

MINUTES Bloomfield Borough Council June 7, 2016

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: President Malinda C. Anderson, Vice President John J. Patterson V., Michelle L. Jones, Patricia A. McCarty, Karl L. Cless, Pierce L. Clouser, Jr., and Michael P. Pray,

Also present: Mayor Arlis Krammes, Borough Secretary Danielle Shope, Borough Employee Damon Hartman, Zoning Officer Edward Albright, Jr., Planning Commission Chairman Melanie Rowlands, Planning Commission member Kevin Fitzpatrick, Perry County Bicentennial Commission members Russell Hoover and Glenn Holliman, Benjamin Kirk representing the Dan Paul Subdivision Plan, Joe Katkocin, Justin Kretzing of the New Bloomfield Fire Company, Borough residents Steve Dowell, John Hair, Gary Eby and Gary Raffensperger.

President Malinda Anderson called the meeting to order at 7:00 PM

MEETING OPENING

Recording of the Meeting – President Anderson 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 Anderson further requested that those individuals in the audience desiring to speak identify themselves prior to speaking and they have 10 minutes to present their concern. President Anderson 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 Cless made a motion, seconded by Councilwoman McCarty, to approve the minutes of the May 3, 2016 meeting as presented. Motion carried.

Approval of Financial Report – Councilman Clouser made a motion, seconded by Councilman Pray, to approve the financial report for May 3, 2016 as presented. Motion carried.

PUBLIC COMMENTS

BURGET & ASSOCIATES: DANIEL T. PAUL SUBDIVISION - Benjamin Kirk, representing Burget and Associates for the Daniel T. Paul Subdivision, spoke about the property at 24 S. Apple Street. Mr. Kirk presented a “Lot Addition” proposal and associated survey map for properties owned by Dan Paul. Mr. Paul needs a way into his “skate park” other than through the Quik Mart parking lot. The change would remove a 40’ X 150’ strip of land facing South Apple Street from an R-2 residential lot owned by Mr. Paul (Tax Parcel 020.086.04-082-000) and add it as a potential access lane to the Commercial property now known as the “Skate Park” (Tax Parcel 020.086.04-073.000). The residential property would continue to meet required width (60’) and square footage requirements of the R-2 District. No development was requested or approved by the Planning Commission. No re-zoning from R-2 to C-1 is made for the subdivided strip of land. The Planning Commission approved this action subject to Borough Council approval. A \$25.00 driveway permit will be required and an application with a sub-division fee payable to the Borough will be required. It has already gone through the County.

Mr. Paul is in compliance with all regulations. Vice President Patterson made a motion, seconded by Councilman Clouser, to approve the Planning Commission's change to this property. Motion carried. Signatures were recorded on the proper documents.

PERRY COUNTY BICENTENNIAL COMMITTEE - Russell Hoover of the Perry County Centennial Committee presented his case for the placement and installation of a historical marker about the history of Perry County Agriculture at the Courthouse. The Bicentennial Committee had planned for a large sign displaying the agricultural history of Perry County. Mr. Hoover gave a sketch to the Commissioners and asked where they would like to locate it. The Commissioners told Mr. Hoover that he would have to go through the Planning Commission and Borough Council first. The placement of the sign was brought before the Planning Commission and was rejected. Zoning Ordinance (Chapter 26, Part 8, Section 85) Limitations of Signs in the H-1 Historic District make this request impossible as submitted. Since New Bloomfield is the County Seat, the Centennial Committee would like to place several markers within the Borough. Mr. Hoover is here to gather information as to how the Centennial Committee can work with the Borough prior to submitting things to the Planning Commission. Melanie Rowlands explained that the ordinances in the Historic District are very strict. The Planning Commission can tell the Centennial Committee what can and cannot be done, but only the owner of the land can give permission for something to be placed on their property if it is within the zoning guidelines. However, the Planning Commission can deny placement of a large sign if it does not meet zoning guidelines. Mr. Hoover stated the signs have not been made yet. President Anderson stated the County and the Borough must be on the same page before moving forward on this signage placement request. Melanie Rowlands stated that in the Historic District part of the limitations is that the only signs allowed would have to do with the actual business going on at that property. All the markers are being financed by private donations and to resize the original planned markers would take more funding. It was stated that no one from New Bloomfield has attended the Centennial Committee meetings. Council asked if anyone was ever invited. Mr. Glenn Holliman, Chairman of the Perry County Centennial Committee, then stated they are delighted to work with Council. He wants to work with Council to enhance what we have here in the Borough. He added that New Bloomfield is a beautiful community! Mr. Holliman then introduced Mr. Gary Eby as liaison for the Bicentennial celebrations. Mr. Eby spoke about some of the history of New Bloomfield. The closing ceremonies for the 2020 celebrations will probably take place in New Bloomfield. Mr. Albright, Zoning Officer, concurs with the above Planning Commission's decision. President Anderson stated that she has Mr. Hoover's contact information and either herself or Vice President Patterson would get back to him about a Borough's point of contact.

GARY RAFFENSPERGER - Mr. Gary Raffensperger stated that his son brought his motorcycle into town to one of his rental properties and put the motorcycle on the porch at that rental property located at 102 S. Carlisle Street. Mr. Albright informed his son that he could not keep the motorcycle on the porch. Mr. Raffensperger was quite upset and offended that anyone on Council can tell him as a property owner what he can keep on his front porch. Councilman Cless sided with Mr. Raffensperger if this was a once in a blue moon event to protect the motorcycle. President Anderson stated that the zoning/enforcement officer was checking on the situation because to get it onto the porch it had to cross the sidewalk. President Anderson deferred this to our Solicitor. Mr. Wagner asked if it was pushed across the sidewalk and put on the porch? Mr. Wagner stated the key word in the ordinance is "operate" which would mean ignition on and in gear other than being pushed, if it was driven with the engine on, then that would violate the ordinance. Mr. Raffensperger then stated he did not want to take up anymore time, but just wanted to let the Council know how he felt about it.

ENFORCEMENT

Solicitor's Report - Mr. Richard Wagner stated that if there is a big event, such as the Bicentennial Celebration, coming up and if you need to tweak an ordinance or seek a variance, you are permitted to add conditions to ordinances, as appropriate for the event. If you grant a variance, you can say it will be granted for 1 year, 6 months, or 3 months, etc. It is lawful to do that.

Development Judicial Judgment - A praecipe was filed with the court. The court is actively pursuing a date for the court to conduct a hearing. The court session should take up one half day. All the residents of Spring Lake Development will have to be advised about this hearing, as well as Council and other parties to the hearing .

Development Pump Station – Mr. Wagner stated the pump station is the same as the last meeting he attended.

Mr. Joe Katkocin asked to be brought up to date on the street/pump station situation. Mr. Wagner interjected, "If Mr. Thebes signs the streets over to the Borough, then the Borough can apply for and receive Liquid Fuels at which point then the Borough can maintain the streets." The infrastructure is not part of the declaratory judgment. Mr. Katkocin stated he has been in negotiation with the other partners to buy him out. The partners do not want to be stuck with the streets. If they could get something in writing, then they can move on with the Borough. Mr. Wagner stated with all due respect the idea of negotiating with his partners is something Mr. Wagner personally has heard for months. Wagner stated, "Get it resolved and the Borough will take over the streets, sewer, pump station etc. This situation has been ongoing for a long time."

Enforcement Committee Report – Councilman Clouser stated the ordinances have been worked on and he does not think any of the ordinances need clarified. Everyone has a copy and has looked them over. (However, it appears not everyone received the final copy.) The only one they do not have is regarding the fire company and fire provisions. Councilman Clouser believes Council can proceed to have them approved for publishing. Discussion followed about publishing and having to republish once the fire provision is updated. Each of the 7 ordinances is separate. Councilman Cless asked what the expectations are from the Fire Company. President Anderson stated Council asked them for clarification of definitions in our ordinances of items such as “combustible waste”, what is considered “toxic fumes” etc. Chief Robb was going to look into this and their codes descriptions of these matters so the Borough is in tandem with them. Those ordinances can then be corrected/updated.

Secretary Shope needs the corrected copy of the ordinances. Councilman Clouser made the motion for approval of the ordinances for printing, whether they are printed right away or not. Councilman Cless seconded. Councilman Pray suggested they wait till everyone has a chance to review the final copy. Councilwoman McCarty agreed. Councilman Clouser then withdrew his motion until everyone gets a final copy of the ordinances under review.

Mayor's Report – Mayor Krammes reported things are looking good in the Borough. There are several homes that need to be addressed. The State Police have been monitoring the cemetery. They arrested a 17 year old boy from Shermans Dale for vandalism. She has had a few problems with lawn mowing. Mr. Hockenberry stated that he gave his property back to the bank, but the bank states they did not take it. He will be cited for not mowing the grass. The Borough will take care of this matter.

Parking Enforcement Officer Report - Mayor Krammes reported 14 new parking tickets for May, 6 are unpaid thus far.

Borough Enforcement Officer's Report – Mr. Albright reported 9 incidents, 3 being in the cemetery. He goes out after 11p.m. many nights. A chain at cemetery entrance was discussed. The return of Mr. Frank Freeland as BEO Officer was briefly discussed. He has not given any written indication to Council of his intentions at this time. This will be followed up for next council meeting.

ADMINISTRATIVE

Announcements and Correspondence – President Anderson announced about the possibility of vacating the McClure Street extension so John Hair can build a fence on his property. Council has met with their attorneys and the attorneys have given the Borough the protocol of the procedures to follow to get those steps in motion, which Council has taken. Solicitor Wagner made one correction to the ordinance that will be filed in the paper so notice will be given. Hopefully it can be adopted at the next Borough Council meeting.

Water Authority Report - Mr. Albright reported they were informed by their engineers that because they are going through a USDA loan, the Water Authority needed to update their wetland papers they had from 2011. The gentleman who worked with the Authority on this can no longer do so; thus, a whole new plan needs completed which will cost \$1,500.00. The water authority is also continuing on with the USDA loan.

Planning Commission Report - Ms. Rowlands already reported on the Daniel T. Paul subdivision and the Centennial historical markers above.

Zoning/Permit Officer's Report - Mr. Albright reported he submitted no permits for the month of May.

Administrative Committee Report - Mr. Cless performed the annual inspection of the fire and emergency lighting systems in the Borough building and found four inoperative units. He purchased and replaced batteries @ \$27 each. When all work was complete, the inspection notices were posted on both floors. He also performed the annual roof inspection and found rain gutters and roof drains full of tennis balls and debris. The Borough now has a functioning roof drainage system. He also replaced the HPS bulb and start sensor in the SW corner security lamp near the Post Office. It still does not work so he must replace with a new light fixture. He began research on the current "fire tax" millage rate for Bloomfield Borough to determine fairness to the taxpayers. He discovered many county wide inequities and will discuss during the fall budget negotiations. Mr. Cless made contact with Natausha Horton of the Cohen Law Group regarding the proposed cell tower ordinance. Their email system was nonfunctional for a while, so we were unable to communicate effectively. Work has restarted. He also spoke with Secretary Danielle Shope regarding the setup of an offsite voicemail system through Century link to retrieve missed messages. It seems straightforward at \$12/month. She will call and make arrangements. Also, the digital voice recorder software is now nonfunctional on the laptop with the forced download of Windows 10. So, the software was loaded to the spare computer for functionality as an emergency measure. Need to search for possible compatible software drivers for Olympus D-40 to Windows 10 to regain use on the laptop. Councilman Cless stated that during his inspection of the building he discovered a broken window. Since the windows were installed back in the 80's, he has to have a special window made by Anderson. He has that ordered. Larry Weller will install the window as soon as he receives it.

FEMA/PEMA report - Councilman Cless received a communique from FEMA regarding the latest Risk Assessment and Resilience Report. Part of that report offered a webinar participation to discuss recent improvements in floodplain planning. He received communication from PEMA regarding the NIMS hazardous mitigation plan submitted in 2015 by ex-president John Long. The plan was approved for the next 5 years, but, several suggestions were offered as improvement updates for the next re-write in 2020.

PCBA/COG - Mr. Albright reported there was no meeting in May due to lack of quorum.

Capital Tax Collection Bureau Report - Councilman Pray reported nothing new. Councilman Cless asked if there is an alternative representative in case Mr. Pray cannot make meetings. Councilman Cless asked for his name to be submitted as the alternate representative to the Capital Tax Collection Bureau.

AESTHETICS

Aesthetics Committee Report - Councilwoman McCarty reported the planters have been planted and the watering schedule has begun. The watering cans have been dropped off at Orrstown Bank.

TELECOMMUNICATIONS

Telecommunications Committee Report - Councilman Pray reached out to Cohen Law Group in regards to the Nittany Media franchise agreement. It has been a year since New Bloomfield held its public meeting. He is encouraging them to hurry to finalize this. Nittany Media responded “Nittany Media plans to have it’s next iteration of the agreement done by the end of this week, by June 10 review thoughts and input with the law firm and the different municipalities and by June 20 finish.” Mr. Pray is skeptical that this will happen. He continues to push on our end for a quick resolution.

Wireless Ordinance Proceedings Report - Councilman Cless reported that he lost communication with the law group because of email problems. He was not able to receive the final draft to bring to Council but hopes to have it by next month’s meeting.

FINANCE, INSURANCE, AND SAFETY

Finance, Insurance & Safety Report - Vice President Patterson has been working on trying to make it easier for the Finance Committee and Council to understand how we are spending monies and budgeting from month to month. They are working on a comprehensive plan for the community. Councilwoman Jones has taken this project on herself. Nothing to report on Insurance or Safety.

Grants Report - Councilwoman Jones reported that the Water Authority is on track with the SEDA/COG application. She also reported they are working on a short term, 5and 10 year strategic plan for the sewer portion of the budget as to what needs to be done and how we will pay for it. Right now she knows of no grants that will pertain to sewer projects, but she is still looking.

Personnel Committee Report - Councilwoman Jones resolved several personnel issues. She has reviewed all the personnel policies and John Long is responsive to her outreach. Mr. Long is going to help update the personnel policies.

RIGHTS OF WAY & UTILITIES

Rights of Way & Utilities Committee Report - Vice President Patterson reported the paving will start Thursday for West McClure Street and Veterans Drive. The property owner, responsible for the Veterans Drive repair, will repay the Borough for the paving, but there is no time table established yet because of a personal tragedy in the owner’s family. The pipe coating for the sewer pipes should start within the next month, maybe sooner. They will be doing 1400 feet.

ADDITIONAL PUBLIC COMMENTS

Justin Kretzing from the New Bloomfield Fire Company stated their audit is in the process. He updated Council on the building. They have been doing a lot of research on the property, but wants to work with the Borough so it benefits both sides. He asked that Council to appoint several people to help discuss various

items dealing with the best way to use the property. He announced the need for volunteers to help at the carnival. Spokesmen for the Fire Company regarding the building are Mitchell Robb and/or Justin Kretzing.

CLOSING COMMENTS

There being no further business, upon motion by Vice President Patterson, seconded by Councilwoman McCarty, the meeting adjourned at 8:18 p.m. to meet on Tuesday, July 5, 2016 for a regular meeting. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary