

MINUTES Bloomfield Borough Council June 2, 2020

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

Also present: Secretary Danielle Shope, Borough Employee Damon Hartman, Mayor Arlis Krammes, BEO Harry Nazzaro, Zoning Officer/Water Authority Ed Albright Jr., Bloomfield Borough Planning Commission representative Melanie Rowlands, Perry County Times reporter Jim Ryan, Perry County Café owner Rita Metcalf, and residents Malinda Anderson, Cory Peters and Gary Eby.

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

President Fitzpatrick led the gathered assembly in the **Pledge of Allegiance**.

MEETING OPENING

Recording of the Meeting – President Fitzpatrick 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 Fitzpatrick 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 Fitzpatrick asked if any individuals in the audience were also taping the meeting and if so to identify themselves for the record. President Fitzpatrick 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 Vice President Berger, to approve the April 7, 2020 regular meeting minutes as presented. Motion carried.

Approval of Minutes – Councilman Smith made a motion, seconded by Vice President Berger, to approve the May 5, 2020 regular meeting minutes as presented. Motion carried.

Approval of Financial Report – Councilman Smith made a motion, seconded by Councilman Dum, to approve the financial report for May 2020 as presented. Motion carried.

Executive Session - Council adjourned into Executive Session at 7:03 p. m..

At 7:10 p.m. Councilman Leshner made the motion to resume the regular session of Bloomfield Borough Council, seconded by Councilwoman McMullen. Motion carried.

President Fitzpatrick stated that items discussed in the Executive Session included: 1) The amendment to the Employee Handbook including proper language; 2) The initiation of dental benefits effective July 1, 2020; 3) The amendments to job descriptions to be discussed with the employees;

4) The addition of the office staff reporting to Secretary Danielle Shope. President Fitzpatrick asked for a motion to approve these items. Vice President Berger made the motion to approve, seconded by Councilwoman McMullen. Motion carried.

REQUESTED PUBLIC COMMENTS AND/OR PRESENTATIONS

Cory Peters – Fence on property - Mr. Cory Peters, 119 South Carlisle Street, addressed the issue of his fence installation. He gave a background history of the property behind his property. He researched his deed. He stated his property went 192 feet from the curb which is the same as neighboring properties to the south of his property. He has been researching alleyways. He stated that he found an ordinance (#282, 2009) that the Borough was relocating Gusler Alley from East Carlisle Street to 109 South Carlisle Street which is Mr. Bill Bunt's property. He stated there is a borough sign at the end of Mr. Bunt's property that reads "private drive". All the research his surveyor has done stated the alley has been closed off and the borough does not have it anymore. Planning Commission president Melanie Rowlands stated that there was never an abandonment of Gusler Alley. The "private drive" sign was put up years ago to prevent people from turning their vehicles around after attending ball games, etc. It was effective at that time but unofficial. Mr. Peters showed maps from 1911. More discussion followed. President Fitzpatrick appreciated all the research Mr. Peters has done. NavTech was the surveyors. More discussion followed. Planning Commission president Melanie Rowlands stated that the GIS map still has that the alley exists and unless someone can produce an ordinance that specifically says that Gusler Alley was abandoned then the alley exists. Councilman Leshner stated the issue is not necessarily the alley, but that Mr. Peters' property deed is 192 feet. Ms. Rowlands stated that even if alleys are not "open" they still are in essence borough property and are rights of way to the borough and not private. President Fitzpatrick stated his feelings being that Mr. Peters' deed is 192 feet thus his fence is going beyond his property line. Also Mr. Peters cannot take an action that extinguishes other abutting property owners rights and there is no way to access the property next to the Peters'. By putting the fence up he is blocking the neighbor from going the opposite way. President Fitzpatrick stated Gusler Alley goes from McClure Street all the way down to Mr. Peters' property. President Fitzpatrick stated Mr. Peters' property is 192 feet which means his fence should not go beyond his garage. If it does Mr. Peters' is blocking the egress south of him by having a fence there. In President Fitzpatrick's opinion, based on everything Mr. Peters' has presented his fence is beyond his property line. There is nothing stating the alley was abandoned. Mr. Peters was told by NavTech (but NavTech was not able to show this document to Mr. Peters) that there was a lawsuit that the Shopes filed on the borough about this alley issue. Again Mr. Leshner goes back to the deed and it is 192 feet and there is no other evidence that Mr. Peters owns beyond his 192 feet. Mr. Leshner suggests Mr. Peters tries to present the document of the Shopes' lawsuit. Council made Mr. Peters aware that it is costly to appeal. Former Borough President Ms. Malinda Anderson spoke up stating she and Secretary Shope researched Gusler Alley back to 1910 and could find nothing in the minutes that mentioned a lawsuit or anything of a legal nature. President Fitzpatrick stated an extension could be granted or denied. He asked for other council members comments. Councilman Smith made a motion to give Mr. Peters an extension of five business days and if nothing is produced then the fence comes down. Councilman Leshner seconded.. Motion carried. Mr. Peters must submit his research evidence to the Borough Office. More discussion followed.

George and Winnie Dorundo Property - President Fitzpatrick received a certified letter regarding the rental property next to his property. It is the oldest property in New Bloomfield and is owned by an estate where there is a lake every time it rains which runs onto Mr. Dorundo's property. President Fitzpatrick stated there is no ordinance to address this issue. President Fitzpatrick has met with Mr. Dorundo and the owner, Mr. Jack Becker, and they are trying to get someone to give an estimate to Mr. Becker to fix the problem. The Borough will give stone for the alley since it is a Borough alley. The stone will not be laid until the "lake problem" is resolved. Mr. Kirby Kitner will look at the "lake" issue and give an estimate to Mr. Becker. Hopefully, this issue will be resolved through the above mentioned measures.

PUBLIC COMMENTS AND/OR PRESENTATIONS

Mrs. Rita Metcalf, owner of the Perry County Café, thanked Council for granting the outdoor seating to the Café. Mrs. Metcalf had the Buffalo Mountain Bluegrass Band scheduled before the pandemic began. She would like to provide their concert as a community wide event using the “marketplace” on the Square. It is scheduled for June 13, 2020. She will have to ask the County since they own the “marketplace”. It is a good idea, but because of the pandemic it will depend on what color phase the county is in at that time as to how many people would be allowed to assemble. The music would have to end by the 10:00 p.m. curfew. She has the band scheduled from 7:00 – 9:00 p.m. Ms. Anderson suggested something in writing be presented to the county. Councilman Smith also suggested the need for something in writing from Mrs. Metcalf including liability insurance, etc. Council asked Mayor Krammes to present this written request to the county about use of the “marketplace”. This all depends on if the county goes “green”.

MONTHLY REPORTS

Solicitor’s Report – Solicitor Zimmerman was absent so there is no report.

Mayor’s Report – Mayor Krammes had nothing to report.

Parking Officer Report – No report.

Enforcement Report – Councilman Leshner had no report.

BEO Nazzaro submitted his written report. Most of his issues were with rental property tenants. He had dog issues again involving 39 West High Street. The Dog Warden is issuing citations for these incidents. The residents are still very confrontational. A “good Samaritan” tried to return their dog and was met with obscenities and threats. She punched the man in the face out of fear. PSP were called and she was cited despite many witnesses agreeing they were afraid for the “good Samaritan” when she was confronted. The neighbors of 39 West High Street are in fear and say they will not return the dog if it is loose again. BEO Nazzaro spoke to the Humane Society and shelter and provided the neighbors with these phone numbers to call if the dog is loose again.

The 123 West McClure Street dog was loose several times and Mr. Nazzaro continues to receive complaints regarding the juveniles and the parents. The neighbor’s fence was damaged/vandalized and he told them to call PSP. The PSP responded but the resident from 123 West McClure Street stated their children damaged the fence. PSP said nothing could be done because the children were under 10 years old. After the PSP left the residents of 123 West McClure Street began mocking the neighbors stating they could do whatever they wanted without consequences. Mr. Nazzaro instructed the residents to call PSP for any issues with the property.

There was a fire at Perry Housing to which he provided foot patrols while the fire company was on the scene.

BEO Nazzaro responded to a report of a 4 wheeler on the road and after locating it and speaking to the driver he was verbally accosted by the intoxicated individual who shouted obscenities and ordered him to get out of their town. Mr. Nazzaro filed an incident report.

There was a theft of a misplaced item at the Post Office. He responded, reviewed footage and downloaded same for police use. He printed still shots of the five possible suspects and their vehicles and identified those he knew. He also completed an incident report. He provided all this to PSP. He was told charges will be filed for the theft.

Warnings this month: grass/weeds- 3; trash -1; trash and grass -3; property #s -1.

Ms. Malinda Anderson inquired about the Leyder property on East Main Street. It continues to deteriorate. The Borough now has a Blight Ordinance. Owners are sent a warning letter and if there is no attempt to improve the property or correct the situation the issue goes directly to the District Magistrate's Office. There are no fines attached. Secretary Shope will find the address so a letter can be sent. Ms. Anderson also referred to the corner property across from the gas station on South Carlisle Street as a safety problem due to its deteriorating condition. President Fitzpatrick asked Councilman Leshner to look into enforcing the Blight Ordinance on both the above mentioned properties.

Water Authority Report - Mr. Albright reported there are only 5 delinquents so far for water payments. There project is delayed because the construction company equipment is stuck in Washington state. Hopefully, the project will start the end of June.

Planning Commission Report – Ms. Rowlands stated PennDOT will be making changes at their property on West Main Street. To do this they will buy property from Mr. Mulhullen in Centre Township. PennDOT will be tearing down the existing state shed and rebuilding most of it on the adjacent property in Centre Township with several small buildings within the Borough. In 1964 when the Department of Highways bought their now existing property there was McClure Street extended which was never extended. In April 1964, Borough Council passed a resolution to deed that over to the Department of Highways were they to complete this sale. Even though there is a resolution and acknowledgment of this is in the Borough minutes there needs to be an ordinance to abandon this piece of “non street”, called McClure Street extended. Ms. Rowlands just needs Borough Council to affirm that what the Council did in 1964 is still acceptable by the present Borough Council. The state needs it recorded at Court House. In this particular case, Ordinance #321 in 2016 was passed that vacated McClure Street extended to the PennDOT property line. Discussion followed. President Fitzpatrick spoke with Solicitor Zimmerman who suggested PennDOT pay for the legal and the advertising and any engineering involved with this issue. Ms. Rowlands stated the state will be paying the Planning Commission fees also. Ms. Rowlands asked what the Council's procedure was for advertising such an ordinance. Secretary Shope stated the ordinance will need to be completed two weeks prior to advertising so it can be placed in the newspaper two weeks before the next Council meeting.

FEMA/PEMA Report – President Fitzpatrick reiterated the need for a candidate to fill this position. Councilwoman McMullen volunteered to fill this position.

PCBA/COG – Mr. Albright had no report.

Zoning/Permit Officer's Report - Mr. Albright issued 2 permits for the month of May. One was for 23-25 East Main Street for Mr. Mike McNaughton to replace the sidewalk. The other one was issued for 42 Barnett Street for a pool.

Ms. Malinda Anderson reported that the United Methodist Church would be having a “drive by” retirement party for their retiring pastor on June 13, 2020 from 2:00 – 4:00 p.m. She discussed this event with Mr. Albright and they did not need a permit but they did borrow some traffic cones from the Borough.

Capital Tax Collection Bureau Report – No report.

ADMINISTRATIVE

Announcements and Correspondence –

President Fitzpatrick stated they received thank you notes from the Literacy Council and the Bloomfield-Centre Pool for the Borough's donations.

President Fitzpatrick stated the Borough Office is still closed to the public under the state of emergency because the county is still in the "yellow phase" due to the COVID 19 pandemic. Until the county goes "green", the office will remain closed, following the lead of the county, so as to obtain the capability of receiving emergency money should it ever be needed.

President Fitzpatrick asked about Mr. Robert Wood's statement of financial interest. Mrs. Shope stated she tried contacting him several times, as did Mr. Karl Cless, and Mr. Wood said he would send it in. To date, Mrs. Shope has not received it yet.

The certificate of insurance was received from Mr. Josh McCord for the ballfield. Mr. Tim Rice is dealing with Mr. Josh McCord to get the certificate of insurance for the twilight baseball team.

The Historic District review is on hold.

The Talmudic University quarantine ended June 2, 2020. The current residents of Talmudic will be there from mid-August through mid-November. President Fitzpatrick commended both Mr. Damon Hartman and the Water Authority for working with the Talmudic residents to make use of the campus. The Chapel is being converted into a Synagogue and several community members have attended services there with the students.

Administrative Committee Report – Councilman Dum reported that Greg Flickinger looked at the air system in Council Chambers and found no issues. Mr. Flickinger donated his time.

Aesthetics

Aesthetics Committee Report – President Fitzpatrick mentioned there is still a need for a chairperson for this committee. Councilman Leshar remarked that one of his tenants, Mr. Jacob Casey is interested in filling this position. Mr. Casey has lived in the Borough 4-5 years. Discussion followed.

Finance, Insurance and Safety

Finance, Insurance & Safety Report – Councilman Smith stated they are trending the same as last year with the CapTax which is good. He will have the next round of numbers possibly next week. He spoke with Jayne Eckert via email as far as the real estate and per capita taxes. The real estate collection is slightly better than the last two years and the per capita is about the same. Councilman Smith is researching the purchase of a postage machine and possibly sharing this cost with the Water Authority. The Pitney-Bowes machine quote is \$66.00 per month total with the postage being \$.05 less. If the Water Authority is interested in joining it looks like a break even proposition. Councilman Smith mentioned the ongoing issue of the Cupp property behind the Borough shed. Hopefully, once in the "green phase" he will contact Mr. Cupp.

Grants – Councilman Smith had nothing to report.

Personnel Committee Report- Councilman Leshner stated it was addressed during the Executive Session.

RIGHTS OF WAY & UTILITIES

Rights of Way & Utilities Committee Report – Vice President Berger reported the flower bed and the playground were mulched. A water spiket was installed on the fountain on the Square. The ADA ramps were completed and inspected and PennDOT’s HOP permit has been closed out. The final payment will be sent out to Matthew’s Construction for \$57,825.00. Memorial banners were installed around the Square for the holidays. The Lot 30 lift station inspection was completed and Council members should have that report. The pool project was completed with just some minor work to be done before paving the roadway. The crosswalk painting in no parking areas is completed. Future projects: They will be televising the sewer line on West McClure Street prior to paving within the next two weeks. They will be removing the fence at 100 South Church Street, the Yeager property, in the next several weeks to allow for the widening of the road by six feet. There will be some patch repairs on Walnut Alley, the Holman property, North Carlisle Street at the Rhine Smith building and a shoulder repair on Veterans Drive. This should be starting the week of June 15, 2020. Tar and chipping will be done on alleyways as needed also to begin June 15, 2020. A tree fell on a vehicle at the Eagle Building. This is not the first time this has happened so Vice President Berger suggests notifying property owners to trim or remove their trees accordingly. The Borough is not responsible for the trees. This is the property owners’ responsibility. The Borough only requires the replanting of the trees and issues permits for removal. The backed up sewer lines at Talmudic University will be scoped with the televised cameras while the Borough has them here for the McClure Street project. There is \$3,300.00 to complete the work which is in the budget. This should take one day to complete. Councilman Leshner questioned where the responsibility of the property owner starts and the Borough’s ends. Discussion followed. Talmudic is very much interested in the community. They are interested in the bowling alley and are using local farmers for produce and fruit, etc.

Councilman Smith questioned the ADA ramps. He wanted make sure they are legal crosswalks with PennDOT so proper signage can be placed. Mr. Hartman stated they passed PennDOT’s inspection with Mr. Joe Burgett signing off on the HOP. They are legal crosswalks.

CLOSING COMMENTS

There being no further business, upon motion by Councilwoman Smith, seconded by Vice President Berger, the meeting adjourned at 8:40 p.m. The next meeting is Tuesday, July 7, 2020 for a regular meeting at 7:00 p.m. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary