

MINUTES
Bloomfield Borough Council
April 7, 2009

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: President Pierce L. Clouser, Jr., Vice President John M. Long, Edwin G. Robinson, Dale J. Beaston, Leroy J. Weller, Jayne M. Eckert and Karl L. Cless.

Also present: Solicitor Richard Wagner, Mayor Jean Anstine, Secretary Nancy Pote, Zoning Officer Rick Watson, Water Authority Chairman Warren Ely, Richard Miller, Robert A. Hench, Robert I. Hench, Richard Groff, Steve Dowell and Tom Burd.

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

ADMINISTRATIVE

Recording of the Meeting – President Clouser 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. Robert A. Hench stated he would be recording the meeting.

Approval of Minutes – Councilwoman Eckert made a motion, seconded by Vice President Long, to approve the minutes of the March 3, 2009 meeting as reviewed. Motion carried.

Announcements and Correspondence

Thank You – President Clouser read a letter from the New Bloomfield Fire Company (NBFC) thanking us for our attendance at their February 26, 2009 meeting regarding planning for the new firehouse.

Training Flyers – President Clouser stated that training flyers received over the last month have been placed in front of the Secretary and are available for members of Council to review.

Bloomfield Borough Municipal Authority (BBMA) Vacancy – President Clouser announced that in the near future there will be a vacancy in the inactive BBMA.

Pennsylvania State Association of Boroughs (PSAB) Annual Convention – Vice President Long reported that he and Councilman Cless attended the PSAB Annual Convention on Tuesday, March 24, 2009 and presentations on prevailing wage, minimum wage and guidelines for use of Borough property were presented. Vice President Long stated that as a result of the session on the guidelines for Borough property, Councilman Cless has modified our proposed usage policy. Vice President Long stated that the session for municipalities with less than 3,000 population was cancelled.

Stimulus Package – President Clouser stated that Governor Rendell provided guidelines urging municipalities that stimulus funds be used for energy conservation and several Council members were given a copy of those guidelines.

Statement of Financial Interests – Secretary Pote stated she has forwarded a second notice to four individuals that are required to file the statement of financial interests and she is also required to have them completed and returned to her by May 1, 2009.

Public Comments – President Clouser stated that anyone not on the agenda can have three minutes for their presentation and requested if anyone desires to discuss any matter at this time. Tom Burd stated that he wished to address the following:

New Bloomfield Fire Company (NBFC) 2008 Audit/Fire Report – Tom Burd stated that he is here to present the NBFC 2008 Audit and 2008 Year End Fire Report for Council's review and briefed Council on various financial information provided in these packets. Mr. Burd further stated that upon a more detailed review by members of Council, he would be available to come back to answer any questions they might have.

Administrative Committee Report

Replacement Door for the Handicapped Ramp – Councilman Beaston reported that the door at the lower level handicapped ramp will be replaced by Hershock's on Friday.

Upper Level Restrooms – Councilman Beaston stated that Vice President Long and he met with an estimator from Swenson's Heating and Plumbing with regards to needed upgrades to the two restrooms on the upper level of the Borough Building. Councilman Beaston stated that the ladies restroom will have a new sink as well as a new commode seat installed and the toilet will be made functional in the handicap stall. Councilman Beaston further stated that three of the six toilets will be removed and all lines capped in the ladies room. President Clouser questioned if any consideration has been given to providing a changing table since we lease space to agencies that bring children to our facility. Councilman Beaston stated he supports this concept. Councilman Beaston further stated that the three stalls in the men's bathroom will have doors installed on two stalls and three urinals will remain in use and the remaining three will be boxed off. Councilman Beaston provided a quote from Swenson's Heating and Plumbing in the amount of \$2,775.21 for plumbing only. Councilman Beaston made a motion, seconded by Vice President Long, to proceed with the contract as presented. Motion carried. President Clouser questioned if the entire project can be done for under \$4,000.00 because we cannot piecemeal it. Councilman Beaston stated the entire project can be done for under \$4,000.00.

Council Chambers Usage Policy – Councilman Cless stated that as a result of the presentation at the PSAB State Convention, he is presenting a revised Council Chambers Usage Policy that designates that room reservations are for authorized Borough governmental activity as well as other organizations directly related to the local governance of Bloomfield Borough. Vice President Long made a motion, seconded by Councilman Beaston, to adopt the Council Chambers Usage Policy as generated by Councilman Cless. Motion carried.

Property Cleanup – President Clouser stated an agreement releasing us from any responsibility for injuries incurred during tree and brush removal on Borough property has been prepared by him and approved by our Solicitor. President Clouser further stated that Frank Bailor, as well as all other individuals involved in the tree and brush removal will be required to sign this release. President Clouser stated that the northern portion of the tract recently purchased from Frank Bailor will be used for ballfield parking. President Clouser further stated that Mr. Abbott has agreed to allow ball teams to park in his lot during ballgames in exchange for mowing and the VFW baseball team has agreed to do that.

Chalkboard Mural for Council Chambers – Councilman Cless stated he spoke to Arlis Krammes, a resident artist, and she has graciously offered to paint a mural on a piece of the slate chalkboard removed from this room. Councilman Cless stated the mural will be of the Rhinesmith Hotel, monument and Perry County Courthouse as you look north from South Carlisle Street. Councilman Cless further stated he will deliver the slate chalkboard to her.

Directory Boards – Councilman Cless stated that the two directory boards in the amount of \$93.70 approved at our meeting last month were not what we wanted; therefore, he researched and found the correct interior boards at a cost of \$133.99 each. Councilman Cless stated that it is possible that he will be obtaining a larger interior directory board at no cost. Councilman Cless further stated that the exterior directory board would cost \$335.99 each and questioned if we need two. Councilwoman Eckert made a motion, seconded by Councilman Beaston, to rescind the motion to purchase two interior directory boards at a cost of \$93.70 as approved at our March 3, 2009 meeting. Motion carried. Upon further discussion, it was determined that one exterior directory board would be adequate. Councilwoman Eckert made a motion, seconded by Vice President Long, to purchase one exterior board at \$335.99 and one or two interior boards at a cost of \$133.99 each, contingent upon the possibility of receiving one interior board at no cost, plus letters. Motion carried.

Reserved Seating Chairs – President Clouser presented a quote of \$40.50 per chair plus shipping for the replacement of the Council Chamber six reserved seating chairs due to complaints of the current chairs. Mayor Anstine and BBWA Chairman Ely felt the current chairs were fine. Vice President Long feels this is not required at this time. President Clouser stated that this matter will be dropped.

Power and Energy Purchase Program – Vice President Long stated that he has been in contact with Jamie Rubb of Harrisburg and he will be meeting with Councilman Beaston, Councilman Weller and himself at a date yet to be determined concerning the electric usage within the Borough.

Lion's Club Park – Vice President Long stated that the Lion's Club Park located on Chestnut Street will have a work detail on Saturday, April 11, 2009, that will generate debris and by the end of April the entire cleanup project, to include a bank reduction, will be completed. Vice President Long requested and received permission to have the Borough haul the debris.

BCC Swimming Pool – Councilman Beaston stated that the first Saturday in May will be cleanup for the swimming pool located on Chestnut Street and he will request that the Borough trucks be parked there so the volunteers can load the debris.

Bloomfield Borough Water Authority (BBWA) Report

Water Line Into the Post Office – BBWA Chairman Ely stated that the line into the Post Office at the Borough Building has been repaired; however, the line needs replaced and the anticipated increase in pressure poses a problem. Secretary Pote stated that BBWA employee Mike Scheffey is working with Fahnestock's to obtain a price to replace the line and he feels the total cost will be under \$4,000. President Clouser presented a copy of an invoice from the BBWA in the amount of \$630 for the repair to the ¾" line at the Post Office and requested that the payment be ratified. Councilman Cless made a motion, seconded by Councilwoman Eckert, to pay the BBWA invoice in the amount of \$630 as presented. Motion carried.

Standpipe – BBWA Chairman Ely reported that the standpipe had a leak repaired and will take a couple of weeks to fill.

Well – BBWA Chairman stated that they are still working on locating another well and they will be meeting to discuss this with an interested party. BBWA Chairman Ely further stated that they are trying to obtain a grant for \$1,000,000.00 of \$400,000,000.00 that is out there.

Zoning/Permit Officer's Report

Permits Issued – Zoning Officer Watson stated that he issued one sidewalk permit to Rodney Summerscales for the replacement of a sidewalk at 100 East Main Street and one zoning permit to the County of Perry for the replacement of windows in the Courthouse.

Planning Commission Report

Cramer/Lesh Variance – Councilman Cless stated that the Zoning Hearing Board has set April 16, 2009 at 7:00 p.m. at Council Chambers to hear the Cramer/Lesh request for a sub-division at 110 South Carlisle Street.

Morrison Special Exception – Councilman Cless stated that the paperwork for the Morrison special exception has been turned over to the Zoning Hearing Board.

Capital Tax Collection Bureau – Councilman Cless reported that upgrades to the website include online filing features.

Grants

Windows Replacement – Councilman Beaston reported that there has been no confirmation at this time.

East McClure Street – Councilman Beaston stated that last week we were informed that we were not included in the first round of money; however, we still qualify and he intends to resubmit in December.

Barnett Street Grant – Councilman Beaston stated that he is still waiting for an answer from DEP requesting using the leftover \$15,000 from the 2008 Barnett Street project to be applied to the 2009 Barnett Street project.

Perry County Boroughs Association – Vice President Long stated that the PCBA met last week and he feels this is a good organization with great people. Vice President Long stated that this month's discussions included the Borough Secretary's compensation and slum rentals and the need for an ordinance to manage problems relating to this. Solicitor Wagner stated that Penbrook Borough has several excellent landlord ordinances that are aggressive and suggested Vice President Long contact them. Councilman Cless reported that power/energy LED type bulbs for street lighting was discussed at a previous meeting and since we are facing a 135% increase in street light this would need to be considered. President Clouser stated that the gentleman that was going to look into LED type bulbs was not at the last meeting.

Newsletter – Councilwoman Eckert stated that the newsletter went out with the water bills. President Clouser questioned if the individuals that get their bill online received the newsletter. BBWA Water Authority Chairman Ely stated that there are only about twelve individuals that receive their bills online and he is certain that the newsletter could be an attachment.

Mayor's Report

Yard Sales – Mayor Anstine stated that we need an ordinance to limit the number of times per month an individual can hold a yard sale. Zoning Officer Watson stated that the Department of Revenue would intercede and require an individual to collect sales tax if they hold too many. Secretary Pote stated that she had an inquiry concerning having individuals, not Borough residents, that desire to sell their goods at Borough residences during the Borough wide Yard Sale on May 2, 2009 and questioned enforcement of allowing non-borough residents to participate as stated above. Solicitor Wagner stated this is permitted.

AESTHETICS

Aesthetics Committee Report

Trash Receptacles – President Clouser reported that the trash receptacles are in place. Councilman Cless stated that Arlis Krammes has a problem with the County designated placement of one and it is his understanding that no allowance will be given for the return of the 32 gallon receptacles that were replaced with 22 gallon receptacles.

ENFORCEMENT

Solicitor's Report

Ordinance #272 – Shade Tree Commission – Secretary Pote stated that Ordinance #272 has been properly advertised and is in a position for adoption. Vice President Long made a motion, seconded by Councilwoman Eckert, to adopt Ordinance #272 that creates a Shade Tree Commission with three members and three year terms. Motion carried. Councilman Weller made a motion, seconded by Councilman Robinson, to appoint Phillip Eckert, Arlis Krammes and Jayne Eckert to the Shade Tree Commission. Motion carried. Councilwoman Eckert abstained due to being a member of the Shade Tree Commission. Councilman Beaston made a motion, seconded by Councilman Weller, to appoint Phillip Eckert to a one-year term, Arlis Krammes to a two-year term and Jayne Eckert to a three-year term on the Shade Tree Commission. Motion carried with Councilwoman Eckert abstaining again.

Resolution #09-2 – CapTax Amendments – Secretary Pote stated that Resolution #09-2 has been properly advertised and is in a position for adoption. Councilman Cless made a motion, seconded by Councilman Robinson, to adopt Resolution #09-2 that ratifies the amendments to the Articles of Incorporation of the Capital Tax Collection Bureau. Motion carried.

Permit Fee Resolution & Policy – Secretary Pote stated that some revisions have been done since the last meeting; therefore, it was not advertised as directed at our meeting last month. Secretary Pote further questioned if the Mayor is required to issue permits and also if the fee for a variance could be cost plus 10%. Solicitor Wagner stated that the Mayor is not required to issue permits and there must be a set fee for a variance plus the stenographer and the record creates additional costs.

Junkyard Ordinance – Solicitor Wagner stated that he received a letter requesting until April 24, 2009 to have a specific answer and at that point if we do not have an answer, we can do what we want to enforce the ordinance.

Garbage Placed at Curbside Prematurely – President Clouser stated that garbage being placed at the curbside prematurely has not been resolved and is still ongoing. Mayor Anstine questioned enforcement for renters. Solicitor Wagner stated that the ordinance could be broad enough to include the property owner and any resident therein. Councilwoman Eckert made a motion, seconded Vice President

Long, to have the Solicitor proceed to prepare an ordinance relative to the placement of garbage limiting the time to twenty-four hours prior to the scheduled pick-up. Motion carried.

Floodplain Management Ordinance – Councilman Cless stated he received a sample ordinance from our Solicitor and scanned and edited it to make it applicable to the Borough and it was faxed back for his review. Solicitor Wagner reviewed and approved the ordinance as written. Councilman Cless stated that we must now send it to DCED for their review and approval prior to the adoption deadline of June 16, 2009. Councilman Cless made a motion, seconded by Councilwoman Eckert, to tentatively approve the floodplain ordinance in its current form for purposes of sending it to DCED. Motion carried.

Borough Abbott Sub-Division – Councilman Cless stated we are still waiting for Fred Morrow's attorney to give us a quick claim relative to their right-of-way.

Borough Property Final Sub-Division – President Clouser stated that nothing can be done until the Abbott sub-division is final.

Sidewalks in PRD – Solicitor Wagner stated that he wrote to the developer stating that no further permits would be issued until sidewalks are installed as required in the approved plan. Solicitor Wagner further stated Attorney Philpott responded also on behalf of the Bloomfield Borough Water Authority. Having received a complaint, President Clouser questioned Pam Keller having access to a private lane in Centre Township through Lakeside PRD. Solicitor Wagner stated that this connects to a private street and at such time the streets are offered for dedication, we can then control that access because no highway occupancy permit was issued. Vice-President Long expressed concern with forfeiture or bankruptcy then the streets would become ours whether we want it or not. Vice-President Long feels that the homeowners are tax paying individuals and it is only fair that we take over the streets. Solicitor Wagner stated if a developer has approval of a plan and does not meet the improvements within the plan, the Borough has the right to go to court and say we want those improvements and if they don't, we seek to sue to obtain money to make those improvements. Solicitor Wagner stated that case law does not mandate us to undertake except improvements and ownership and maintenance of those improvements until they are brought up to specifications of our Borough ordinances. Solicitor Wagner expressed concern that the burden should not be placed on the taxpayers because ultimately it is not the taxpayers' responsibility if the developer did not fulfill their obligation.

Bloomfield Borough Determination – Solicitor Wagner stated that agreement has been sent out for review and approval to Grabiec and Stouffer and stated he will follow-up to make sure the agreement is acceptable. Solicitor Wagner further stated upon approval by all parties, one original will be circulated for signatures.

Bond Refinance – Solicitor Wagner stated he has heard nothing back from Mr. Cramer.

Sidewalk Specifications – Councilman Weller stated that specifications for sidewalks have been changed; therefore, our ordinance will need amended. President Clouser requested that Secretary Pote provide these specifications to all members of Council for discussion next month.

INSURANCE AND SAFETY

Insurance and Safety Committee Report

Health Care – Councilman Cless stated that he provided a cost cutting synopsis to Council to review and questioned if we should or should not change our policy. Councilman Cless further expressed

concern with the need to save money because we currently have the best coverage with no deductible. Councilman Weller stated that something has to be done and feels this could be done by budget time. President Clouser questioned if this should be discussed in executive session because it involves the employees.

PERSONNEL

Personnel Committee Report

Personnel Manual/Job Descriptions – Vice President Long stated that the Personnel Committee sat down and made changes to the Personnel Manual. Vice President Long stated that having made the changes, the next step is to provide copies to Rick and Chris since they are the primarily impacted and to discuss with them potential problem areas. Vice President Long expects to have the Personnel Manual available for review and approval by Council in the near future.

RIGHTS OF WAY & UTILITIES COMMITTEE

Rights of Way & Utilities Committee Report

Barnett Street Sewer Line – Councilman Beaton stated that on Friday bid documents for the replacement of the sewer line main on Barnett Street between Church and South Carlisle Streets are going out, the pre-bid meeting will be on Thursday, April 23, 2009 and bids will be opened on Tuesday, May 5, 2009 at our regular Council meeting.

East Main Street PennDOT Project – Councilman Weller stated that the project has been awarded to Jay Fulkroad.

North Carlisle Street Project – Councilman Weller stated that he will meet with Secretary Pote to prepare letters to homeowners with curbing who will be required to replace their curbing on North Carlisle Street and also those homeowners on North Carlisle Street who could voluntarily install new curbing. Councilman Weller further stated that he will need to get specifications from Burget & Associates.

Street Cleaning – President Clouser questioned if Council desires to have a street cleaner to pick up the cinders, etc. along Main and South Carlisle Streets. Councilman Cless stated he cannot find one in Perry County that can be attached to the front of our truck. President Clouser further stated that he has had an inquiry from an individual that can do this with his street sweeper on one weekend in May for \$130 per hour and the individual feels this can be done in eight hours. Councilman Beaton stated that many residents take care of their own prior to May. Councilman Robinson feels that all streets should be included if we are going to do this. Upon a detailed discussion, Councilman Beaton stated he will try to obtain free labor.

Potential Sewer Plant Projects – Councilman Robinson stated that Buchart-Horn, Inc. has provided a list of potential projects that may be of benefit to the Borough's Wastewater Treatment Operation. President Clouser feels this is very detailed as well as some significant cost factors, therefore, he requested that the Rights of Way & Utilities Committee discuss the findings and report back to Council.

Sewer/Garbage Bill Printing – Councilman Cless stated that we can make a template, purchase colored post cards and print them in house for approximately ½ the cost of using a printing firm. Council determined this is a cost cutting measure and we should proceed with it. BBWA Chairman Ely feels these could be mailed together with water bills to save postage.

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Sewer Feasibility – Secretary Pote stated she has not received a check from the developer of the property in question in the amount of \$10,000 to be escrowed for engineering.

Upon motion by Councilwoman Eckert, seconded by Councilman Robinson, meeting adjourned to meet on Tuesday, May 5, 2009. Motion carried

Respectfully submitted,

Nancy A. Pote
Secretary