

MINUTES
Bloomfield Borough Council
June 1, 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, and Kimberly A. McMullen. Councilman Brenten S. Dum - excused absence, 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 Enforcement Officer Becky Smiley, Borough engineer Ryan Hostetter, Water Authority representative C. Larry Weller, Planning Commission chairman Melanie Rowlands, Burget and Associates representative Cody Jones, Perry County Times reporter Jim Ryan, and residents Gay Weller, Karen Pelton, Darlene Amsler, Ed Apple, and Gary and Polly Eby.

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 Smith made a motion, seconded by Councilwoman McMullen, to approve the May 4, 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 May 2021 as presented. Motion carried.

REQUESTED PUBLIC COMMENTS AND/OR PRESENTATIONS

Cody Jones, representing Burget and Associates, presented a change in the Talmudic subdivision plan. There were 3 lots within the Bloomfield Borough and 1 in Centre Township on the previously submitted plan that was conditionally approved by Council at a previous meeting. This conditional approval is now being undone. Mr. Jones was basically asking the Council's "blessing" for a slight change in the new lot in Centre Township with the three lots slated for the Borough to be undone at this time and these three lots within the Borough will be revisited at a later date in time. The plan for the three lots within the Borough will be resubmitted at a later date. Councilman Fitzpatrick made the motion to approve this change,

seconded by Councilman Smith. Vice President Leshner abstained from the vote. Motion carried.

Resident Karen Pelton spoke about a hazardous dog situation that occurred on May 23, 2021 within the Borough. Ms. Pelton's mother, Mary Yost, was walking her Boston terrier, Bella, on Church Street when a large black dog came running out and attacked the smaller dog. Her mother fell and suffered several cuts, but Bella, the dog, also suffered injuries and hid. A good Samaritan, Deb Megonnell, stopped to help Ms. Yost. She beat the black dog off with a metal rod she found nearby. The dog stopped attacking so Ms. Yost and her dog could escape. State Trooper Brown Shields was driving past while this incident was happening and someone flagged him down. The trooper was able to control the dog and is taking care of this incident now. Bella, the Boston terrier, was found and both Ms. Yost and Bella are healing from their wounds.

Other residents have attested to similar dog attacks. Resident Polly Eby gave her testimony about encountering dangerous dogs in the same area four years ago. Ms. Pelton checked the Borough dog ordinance and there is nothing specific for dog control. She is asking that the Borough consider establishing a more thorough dog control, dog leash ordinance. She presented the ordinance used by the Borough of Duncannon to Council to be used as a model. Council members were receptive to reviewing the Borough's Dog Ordinance and updating it.

Councilman Leshner wanted to know how you verify a dog issue. Ms. Pelton stated Dog Warden, Staci Fitzhugh, told her if you can safely take a picture of the incident that is the best way to document it. Councilman Leshner is afraid it will become a "he-said-she-said" situation. Ms. Pelton stated the Dog Warden told her there is no leash law in Pennsylvania. If you can control your dog without a leash that is fine, but there is a confinement law. Solicitor Wakefield stated the Borough could have a more strict law than the State. Discussion followed. Vice President Berger told Ms. Pelton that Council will look into this matter using the Duncannon ordinance as an example and hopefully come up with a better dog ordinance for the Borough.

Then, Vice President Leshner suggested the Borough get a police force to enforce these issues since BEO Smiley cannot take care of some of the Borough issues. Mr. Leshner stated they could put a referendum on the ballot after figuring out how much it would cost to maintain a police force. Mrs. Eby suggested only needing strong enforceable ordinances with fines, etc. Mr. Leshner stated the ordinance is about as strong as the paper it is written on at times. In order to have what everyone wants, Mr. Leshner says a police force is needed. President Berger thanked Ms. Pelton for her presentation. Council will look into a stronger dog ordinance.

PUBLIC COMMENTS AND/OR PRESENTATIONS

Resident Gary Eby asked if the BEO could issue citations? President Berger replied, "Yes". Ms. Smiley said as long as it is written in the ordinance, she can issue citations and enforce the ordinances. Vice President Leshner stated he does not want Ms. Smiley in harm's way (with dangerous dog situations). Mr. Leshner is head of the enforcement committee and he tries to enforce things, but he feels he has no recourse. Councilwoman McMullen stated BEO Smiley first gives a warning, etc. Solicitor Wakefield stated the Borough can enforce their own ordinances. Vice President Leshner stated the Borough pays Solicitor Wakefield to go through the due process to enforce various ordinances. More discussion followed.

MONTHLY REPORTS

Solicitor's Report – Solicitor Isaac Wakefield stated there were some issues involving procurement matters they have been advising Council on. There were a few personnel issues that were dealt with through the Personnel Committee. There were several ad hoc requests and they are dealing with a few zoning and code issues.

Mayor's Report – Mayor Krammes stated that according to the Code Book the Mayor is supposed to be the Enforcement Officer of the Borough. Mayor Krammes stated the Council took her off this position. President Berger did not believe this statement to be correct. Solicitor Wakefield stated it depends on which ordinance you are talking about. Councilman Fitzpatrick stated the Mayor is the Chief Law Enforcement Officer, but not responsible for the Borough code but if it becomes a criminal issue the Mayor is the one that deals with the State Police. The Mayor is the Chief Law Enforcement Officer not the Chief Code Enforcement Officer. Solicitor Wakefield noted Mr. Fitzpatrick's definition was much better stated. There has been no action on Council's part to remove this power from the Mayor. Mayor Krammes was just looking for clarification.

Parking Officer Report – Mayor Krammes reported 5 tickets were issued in May, with 1 unpaid, and 1 voided.

Enforcement Report – BEO Smiley's report stated the following in her written report: 4/19 - She received another complaint about a resident on McClure St. that plays loud music and parties all night- need to meet with Kim and possible State Police: 4/21-call/text from Lisa Fraker asking if it was ok to put a dumpster in the street at 128 W. Main for 2 -3 days. Contacted Kim which contacted Borough Council. As long as it's not obstructing traffic it would be ok. Sent text back to Lisa advising ok. : 4/25- 126 W. McClure – noise complaint, responded to complainant, advised what I can and can't do and when to contact State Police- spoke to Kim about "quiet time" ordinance : 5/2- walked through Borough, noticed several pieces of furniture. If not removed in 48 hours will contact the resident: 5/6 – walked through Borough 2 times. Handed out Spring Newsletter to let residents know about cleanup day : 5/8 – 8-12PM cleanup day : 5/13 – walked through Borough, furniture on curb, advised resident to remove.

Planning Commission Report – Ms. Rowlands stated they signed the documents for Talmudic this evening. They have some sketch plans in front of them associated with Lot 30. She will be in contact with Mr. Watson to ask if these are the same proposal he put in front of them previously or if something new has been added so the Commission can figure out if this plan is just informational or are they actually making a request. They are trying to schedule public meetings. There is supposed to be one more member on the Planning Commission. Vice President Leshner threw his hat into the ring. President Berger made the motion to place Mr. Wayne Leshner on the Planning Commission, seconded by Councilwoman McMullen. Councilman Fitzpatrick abstained from voting since he is on the Commission, Councilman Smith voted no. Motion did not pass.

FEMA/PEMA Report – Councilwoman McMullen had no report

Water Authority Report - Mr. Albright was absent so no reported

PCBA/COG - Mr. Albright was absent so no report.

Zoning/Permit Officer's Report - Mr. Albright had listed in his written zoning report four permits were issued for the month of May. One at 25 W. Main for the Perry County Elevator control room, one for 200 N. Carlisle St. Talmudic University pavilion, one at 132 W. McClure St. Chris Morrison shed, one for 200 N. Carlisle St. Talmudic University bathroom remodel.

Capital Tax Collection Bureau Report – Councilman Smith stated there was a special meeting for Cap Tax on May 26, 2021 where they discussed two items. The first was a five year contract that was approved with Huntington County and the commission was set at 1.75%. The second item was to discuss ongoing litigation between Cap Tax and three school districts within Cumberland County. There were two rulings

against Cap Tax by Judge Placey. The first ruling was that the school districts should receive a payment of \$640,000. Cap Tax appealed but the Judge ruled a second time in favor of the school districts in the amount of \$320,000. Cap Tax approved settling the case for this amount. This after ten years of litigation between the parties.

ADMINISTRATIVE

Announcements and Correspondence –

Solicitor Wakefield stated the Statement of Financial Interest for Mr. Robert Wood can be taken off the agenda.

President Berger read thank you notes from the Bloomfield-Centre Pool Association, the Perry County Literacy Council and the Bloomfield Senior Center.

New email address: bloomfieldborough@gmail.com

Administrative Committee Report – Councilman Dum was absent so no report.

AESTHETICS

Aesthetics Committee Report – Councilman Casey was absent so no report.

FINANCE, INSURANCE, & SAFETY

Finance, Insurance & Safety Report – Councilman Smith stated the Borough has two Certificate of Deposits at Pennian Bank that will be coming due June 26, 2021. They are each for the same amount of \$77,674.98. Both are currently earning .2% interest. If they are combined they will earn .35% interest. Councilman Smith made the motion to combine these two CD's into one totaling \$155,295.96 at an interest rate of .35%, seconded by President Berger. Motion carried. Councilman Smith will reach out to Jenna at the Bloomfield Borough Pennian office tomorrow.

Once Mr. Smith receives the bank statements he will update the spreadsheets and email them to Council.

Grants – Councilman Fitzpatrick stated they have successfully applied for the GTRP grant in the amount of \$209,650 and this would be used for a 4000 foot walking path behind the Borough Building with anticipation of including future benches and exercise and stretching stations. This path will be 6' wide and ADA compliant. The three County Commissioners gave their full support for this project along with Representative Stambaugh, Senator DiSanto and the Tri-County Planning Commission. Mr. Fitzpatrick stated this grant would not be possible if it were not for Borough employee Mr. Damon Hartman and Councilman Michael Smith working with Mr. Fitzpatrick to get this grant through. He thanked both men for their help. The County Commissioner's grant writer, Jason Fitzgerald, was at the Borough's disposal at no cost to the Borough. The Borough will also be applying for a Multi-Modal grant through the **DCED** as well as one through PennDot in the months of July and September to help with additional road work in Lakeside Development.

Personnel Committee Report- Councilwoman McMullen stated a time stamp machine will be placed at the sewer plant.

RIGHTS OF WAY & UTILITIES

Rights of Way & Utilities Committee Report – President Berger deferred to Mr. Ryan Hostetter from HRG who stated they are 70% complete on their designs for signage. Since the Borough does not currently own a signal they will have to execute with PennDOT a traffic signal maintenance agreement. He will send this paperwork to the secretary to help the Borough through this process.

Vice President Leshner asked what they have heard about Lot 30? Mr. Leshner asked if after the last inspection was there a list of items that still needs addressed? There have been two inspections. After which one stated items that needed fixed. After the second inspection Mr. Leshner stated he has seen nothing about this issue. Councilman Fitzpatrick reminded Vice President Leshner that Mr. Leshner himself forwarded it to Ms. Fraker. The only outstanding issue is the generator. The Borough is waiting to hear back from Watson/Fraker.

Announcement of Executive Session (If Any) - Vice President Leshner made the motion to adjourn into Executive Session, seconded by Councilman Smith. Motion passed at 8:00 p.m.

Councilman Smith made the motion to reconvene the regular session of Borough Council at 8:55 p.m., seconded by Vice President Leshner. Motion carried.

CLOSING COMMENTS

There being no further business, upon motion by Councilman Smith, seconded by Councilwoman McMullen, the meeting adjourned at 8:56 p.m. The next meeting is Tuesday, July 6, 2021 for a regular meeting at 7:00 p.m. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary