginning of the year, because when deregulation happens, there are going to be so many electric companies coming into the state of Pennsylvania to compete in programs like ours so competition on the municipal level and private business level will drive the prices of electricity down where the residents of our municipalities of the state of Pennsylvania or in the PPL generation area, MetEd in 2011 are going to take the brunt of this hit. Solicitor Wagner questioned if we are satisfied that deregulation is deregulation as opposed to lifting the caps. Solicitor Wagner stated that so far the only thing we are hearing from the legislature is the caps are going to be lifted and we are not hearing the second part, i.e. the deregulation that allows the competition to come in that promotes the buying in bulk and selling on subsidiary secondary market and rebuy. Solicitor Wagner questioned if the deregulation doesn't occur, but the caps come off, where do we stand as part of their consortium. Mr. Rubb stated we would stand exactly as anyone else stands in the consortium, if there is no deregulation at the end of the year, and they do not allow competition, and he doesn't think it would happen what the Borough would benefit from still being in their program is lesser transmission and generation fees and PPL will still work with them to give them a better price on their commodity of electricity in the delivery and transmission of electricity. Mr. Rubb stated we are still getting less than what we would be paying PPL direct. Solicitor Wagner stated that the only primary issue he looked at when he reviewed the Benchmark proposed agreement was some of methodology to prevent a bulk purchase that locks us in for long period of time because if you purchase tomorrow from a supplier and you make it a three year contract, we would be on the hook for that price as one of thirty members and plus we are paying whatever rate per month you get and if the market goes down and you are not able to make other arrangements we are stuck with that higher price for a three year period so the question becomes what advance opportunity does the Borough have to review any long term contract the consortium enters into with the supplier. Mr. Rubb stated you can go back to the Management Agreement for one and he wanted to make it clear they do not operate as buying in bulk for three years and that would never happen with this program and he understands that Solicitor Wagner is just trying to make a point out there. Mr. Rubb stated this would be a concern and the Borough would indicate this is not working (i.e. the municipality down the street is getting a better price than we are) and we need to get out of this contract. Solicitor Wagner stated that he has difficulty with this because this is what Rye Township was told when they entered into the consortium for the purchase of fuel oil, and then fuel oil costs dropped significantly, and they were paying such a higher rate and we called the consortium, the council for the consortium said that Rye Township gave them the authority so they couldn't get out of it and this resulted in them paying the higher rate. Mr. Rubb referred Solicitor Wagner to look at the Management Agreement and stated that if the Borough gets out of the agreement, Benchmark no longer will manage the municipality's electricity account and Benchmark will contact PPL and you go back with PPL and you are with them again. Solicitor Wagner questioned if the Management Agreement would get amended to reflect that. Jamie Rubb stated this is how it works. Solicitor Wagner quoted the agreement as follows: "This Agreement will be subject to automatic extensions of one year unless either party notifies the other in writing of its intention to terminate at least (60) days in advance of an expiration date which is three years." Solicitor Wagner stated so we sign this today and the next day you get into an agreement with a supplier, we're in a one year contract, per my fuel oil illustration, all of a sudden one month after we enter into this agreement prices fall, we cannot get out of this contract you've entered into with the supplier because you did it on our behalf. Mr. Rubb stated that the municipality is by no means with any supplier because they might buy from one supplier this month and another supplier next month. Mr. Rubb stated that we are not in a contract with any supplier. Mr. Rubb stated that the municipality is still paying delivery and transmission to PPL and that is all you are paying to PPL. Mr. Rubb further stated that if your electric goes out you would still call PPL because you are still paying the lines and meters. Mr. Rubb stated Benchmark is still purchasing the commodity and the

municipality does not know where they are purchasing the commodity. Mr. Rubb stated that the municipality is not locked into any of those energy companies by any means. Mr. Rubb stated that if we want out of this contract, the municipality has nothing to do with the company they purchased the electric from in Pittsburgh and you go right back to PPL the following month. Mr. Rubb questioned what would Solicitor Wagner like to see. Solicitor Wagner stated just what Mr. Rubb said. Councilman Beaston feels that you can't go wrong but the fact is you only make money when you save us money. Mr. Rubb agreed. Mr. Rubb again reiterated that we are not locked into any supplier. Vice President Long stated that after one month's notice, the municipality can go back to PPL. Solicitor Wagner feels he has no problem entering into a contract with Benchmark provided the conditions upon those items that were discussed at tonight's meeting be included in the contract. Vice President Long made a motion, seconded by Councilman Beaston, to go with Benchmark Energy Solutions, Inc. for the purchase of electricity provided our Solicitor's concerns are addressed in the contract. Motion carried.

INSURANCE AND SAFETY

Insurance and Safety Committee Report

Health Insurance – Councilman Cless requested that this item be closed until closer to budget time.

PERSONNEL

Personnel Committee Report

Vice President Long reported there are some minor changes and upon working these matters out with Rick Robinson and Chris Sharrow, the manual will be ready to go to Council for their review and approval.

RIGHTS OF WAY & UTILITIES COMMITTEE

Rights of Way & Utilities Committee Report

Barnett Street Sewer Line – Councilman Beaston stated that it is evident that the \$15,000 that was leftover from the Barnett Street sewer line project last year will be our money and will be used on this year's Barnett Street sewer line replacement. Councilman Beaston stated that DEP is currently tied up with federal projects that must go out immediately and he expects they will review our request in about one month or so.

North Carlisle Street Project – Councilman Weller stated that Burget met with President Clouser, Councilman Beaston and himself on site to finalize changes so that Burget can get the project ready for bids. Councilman Weller hopes to proceed to advertise this project so that bids can be accepted at the June meeting. Councilman Weller further stated that the project will be bid for paving and bid for curbing separately so we can get the best price. Councilman Weller stated that upon opening and awarding the curbing bid that he will contact the homeowners with the price.

Barnett Woods Road – Councilman Beaston stated that he met with Rick Levan, PennDOT's municipal official, and he stated that a leveling coat is needed prior to the tar and chipping because the shoulder is badly broken up. Councilman Beaston further stated that a big problem exists because we will need PennDOT's approval to put any more weight on the bridges. Councilman Beaston stated he will look further into the possibility of grant money for our bridges. Councilman Weller stated that the bridge located just south of the bank is an unsafe bridge.

West Main Street Repair/Replace Sidewalks – Councilman Weller provided a list of property owners that will need to repair and/or replace their sidewalks on West Main Street from Church Street to Chestnut Street. Councilwoman Eckert expressed concern that these property owners be given enough time to come up with the money. Councilman Weller stated that he would like to see this project completed by September 15, 2009 and he would like to see our sidewalk ordinance amended to reflect the changes he provided to Solicitor Wagner tonight. Solicitor Wagner questioned Councilman Weller concerning the specifications and changes. Upon further discussion, Councilman Weller made a motion, seconded by Councilman Cless, to have Solicitor Wagner prepare the amended ordinance and upon review and approval, proceed to advertise it so that it can be adopted at our June meeting. Motion carried.

Cherry Alley – President Clouser stated that Reyna Carvache has requested that Cherry Alley between High Street and Locust Alley be a private alley. Solicitor Wagner stated that this can be done if Cherry Alley was dedicated to the Borough and accepted. President Clouser stated it was. Solicitor Wagner stated if this is an alley that has been dedicated to the Borough and the Borough accepted the dedication, we can, by ordinance, abandon this alley provided there is no use by other people and it does not pose any problems for abutting property owners, etc. Councilman Beaton made a motion, seconded by Councilwoman Eckert, to authorize Solicitor Wagner to prepare an ordinance that would abandon Cherry Alley between High Street and Locust Alley. Motion carried.

Potential Projects for Wastewater Treatment Plant – Councilman Robinson stated that they are not ready to make recommendations or changes at this point.

Liens – Secretary Pote stated that she filed two liens for past due sewer and garbage and expects to file another two next week.

FEMA/PEMA – Councilman Cless reported that he filed the 2007-2008 report on floodplain activities to FEMA and he found an error due to manmade changes in the elevation due to excessive filling by the developer that the fringe area boundary indicated on the current map will actually be incorrect.

MISCELLANEOUS

New Bloomfield Fire Company (NBFC) - Councilman Weller reported that the NBFC is in the process of building a new firehouse and Mowery Associates out of Carlisle are doing a tentative plan that is large enough and could be downsized. Councilman Weller stated that the NBFC authorized a land development plan so that in July they can proceed with the forms for the stimulus money that will be available by the end of this year and the applicant's project must be ready to start. Councilman Cless questioned if a specific tax will be levied to pay for this. Councilman Weller stated there was not.

There being no further business, upon motion by Councilwoman Eckert, seconded by Councilman Weller, meeting adjourned to meet on Tuesday, June 2, 2009. Motion carried.

Respectfully submitted,

Nancy A. Pote
Secretary

