

**MINUTES**  
**Bloomfield Borough Council**  
**March 1, 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, Pierce L. Clouser, Jr., Michael P. Pray and Karl L. Cless. (Councilwoman Patricia A. McCarty had an excused absence)

Also present: Mayor Arlis Krammes, Borough Secretary Danielle Shope, Solicitor Richard Wagner, Borough employee Damon Hartman, Zoning Officer Edward Albright Jr., Planning Commission Chairwoman Melanie Rowlands, Spring Lake Development LLC Partner Joe Katkocin, Perry County Times Reporter Jim Ryan and High School Civics student Anna Marie Emler.

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. 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 Clouser made a motion, seconded by Councilman Pray, to approve the minutes of the February 2, 2016 meeting as presented. Motion carried.

**Approval of Financial Report** – Vice President Patterson made a motion, seconded by Councilman Clouser, to approve the financial report for February 2, 2016 meeting as presented. Motion carried.

***PUBLIC COMMENTS***

No Public Comments.

***ENFORCEMENT***

**Solicitor's Report** –

**Development Judicial Judgment** - Solicitor Wagner spoke on the Development Judicial Judgment. There was a brief hearing on the 22<sup>nd</sup> of February to address the issues of the objections raised by Orrstown Bank. The hearing was a discussion with the Court. There was some indication that Orrstown Bank would consider giving the Borough a deed to the roads in Spring Lake Development suggesting that if they are claimed the owners they will deed the property to the Borough. Mr. Wagner has not heard anything further.

The Judge stated he was going to hold off for 10 days to make a decision in the event we got a quick claim deed from Orrstown then he does not have to make a decision. Mr. Wagner has not heard either way at this point. At the conclusion of the hearing, Mr. Katkocin, requested Solicitor Wagner send a letter ensuring that whoever is determined to be the owner will have no further responsibility and that the Borough intends to take over the roads from those persons. Solicitor Wagner wants to make a recommendation that because this may be an issue to 70 people and because 70 different people may ask that this letter be written, Solicitor Wagner does not want to charge the Borough for 70 letters. Solicitor Wagner suggested that the Borough put in the minutes that "It's our position that once the court makes the determination as to who owns the streets it is the intent of the Borough to seek a dedication of the streets from that declared owner relieving the declared owner of any responsibility other than dedicating the streets to the Borough. That should solve everybody's issue."

Solicitor Wagner is talking about the existing streets at this time, not any future streets. President Anderson asked for a motion stating that it is the Borough's intent that once the owners of the street is declared to accept dedication of those streets from the declared owner without any further responsibility on that declared owner. Councilman Clouser made a motion, seconded by Councilman Cless.

The discussion below was taken verbatim from the Bloomfield Borough's minutes recorder. Planning Commission Chair Melanie Rowlands and later Spring Lake Development LLC Partner Joseph Katkocin spoke and the statements are not those of the Bloomfield Borough Council.

**Discussion:** Melanie Rowlands stated "so when the LLC purchased the property from Orrstown and the price was determined on the basis of listing here's the value of the land and here are some of the improvements to the streets in phase 3, not talking about phases 1 and 2, not talking about all the areas that were built up, but the little lower road down there it listed approximately about \$165,000 worth of street work down there to be done. And that was subtracted from the value of the property and that's why the LLC paid the price that they paid because it was listing including the amount of blacktop and the amount of street work that needed to be done in that section it listed the volume of street work to be done and that was taken into account for the price that they paid, so what I'm hearing right now is what you are saying is, you are willing to take over those very rough, not completed, inappropriate streets in that lower section basically providing a windfall to that organization. I'm not telling you I get to have a vote, I'm just asking is that what you are doing here, because I think that if you do that you are really missing out on part of the complexity of this deal."

President Anderson stated that the Council is discussing the streets that were listed in the Declaratory Judgment, whatever was stated however, as is. Councilman Clouser stated if I'm not mistaken that the streets that existed in one time phases one and two. Solicitor Wagner said "whatever was foreclosed upon."

Mr. Katkocin contradicted Melanie. He stated "We went to the Bank, we went to who did the proposal on those streets. That is actually for the unopened street. That is not for that bid, Melanie. If you look at that bid it will show about improvements to sewer and water."

Councilman Clouser will feel more comfortable if the words "existing streets" are inserted into the above motion.

Mr. Katkocin asked about the unimproved streets. "Once an owner comes forward what's going to be our method of dealing with getting what we can further develop and get that down there. Who's going to own that unopened street? That's what I'm asking."

Councilman Clouser states that is why he questioned about the existing streets that are on that one portion of property but you also have the proposal that would continue that one street out through the unfinished development.

Solicitor Wagner stated that they are not approved, they are not part of that. This does not affect unopened streets.

Solicitor Wagner repeated what the motion should be as stated above. President Anderson asked for vote. Motion passed.

Mr. Katkocin asked for clarification as to what the LLC would have to deal with, if and when, someone else is appointed the owner and they sign it over to the Borough. He asked who is he going to deal with President Anderson said "You are a developer coming in so you would still have to go before the planning commission, still have to go through the zoning commission to obtain permits, just like you would any PRD."

**Development Pump Station** – Solicitor Wagner will ask Mr. Katkocin to address this because at the conclusion of last month's meeting Mr. Katkocin said to Mr. Wagner, "I'm prepared to sign the deed over for Lot 30". Mr. Katkocin amended that statement with "with the Right of Way taken out of Lot 30".

Melanie Rowlands stated, "The Planning Commission is prepared to act on the Right of Way proposal but the Right of Way proposal currently was packaged with the lot additions. It can be done separately, but it was presented to us packaged with the lot additions and it has not been presented with the signatures of the LLC. We only had one of three signatures. I am speaking for the Planning Commission on the current status of what came to me , I'm sorry but it's all the same thing, the only thing the Planning Commission had to say was we've acted on nothing because a proposal was brought to us to do a combination of lot additions, 3 lot additions, plus a right of way through Lot 30 but it needed to be signed by all three owners. We had one signature, not 3 , and so we said as soon as you can come back with three signatures we can move ahead on it. We actually had the Council reject it in November. If for some reason you need to have it go forward just as the Right of Way, work within your LLC, bring forward a proposal that just deals with the Right of Way through Lot 30, get your three signatures on your proposal and we can act on it."

President Anderson stated they can do that at another time, the Council meeting was moving on.

**Enforcement Committee Report** - Councilman Clouser provided Council with proposed ordinance changes to be reviewed and discussed at a later date.

**Mayor's Report** – Mayor Arlis Krammes reported two sofas were removed, one on Main Street and one on McClure Street. Mayor Krammes and her husband have been driving around town at night since Frank is not available. Frank Freeland is home and recuperating. He will need a release from his doctor that he is ready to come back to work.

Six parking tickets were issued in February, one remains unpaid.

Councilman Cless asked that since the BEO on medical leave, can the Mayor issue citations? At this time, per the Borough Solicitor, the Mayor is only issuing verbal suggestions, not citations at this time.

**Borough Enforcement Officer's (BEO) Report** - No report since Mr. Freeland is on medical leave.

#### *ADMINISTRATIVE*

**Announcements and Correspondence** – President Anderson reminded everyone that their financial interest statements are due to Secretary Danielle Shope by April 1, 2016.

**Appointments and Reappointments** - There was a vacancy on the Bloomfield Municipal Authority. Bloomfield resident Michael Whitmer has stepped up to take on this position. He will serve a term from January 1, 2016 through December 31, 2020. Councilman Cless made the motion, seconded by Councilman Clouser, to accept Mr. Michael Whitmer as a member of the Bloomfield Municipal Authority. Motion passed.

**Borough Council's Committees and Responsibilities** - President Anderson had presented the following committees and responsibilities to council members at the February 2016 council meeting for review:

#### **2016 Bloomfield Borough Council Committees and Responsibilities**

Council President will serve as an ex-officio member to all committees in order to keep abreast of all Borough matters. As an ex-officio member, in order to ensure that a quorum of Council members are not present during committee sessions, Council President will not participate in committee sessions except in the absence of a committee member but would be available to resolve disagreements, if necessary. The Committee Chair shall advise the Council President on discussions and recommendations of the committee. The President will also assume responsibility for negotiations regarding all current and future building developments within the Borough, supervision of the Secretary, publicity.

#### **Administrative Committee**

The Administrative Committee is responsible for overseeing all the Borough's administrative matters relative to the Borough building to include maintenance, content and all Borough property except for the Borough sewer plant, garage, and its property. The committee is responsible for all property and liability insurance. The Committee is also responsible for overseeing the Janitor. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Cless

Members: McCarty, Cless, Anderson (ex-officio)

#### **Aesthetic Committee**

The Aesthetic Committee is responsible for overseeing the Borough's aesthetic matters relative to the Borough's appearance, working with the Borough's Ad-Hoc Aesthetic Committee and Borough's Shade Tree Commission. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: McCarty

Members: McCarty, Anderson (ex-officio) , and Ad-Hoc members

#### **Enforcement & Safety Committee**

The Enforcement Committee is responsible for overseeing the Borough's enforcement matters and co-operating with the Mayor in overseeing the staff (parking enforcement officer, zoning/permit officer, and code enforcement officer). The Committee is responsible to see that ordinances are being adhered to and

determine if additional ordinances are needed. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Clouser

Members: Cless, Clouser, Anderson (ex-officio)

**Finance, Insurance, & Grants Committee**

The Finance, Grants and Safety Committee is responsible for overseeing the Borough's Finance, grants and safety matters including auditing the financial report on a monthly basis, developing the annual budget, seeking and preparing grants for additional funding for major Borough projects and ensuring that the Borough meets the National and State requirements for safety of employees and facilities. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Patterson

Members: Jones, Patterson, Pray, Anderson (ex-officio)

**Personnel Committee**

The Personnel Committee serves the function of the Borough's Human Resources Committee, responsible for the Employee Handbook, the interviewing and hiring of Borough employees, their pay, health insurance, periodic evaluations and benefits. Note: The first line supervisor of the secretary is the Borough President, of the maintenance workers is the Rights of Way Committee, of the Borough Enforcement Officer and Parking Officer is the Mayor and the Janitor is the Administrative Committee. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Jones

Members: Pray, Jones, Anderson (ex-officio)

**Rights of Way & Utilities Committee**

The Rights of Way & Utilities Committee is responsible for overseeing the Borough's Rights of Ways (streets, alleys, curbs, sidewalks, driveway entrances and associated maintenance), Utilities (sewer plant building, garage and grounds, sewer lines, storm water and runoff) and the equipment relative to those activities and overseeing the full-time staff. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Patterson

Members: Clouser, Patterson, Anderson (ex-officio)

**Telecommunications Committee**

The Telecommunications Committee is responsible for overseeing the Borough's telecommunications negotiations, agreements with vendors and interface with the public. The Committee Chair is responsible for reporting problems and recommendations to the Council for their determinations.

Chair: Pray

Members: Cless, Pray, Anderson (ex-officio)

There being no changes, Councilman Pray made a motion, seconded by Councilman Clouser, to accept these committees as stated. Motion carried.

**Television Cable** – Councilman Pray stated they have been working on the telecom communications with Nittany Media for the past year. Councilman Pray has been working with the attorney from Cohen Law Group. They came up with 7 points they wanted to pass along to Nittany Media. The points have been communicated and are trying to resolve things as quickly as possible.

The points are:

1. We would like to see a quick ending to these proceedings, making sure all sides are represented fairly and that no one is being taken advantage of.
2. The point of this inquiry was to explore the Borough's options under existing state and federal law. Knowing this information puts us in a much better position should another cable provider offer service to the Borough in the future.
3. The last franchise the Borough had in place lapsed in 2005, so we need a new agreement in place.
4. The exploration about fees, etc. was a part of the information gathering process, and we ultimately determined it's not feasible to collect fees from the 100 or so subscribers (of whom I'm one!), and increase their cable bills.
5. We do not intend to increase any customer's bill for service, and that was never our intention.
6. We do not intend to "gouge" Nittany Media.
7. We would like a franchise agreement in place that protects the Borough and makes Nittany Media compliant with all current laws and mandates. We're not suggesting that they're current not in compliance, but since the agreement has been expired for 11 years, we need to know.

President Anderson stated that our focus was trying to get a legal document in place to protect our residents so they are served well by the company that they are being billed for services for.

**Water Authority Report** – Mr. Albright reported there was a meeting and they are still waiting for their applications to be approved by the Susquehanna River Basin Authority and DEP. The loan for USDA is still on schedule. He also contacted Mike Scheffey and he is going to put out a “robo” call Friday afternoon for the Monday meeting with SEDA/COG. Authority member Mr. Phil Eckert will be resigning before his term is up, but will stay until a replacement is found.

**Planning Commission Report** – Ms. Rowlands said what needed to be said earlier as related to LLC and the development.

**Zoning/Permit Officer's Report** – Two permits were issued for January, Zero for February.

**Administrative Committee Report** - Councilman Cless reported he contacted Natausha Horton of Cohen Law Group to discuss the wireless communications ordinance. She wanted a conference call to discuss the issues with a small panel of select members at the time. Councilman Cless suggested meeting with the Zoning Office and Planning Commission Chair along with himself, but needed some time to review the material provided. He scanned the ordinance and reformatted for discussion at the BBPC March meeting.

Councilman Cless contracted with David Peachey to install a new slab door on the Join Hands office. Door will be solid birch with one small window 6”X12”. Mr. Peachey will install on the existing door framework and reuse the existing lock assembly and hinges when door becomes available. He asked for payment on the day of installation...Councilman Cless will provide Danielle with exact invoice amount for issuance of a check.

Councilman Cless purchased a pipe connector to prepare for the installation of the scout room sump pump. He repaired ceiling lights in Library room #2 with ballast and bulbs. He needs to purchase more replacement bulbs.

Councilman Cless worked with Kathy Miller to update Ordinance Code Books.

**FEMA/PEMA** – Vice President Patterson reported the Borough had to hire a contractor for snow removal following the huge winter snow storm (Jonas). The State of Pennsylvania declared it a disaster situation so there is the possibility the Borough could be reimbursed from PEMA for the cost of that snow removal. The summary of cost, including our equipment and manpower, showed the Borough spent \$8,176.89. This amount has been submitted to PEMA.

President Anderson reported that the Borough has been mandated by the County and the County's 911 Call Center to have a person available for any trees down. They have to be available 24/7. Rick Robinson has been named as 1<sup>st</sup> responder, with Damon Hartman as our 2<sup>nd</sup> responder.

President Anderson, Councilwoman Jones, and Councilwoman McCarty attended the Perry County Township Association Annual Conference which was held this past Saturday, February 27, 2016. One of the topics that came up was that we are required in every borough under Title 35 to name a local Emergency Coordinator to work with FEMA/PEMA. They must be certified. Jason Hoffman is the Borough Coordinator. He has the experience and training required. Also, the whole Perry County radio system is being upgraded. 93-95% of old radios will not be compatible with the new system so that will be another expense for the Fire Company and EMS personnel. They are working with grants for this type of equipment purchase.

**PCBA/COG** - Since Mr. Albright reported that an alternate is needed for himself in the event he cannot attend a meeting, Mr. Steve Dowell was suggested as an alternate representative. The scanning maps project was decided to not be a good deal for smaller boroughs so they are not pursuing this further. Mr. Albright reported that all our permits are up to date.

**Capital Tax Collection Bureau** – No report.

### *AESTHETICS*

**Aesthetics Committee Report** – Councilwoman McCarty since being absent asked President Anderson to give report. President Anderson, Mayor Krammes and Councilwoman McCarty met and devised a plan for all happenings in spring for the Borough. Town yard sale is May 6 & May 7, 2016 with town cleanup day being held May 14, 2016. All Borough happenings will be stated in the town newsletter that goes out with the quarterly sewer bills. The Committee is interested in purchasing some new benches for the town.

### *FINANCE, INSURANCE, AND SAFETY*

**Finance, Insurance and Safety** – Vice President Patterson had no report.

**Grants** – Councilwoman Jones reported that she, President Anderson and Vice President Patterson met February 8, 2016 with SEDA/COG and the Water Authority to discuss our grant procedure. The Borough is postponing the storm water work on McClure Street and are working with SEDA/COG to see how to do this in order to stay in compliance with the grant. The Borough is postponing this work on McClure so we can coordinate work with the Water Authority so we are not tearing up the street that was just improved as part of our grant. A letter has gone out to residents of McClure Street inviting them to a meeting in Council Chambers on March 7, 2016 at 7PM. Councilwoman Jones and Mr. Albright also sent a letter to the County Commissioners advising them as to what is going on with our project, why it's being postponed and asking for any funds that may have been turned back into the County.

***PERSONNEL***

**Personnel Committee** – Councilwoman Jones reported the personnel annual review process has begun. One complete, three more pending. It appears annual reviews have not been done in the past, at least no record has been found. They are also looking at job descriptions and policy manuals. The Maintenance Tech position #1 is evolving into a more supervisory position.

***RIGHTS OF WAY & UTILITIES***

**Rights of Way & Utilities Committee Report** - Vice President Patterson reported that with the ongoing situation with SEDA/COG, and the monies being postponed for a significant amount of time, that project will have to be postponed as well. Money for this project had been budgeted out of sewer and right of ways funds. So, Vice President Patterson's intention right now is to use this money already budgeted for another project which is redoing sewer lines. Hopefully, by next month he will have recommendations for the sewer project.

President Anderson stated to remove “North Carlisle Street” from the PENDING agenda since it is evident that the project is not going to happen. She also asked Councilman Cless to conference with her about the security cameras and Room 8 vacancy on the PENDING agenda.

***CLOSING COMMENTS***

There being no further business, upon motion by Councilman Clouser, seconded by Vice President Patterson, the meeting adjourned at 7:55p.m.to meet on Tuesday, April 5, 2016. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary