

MINUTES
Bloomfield Borough Council
August 3, 2021

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: President Eric S. Berger, Vice President Wayne S. Leshner, J. Kevin Fitzpatrick, Michael J. Smith, Kimberly A. McMullen and Brenten S. Dum., also a COUNCIL VACANCY.

Also present: Secretary Danielle L. Shope, Assistant Secretary Kathleen Miller, Mayor Arlis Krammes, Borough Employee Damon Hartman with wife Tineill Hartman, Solicitor Isaac Wakefield, Borough Zoning and Water Authority representative Ed Albright, Tax Collector Brenda Albright, BEO Becky Smiley, and residents Larry and Galene Weller, Karen Pelton, Ed Apple, Krista Wills, Polly Eby, Malinda Anderson, R Kevin McCarty, John Patterson, Karl L. Cless, James A. Woods, Jessica L. Grindle, James Rudy, Nancy Pote, Brandon C. Rowe, and Kenneth Rauch.

President Berger called the meeting to order at 7:00 p.m.
President Berger led the gathered assembly in the **Pledge of Allegiance**.

MEETING OPENING

Recording of the Meeting – President Berger 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. President Berger further requested that those individuals in the audience desiring to speak during Public Comment identify themselves prior to speaking and they have 3 minutes to present their concern. Individuals have 10 minutes to present their concern if they are on the agenda. President Berger asked if any individuals in the audience were also taping the meeting and if so to identify themselves for the record. President Berger stated that Council will not deviate from the agenda and any questions should be addressed during the appropriate portion of the meeting.

Approval of Minutes – Councilman Fitzpatrick made a motion, seconded by Vice President Leshner, to approve the July 6, 2021 regular meeting minutes as presented. Motion carried.

Approval of Financial Report – Councilman Smith made a motion, seconded by Councilman Fitzpatrick, to approve the financial report for July 2021 as presented. Motion carried.

Announcement of Executive Session (If Any) -

President Berger made the motion to adjourn into Executive Session at 7:04 p.m., seconded by Vice President Leshner. Motion carried.

At 7:35 p.m. Vice President Leshner made the motion to reconvene the Regular Session, seconded by Councilwoman McMullen. Motion carried.

The purpose of the Executive Session was for personnel matters.

REQUESTED PUBLIC COMMENTS AND/OR PRESENTATIONS

There were no Requested Public Comments or Presentations

PUBLIC COMMENTS AND/OR PRESENTATIONS

Polly Eby asked if anyone had followed up on the Post Office damage issues she presented to Council last month. She described more damage she has noticed in the Post Office. She asked the Council if they were going to give them a deadline as to when this work should be completed. Council had no response. Mrs. Eby went on to ask about the dog ordinance and what was the status of the new ordinance. Council gave no response. She also asked if Council would consider putting signage at South Carlisle and Barnett, South Apple and Barnett and Main and Locust Streets stating, "Local Deliveries Only" because big trucks have been using these back streets and they do not belong on these streets. No response from Council. Mrs. Eby also asked if Council's Executive Sessions could take place at 6:30 p.m., so the regular meeting can run smoothly at 7:00 p.m. and the public does not have to wait for thirty minutes. Council gave no response. President Berger thanked her for her comments.

Ms. Krista Wills asked Council if they respond to the public's questions or do they just take the questions/comments. Council gave no response.

Ms. Wills asked Vice President Leshner several questions regarding the Talmudic University. She asked Mr. Leshner if he was the project manager for Talmudic University. She asked if his company worked for the school. She asked if he was planning to bid on the building of the forty homes at the school and if so how would that affect his job on the Borough Council. She feels this would be a huge conflict of interest for the Borough. No response from Council. Ms. Wills asked if anyone was going to answer. Vice President Leshner stated he is not the project manager for Talmudic. His company does some work for Talmudic but he abstains for every vote dealing with Talmudic. He has no discussion about Talmudic and he votes neither for nor against. He is not allowed. Ms. Wills also asked about the new solicitor's reports or lack of reports in the minutes. She asked if zoning and code issues can be discussed openly with the Borough. She asked if she could see what has been spent of the \$8,000 budgeted for the solicitor so far this year. Vice President Leshner suggested she do a "Right to Know" request through the Borough Secretary. There are forms online. Mr. Leshner stated the codes are in the BEO's report. Solicitor Wakefield stated "in terms of the zoning it can be an open dialogue if there are issues that are occurring, but Council as well as staff, including the zoning officer, have the opportunity to work with the Solicitor to get advice on how to interpret the zoning ordinance so that is where we would come in. It is not surreptitious or anything like that. It's just sometimes our advice comes into play." Ms. Wills asked why zoning or code issues which directly impact the residents are not openly discussed with residents. Solicitor Wakefield stated the majority of them are reported in the BEO's report, but some that are still in the process of how to address a particular issue in terms of legal review are not available. Ms. Wills is very concerned as a new resident and would like to know why some things are discussed and some things are not discussed. Solicitor Wakefield stated if it is a development issue there is a transparent public process for the entire thing.

BEO Smiley asked to speak, but President Berger asked her to speed things along so she declined to speak.

Mr. Karl Cless commented that there seems to be some conflict between zoning enforcement and code enforcement. These are two different playing fields. Mr. Cless commented that Council has been giving the code enforcement officer zoning issues to deal with and this was not right. Vice President Leshner stated there was one incident and it was his mistake. Solicitor Wakefield brought it to Mr. Leshner's

attention that BEO Smiley could not sign a letter, but Zoning Officer Ed Albright had to sign this letter. Mr. Cless also mentioned there were rumors going around about replacing Mr. Albright with FSA. He asked if the Council had looked into how much this switch would cost. President Berger stated this was not a topic on this meeting's agenda.

Mrs. Brenda Albright, Tax Collector, asked that the Borough website be updated to include her name with the new telephone number and email address. The website was checked and it had already been updated.

Zoning Officer Ed Albright stated he received a call from Councilwoman McMullen stating she wanted to speak with Mr. Albright either Friday or Monday. He asked what it was about. Mr. Albright stated Council was going to replace him at this meeting with FSA. President Berger stated that was not on the agenda. Mr. Albright also had an email that was sent to Melanie Rowlands from Vice President Leshner on July 14, 2021 that states, "FSA is doing all land development and zoning for Bloomfield". Mr. Leshner stated he meant planning. Mr. Leshner said he made a mistake. Mr. Albright also brought to Council's attention another email sent by Mr. Leshner to the secretary of the Water Authority, Crystal Summers, stating that we are negotiating with Centre Township for water and sewer. This has not been brought to the Water Authority's attention. Mr. Leshner asked Mr. Albright if he was not in favor of giving water service to Centre Township. Mr. Albright stated the Authority will sell water to anybody, but he would appreciate it if Mr. Leshner would let the Water Authority negotiate such transactions. Mr. Albright gave the emails to Mr. Leshner. Mr. Leshner read the email to the audience. Mr. Leshner said the email does not say they are negotiating. It states they are working on an inter municipal agreement with Centre Township.

Mr. Karl Cless asked if it comes to fruition and FSA is selected to do zoning within the Borough, will they have to use the Borough regulations that are already established in Ordinance 131? President Berger replied, "Yes, they have to use ours." Vice President Leshner stated it will cost the Borough nothing for zoning from FSA.

Council Member Vacancy - Solicitor Wakefield suggested each candidate stand and give some information about themselves and then Council can ask questions of the candidates, make nominations as to who they would like and once Council gets a majority vote then that is the decision.

Mr. James A. Woods, Ms. Jessica L. Grindle, Mr. R. Kevin McCarty and Mr. Brandon C. Rowe spoke before Council.

Vice President Leshner made the nomination to select Mr. James A. Woods as the person to fill the Council vacancy, seconded by Councilman Dum. Verbal vote was taken. Fitzpatrick, yes; Smith, yes; Leshner, yes; Dum, yes; McMullen, yes; Berger, yes. Motion carried.

Councilwoman McMullen thanked all candidates for their interest. Councilman Fitzpatrick asked if any of the candidates would be interested in working on the Planning Commission, where there is a vacancy, to make themselves known at the next meeting.

Oath of Office - Mayor Arlis Krammes gave the Oath of Office to Mr. James A. Woods.

Resolution #2021-04: Fill a Vacancy - Councilman Fitzpatrick made the motion to approve Resolution #2021-04, seconded by Councilman Smith. Motion carried.

MONTHLY REPORTS

Solicitor's Report – Solicitor Wakefield stated he did not have a lot to report, but he gave Council a draft of a new dog ordinance to review and possibly vote on at the next meeting. Vice President Leshner asked how this ordinance would be enforced. Discussion followed on the enforcing procedure.

Mayor's Report – Mayor Krammes asked Council if the Borough is allowing residents to sit things out curbside with a “free” sign, President Berger stated, “No”. Some people have been doing this lately and it is not allowed. The Mayor informed BEO Smiley about an issue.

Parking Officer Report – Mayor Krammes reported there were 8 tickets issued in July with 2 voided and 2 still unpaid. The Mayor reported about a Courthouse Annex worker who refused to place the parking sign in his window but after Commissioner Watson spoke to him the placement of the sign was done.

Enforcement Report – BEO Smiley stated she received a complaint from a truck driver driving down Carlisle and Main Streets that his truck is being damaged by low hanging tree limbs. Councilman Smith (Shade Tree Commission) said he and Ms. Smiley discussed this issue. Other trucks have not complained about this. This is not a Borough issue but PennDot's. Borough Employee Mr. Damon Hartman suggested notifying property owners if it is only in a few specific areas. Discussion followed.

BEO Smiley's monthly report for 6/16-7/15/21 reported several incidents dealing with suspicious vehicles in Borough Building parking lot, kids riding bikes through stop signs, residents not picking up dog feces, and a lost cat. Additionally, a letter was sent to 219 E. Main Street's landlord and tenant, barking dogs and policing the Borough. For a complete and detailed BEO report, contact the Borough Secretary for the Borough Enforcement Officer Monthly Report on file in the Borough Office.

Planning Commission Report – Councilman Fitzpatrick stated there was nothing to report at this time.

FEMA/PEMA Report – Councilwoman McMullen had no report.

Water Authority Report - Mr. Albright stated they are waiting for their permit to be issued. They had a punch list of several minor things that needed done. Overall, they passed the DEP inspection. Once they have a permit in hand they can begin issuing water outside the Borough. Karns is interested in a water hookup.

PCBA/COG - Mr. Albright stated there was no meeting.

Zoning/Permit Officer's Report - Mr. Albright stated he issued 1 permit for 123 Barnett Street. Total permit fees received for the year so far total \$375.

Capital Tax Collection Bureau Report – Councilman Smith stated the meeting was held July 21. The audit was approved. Amendment to bylaws and articles of incorporation approved in an effort to avoid future lawsuits regarding equity distributions. (the lawsuit involved three Cumberland County school districts that had to withdraw from Cap Tax.) Approved purchase of tech equipment which would allow employees to work from home. Location of Cap Tax may change to save money in rent. It may move from Marysville to New Bloomfield. Accepted resignation of 2 auditors. Hired 1 auditor. Next meetings are 10/20 and 12/8.

ADMINISTRATIVE

Announcements and Correspondence –

New email address: bloomfieldborough@gmail.com

Administrative Committee Report – Councilman Dum reported Encore will be doing the back section of the Borough Building at the end of September. Councilwoman McMullen reported there are two leases within the Borough Building that are up for renewal at the end of August. Diakon is renewing their lease. IOOF would like to have a shorter term lease. Discussion followed. Councilman Smith made the motion to have a month to month lease with the IOOF, seconded by Vice President Leshner. Motion carried.

AESTHETICS

Aesthetics Committee Report – Councilman Smith made the motion to nominate Mr. James Woods as chairman of the Aesthetics Committee for the remainder of his term, seconded by President Berger. Motion carried.

Ms. Malinda Anderson who works on the Aesthetics Committee asked for extra watering cans for the women who water the flowers in the Square. President Berger made the motion to purchase 6 watering cans, seconded by Councilman Smith. Motion carried.

Councilwoman McMullen reported that all the lighting has been placed in the library for a future art gallery wall.

FINANCE, INSURANCE, & SAFETY

Finance, Insurance & Safety Report – Councilman Smith stated that a new mower had to be purchased. The previous 2017 mower died and needed work. The Borough grass would not have been cut for two weeks or we would have had to pay a company to cut it. There was still \$7,200 in the 2021 equipment budget so after discounts and the trade in the new mower cost the Borough \$4,900. The purchase was a financial decision. It was cheaper in the long run to buy a new 66 inch mower. Discussion followed.

At the sewer plant, they had a bigger issue. Councilman Smith commended former Council member Mr. John Patterson. The SBR # mixer locked up. Previous Council under Mr. Patterson had a refurbished mixer on hand. The locked up SBR mixer will be repaired and used as a backup. The broken mixer was replaced on Friday 7/30. The broken one is at Webber Electric in Mexico, PA getting fixed. We anticipate around \$6,000 on the rebuild and \$12,000 on the removal/installation of the broken one. Mr. Damon Hartman feels the total cost will come in around \$15,000.

Grants – Councilman Fitzpatrick stated they successfully submitted the DCED grant for the paving of all of Lakeside Development. The grandstand trail project was also submitted. Both of these grants will be determined in October. They are working on a DOT grant to cover the match. They were also successful in finalizing the ARPA requirements for Bloomfield Borough. Today, they received their first check in the amount of \$65,732.27. This money does not have to be spent right away. The Commissioners have been helpful and they have asked Council to attend a meeting with SEDA COG to talk about the conditions and terms of how to spend the \$131,400 that the Borough qualified for under the ARPA recovery. Councilman Fitzpatrick believes the Borough has until 2025 to spend this money.

There is also additional funding from the State budget which he cannot discuss yet, but hopes to have an update next month.

Personnel Committee Report - Councilwoman McMullen mentioned the new Borough maintenance employee is Jeremy Foulkrod and things are going well.

RIGHTS OF WAY & UTILITIES

Rights of Way & Utilities Committee Report – President Berger had no report.

Ms. Malinda Anderson asked about the status of the ADA sidewalks. Mr. Hartman stated they are waiting for the engineer to come up with a draft for the extra intersections. The other ones are complete.

Mr. Karl Cless mentioned that the Governor of PA just signed into law that government agencies, and municipalities have to post on their agendas on their websites 24 hours before their meeting. Secretary Shope stated it will be on for next month.

CLOSING COMMENTS

There being no further business, upon motion by Vice President Leshner, seconded by Councilwoman McMullen, the meeting adjourned at 8:40 p.m. The next meeting is Tuesday, September 7, 2021 for a regular meeting at 7:00 p.m. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary