

MINUTES
Bloomfield Borough Council
February 3, 2009

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Building 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, Engineer Paul Gross, Mayor Jean Anstine, Secretary Nancy Pote, Water Authority Chairman Warren Ely, Planning Commission Chairman John Patterson, Zoning Officer Rick Watson, Karin Denver, Richard Miller, Robert A. Hench, Robert I. Hench, Richard Groff, Jim Swenson, *John Fenicle and Anna Clouser (Civics)*.

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 – Councilman Robinson made a motion, seconded by Councilman Weller, to approve the minutes of the January 6, 2009 meeting as amended. Motion carried.

Announcements and Correspondence

Certificate of Appreciation – Councilman Cless stated that he was going to present a certificate of appreciation to Highmark Blue Shield of Camp Hill and Ms. Amy Robinson who was instrumental in obtaining 95% of the furniture in this room and the office next door and read as follows: The Borough of Bloomfield Certificate of Appreciation is hereby granted to Ms. Amy Robinson and Highmark of Camp Hill for the extraordinary donation of office furniture to the “2008 Borough Building Renovation Project” and signed by him as project coordinator.

Perry County Association of Township Supervisors (PCATS) Convention – Secretary Pote stated that six individuals are scheduled for the PCATS Convention at Greenwood Elementary School on Saturday, February 28, 2009. Secretary Pote further requested that they all meet at the Borough Building parking lot at 6:45 a.m. and travel together.

New Bloomfield Fire Company’s Firemen’s Banquet – President Clouser read an invitation to Council to attend the Annual Firemen’s Banquet on Thursday, February 19, 2009 at 7:00 p.m. at the firehouse and to call N. Thomas Burd, Jr. to confirm your attendance.

Thank You – President Clouser read a thank you letter from the Borough of Newport for our donation of our old Council table.

Statement of Financial Interests – Secretary Pote stated that the Statement of Financial Interests has been distributed and the white copy is due back 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 desired to discuss any matter at this time. James Swenson stated that he wished to address the following:

New Bloomfield Fire Company Committee Meeting – James Swenson read a letter from N. Thomas Burd, Jr., President, New Bloomfield Fire Company requesting members of Council to attend their committee meeting on February 26, 2009 at 7:00 p.m. to discuss the planning for their new building to be located in Centre Township.

ADMINISTRATIVE

Council Chambers Usage Policy – President Clouser stated that since the room is now completed, that we need a policy for usage of the room. Councilman Cless stated that he would like it used just for governmental purposes unless otherwise approved by the Council to maintain the condition of the room. Solicitor Wagner stated that criteria is needed, an application process and an approval process since this is a public building paid for by the taxpayers. Solicitor Wagner further suggested a more detailed application to include hours, nature of the meeting, nature of the group, etc. President Clouser requested Councilman Cless to proceed to prepare a preliminary application for Council's review and approval.

Borough Building Damages – Councilman Robinson stated that the two doors in the hallway of the lower level of this building have been broken. President Clouser further stated that games are conducted in the hallway and the heating units have been damaged. Councilman Cless stated that the glass on the door to the fire extinguisher has been broken and replaced by the Boy Scouts. President Clouser requested that the Administrative Committee check out the damage and suggest a remedy.

Administrative Committee Report

Perry County Chamber of Commerce – Councilman Beaston stated that the Perry County Chamber of Commerce has occupied the former Council meeting room and their lease began on January 15, 2009.

Plaque – Councilman Cless presented a proof for review of a proposed plaque with the Borough seal for the wall behind the Council Chamber table that is 30" inches in diameter and is 5/8" thick vinyl in cobalt blue with gold lettering at a total cost of \$225.00. Councilman Cless further stated that a previous search produced a plaque in bronze priced well over \$2,000. President Clouser questioned the monument being blue. Upon further discussion, this matter was tabled until next month.

Bloomfield Borough Water Authority (BBWA)

Standpipe – BBWA Chairman Ely reported that the standpipe will be completed by the end of next week; however, they are reluctant to put water in the standpipe due to the pressure increase and the potential for leaks so this becomes a spring project.

Leak – BBWA Chairman Ely stated there is a huge water leak in the area of Barnett Street and South Carlisle Street and we are losing about 1,000 gallons per hour and there is approximately 500 gallons per hour going into the wastewater treatment plant. Chairman Ely further stated that tomorrow by noon they hope to have the leak located and repaired and they feel they have all materials needed on hand. Chairman Ely reported that they have ordered equipment to pinpoint leaks.

Zoning/Permit Officer's Report

Update – Zoning/Permit Officer Watson reported that he issued one zoning permit to the County of Perry to replace a smaller modular shed with a larger modular shed at the rear of the Extension Office located on South Carlisle Street.

Planning Commission Report

Zoning Permit Approval – Planning Commission Chairman Patterson reported that they approved the issuance of a zoning permit for the construction of a new facility for Rice Memorials due to a contaminant problem that exists at the current location. Chairman Patterson stated the facility will be moved from one side of the property to the other and Rice will retain ownership and it will continue to be leased to Gingrich Memorials. Chairman Patterson stated this approval was given based upon Article 13.01 that gives approval for the continuance of a non-conforming use.

Parking Area – Planning Commission Chairman Patterson stated that approval was granted to David Morrison for the construction of a 20' X 20' parking area to be constructed to the rear of 100 and 102 North Carlisle Street with the driveway entrance being off of West High Street and it does conform to the R-2 requirements.

Sub-Division Request – Planning Commission Chairman Patterson reported that a sub-division request was received from Cramer Rentals for their property located at 110 South Carlisle Street and the matter was tabled until further research can be completed.

Capital Tax Collection Bureau – Councilman Cless reported that the first meeting was held in January at the Newport Fire Hall with brunch being paid for by the members. Councilman Cless stated that Executive Director Joshua Vechio was in attendance and new officers installed, by-law and articles of incorporation amendments were approved, disbursement and expenditures were reviewed and approved and the on-line filing system can be used by employers, as well as employees, to file online.

Grants

Windows Replacement – Councilman Beaston reported that Senator Corman's office has not heard anything on the grant request.

East McClure Street Sewer Line Replacement – Councilman Beaston reported that we are approved and qualify for \$75,000 for the East McClure Street sewer line replacement; however, after speaking with the County Commissioners there is considerable interest and a determination has not yet been made as to how they will divide the grant money and it is possible this could be a 2009 project.

Perry County Borough's Association – President Clouser stated that the next meeting will be held here on Thursday, February 5, 2009 and Josh Straub will be doing an insurance presentation for borough and county employees and possibly we could get a better group rate.

Newsletter – Councilwoman Eckert requested that all information for the newsletter be given to Peg Kingsborough or herself by March 10, 2009.

Mayor's Report

Parking Problem on West High Street – Mayor Anstine reported that she received a complaint from a resident stating that during drop off and pickup times at the New Bloomfield Elementary that cars are parking on their grass and Mayor Anstine requested what can be done. President Clouser stated that when the school renovations were presented, the pickup and drop off location was to be in the rear of the school and the only traffic in the front would be buses. After a lengthy discussion, it was determined that this is a safety issue and the school needs notified.

Sidewalk on Chestnut Street – Mayor Anstine reported that snow removal on the sidewalk located on Chestnut Street adjacent to Gerald Wagner's property was not done two times and questioned who is responsible and she expressed concern since the land is in dispute and questioned if we can do a quick claim. Councilman Beaton reminded Council that the sidewalk in question was installed and paid for by the Borough. Solicitor Wagner questioned if the Borough owns the sidewalk and if we own it we have the responsibility to claim it. President Clouser recalls that there is about fifteen feet from the Gerald Wagner boundary to the street. Solicitor Wagner stated we would have to go back to determine who owns the no man's land. Solicitor Wagner stated that we assumed responsibility since the Borough paid for the sidewalk; therefore, we might have an obligation. President Clouser stated he would discuss this with Gerald Wagner and report back to Solicitor Wagner.

AESTHETICS

Aesthetics Committee Report

Monument Lighting – Councilman Cless stated that based upon what was happening the last several months, he spoke to Commissioner Naylor and he indicated that the lights will be installed by Memorial Day and if we can't afford the electric, they will look elsewhere such as the VFW that would be willing to pay for it. Councilman Cless feels we previously agreed to this and we need to fulfill our obligation. President Clouser stated that a motion was made several months ago to proceed and if the electricity becomes extremely costly, then we can determine times to have the lights on. Councilman Weller questioned why this can't be undone and he feels it does not need done. Councilwoman Eckert stated that the County will pay the maintenance. President Clouser stated that unless the Council passes a motion to rescind its previous motion that motion still stands.

Trash Receptacles – Councilwoman Eckert stated that the trash liner is 30 gallons not the receptacle; therefore, she is meeting with a representative at the Borough garage to discuss negotiating for smaller receptacles.

ENFORCEMENT

Enforcement Committee Report

Curfew – Vice President Long reported that he discussed this with PSP Sergeant Ringer and his recommendations are to be specific with ages for identification purposes and until he receives guidance from Council he will not push this.

Computer – Vice President Long stated that a computer was purchased and installed for Borough personnel other than the Secretary. Councilman Cless stated that the computer is equipped with pertinent software such as Microsoft Suite, webpage software, software from PEMA to view sites from the sky and at a total cost of \$949.96. Upon questioning from President Clouser, Councilman Cless stated that depending upon the number of security cameras installed it is capable of video surveillance.

Solicitor's Report

Resolution #09-1 DOTGrants System – Secretary Pote presented for adoption Resolution #09-1 that is a resolution of the Borough of Bloomfield and PennDOT agreeing to use the DOTGrants System that authorizes execution of all document electronically. Councilman Cless made a motion, seconded by Councilwoman Eckert, to adopt Resolution #09-1 as presented. Motion carried.

Permit Fee Resolution & Policy – Solicitor Wagner requested Council review the proposed ordinance and present comments by our next meeting.

Junkyard Ordinance – Solicitor Wagner stated this will be discussed in executive session.

Shade Tree Commission Ordinance – President Clouser advised that it was the consensus of Council for the proposed ordinance to reflect three members.

Garbage Curbside Ordinance – Upon discussion by Council, members agreed to table this matter since the violators are few and the costs associated with ordinance preparation would be excessive and enforcement difficult.

Perry County Assessment Report – President Clouser requested Solicitor Wagner review the paperwork from the Perry County Assessment Office to determine if we have to complete it.

Borough/Abbott Property Transfer Agreement – President Clouser stated that there is difficulty getting in touch with Mr. Abbott; therefore, nothing has been done.

Sidewalks in PRD/Engineering Fee Reimbursement – Solicitor Wagner stated that he spoke with Secretary Pote and she will discuss this matter in executive session.

Springlake Letter of Credit – Secretary Pote stated that she spoke to Mr. Amsler at Orrstown Bank today and he assured her that the letter of credit will be renewed on Friday, February 6, 2009.

Bloomfield Spring Determination – Solicitor Wagner stated that he heard from Mr. Stouffer and he will do whatever to cooperate; however, the Grabiec's have not responded to his request to resolve the overlap in the property deeds at no cost to them. Solicitor Wagner stated that we need all three parties to agree so that corrective deeds can be prepared. Solicitor Wagner stated that eminent domain process would be very costly. President Clouser, at the request of the Solicitor, agreed to accompany him to the Grabiec home to introduce themselves and possibly discuss this matter with them.

Bond Refinance – Solicitor Wagner stated that he is waiting to hear back from Scott Cramer concerning facts needed to consider refinancing the sewer bond.

Real Estate Exemption Appeal – Solicitor Wagner stated that upon review of correspondence received from the Perry County Assessment Office and his discussions with Attorneys Bunt (county) and Dissinger (school) that the real estate owned by Carson Long Military School and located at 115 North Carlisle Street is exempt because of the tax code that states it is housing that is part of the educational facility.

Open Records Hearing Examiner – Solicitor Wagner stated this is a dead issue.

Perry County COG – Councilman Weller reported that the next meeting is scheduled at 7:00 p.m. on Thursday, February 12, 2009 here at the Council Chambers.

UCC Ordinance – Councilman Cless stated that upon further research, this issue is being dropped and tabled due to a lack of interest.

INSURANCE AND SAFETY

Insurance and Safety Committee Report

Health Insurance – Councilman Cless stated that he has received and reviewed the Capital Blue Cross health care package and feels we can change our plan, which is the best plan and save money without loss of benefits; however, he will defer this until after the health insurance presentation at the Perry County Borough Association's meeting on Thursday, February 5, 2009.

PERSONNEL

Personnel Committee Report

Personnel Manual – Vice President Long reported that he has been using the new computer to develop a personnel manual. Vice President Long stated that the draft is done and will be ready for Council's review shortly. Solicitor Wagner stated that in the front of this manual make sure there is a preamble that states this is a personnel manual and not a contract and does not guarantee them a job.

Job Descriptions – Vice President Long stated that he has also generated several job descriptions that upon completion will generate among Council for review.

RIGHTS OF WAY & UTILITIES

Rights of Ways & Utilities Committee Report

Barnett Street Sewer Line – Councilman Beaston reported that Buchart-Horn has been contacted, the line was televised under South Carlisle Street and appears to be in good shape; therefore, the replacement of the line will end as we come onto South Carlisle Street and two manholes will be installed. President Clouser further stated the televising was approved by Council and payment needs to be ratified at our next meeting. Councilman Beaston stated he has contacted Roger Watson to do the surveying and no firm price has been given but he estimates this to be around \$2,000. Councilman Beaston stated that a manhole will be installed on the other side of South Carlisle Street.

309 West Main Street Swale – Councilman Beaston reported that the check was received for the walled waterway and the job was done at no cost to the Borough.

East Main Street PennDOT Project – Councilman Weller reported that the project will be bid on March 3, 2009 and the anticipated start date is April 15, 2009. Councilman Weller stated that the paperwork for four manhole risers has been submitted to PennDOT for this project. Councilman Weller further stated this can be a 50/50 project; however, this would be more work than it is worth.

North Carlisle Street Project – Councilman Weller stated nothing has been done and he has reviewed the revised print from Burget & Associates. Councilman Weller stated he the Committee will meet to recommend what we need to do.

West High Street Sewer Main – President Clouser stated that he spoke with Solicitor Wagner after our last meeting and this repair was an emergency. Councilman Beaston stated the replacement of the sewer line was completed by Jerry Justice Excavating in a timely and professional manner. Councilman Beaston made a motion, seconded by Councilman Weller, to ratify the \$8,700 payment to Jerry Justice Excavating for the emergency sewer line replacement on West High Street. Motion carried.

Barnett Street Sewer Line Replacement – Councilman Beaston reported that Lech Bros. has requested additional compensation in the amount of \$9,996.00. Councilman Beaston reported that they were substantially lower than other bids; however, there was extra work added for the riser, water line location, etc. Engineer Gross stated that the bid does provide for change orders for unforeseen conditions. Solicitor Wagner stated that prior to any commitment; the Borough must obtain Omar Syed's approval as the grant administrator so we are not contractually obligated. Councilman Beaston will follow-up on this matter and report back to Council.

Past Due Sewer – Secretary Pote stated that she is concerned payments will be slower than usual due to the poor economy and she will keep Council abreast of this and maybe a payment policy will need established.

FEMA/PEMA – Councilman Cless questioned if Solicitor Wagner received a package from Dan Fitzpatrick and questioned if he has had time to put a package together for the floodplain management ordinance update that is required by June 16, 2009 to avoid suspension from the National Flood Insurance Program. Solicitor Wagner stated he can provide Council with a sample ordinance that he prepared for a township.

Tar/Chipping – Councilman Weller questioned if it is legal for the Borough to jointly bid with Centre Township for tar and chipping because the Borough is looking at tar and chipping Barnett Woods Road. Solicitor Wagner stated this is permitted.

Sewer Permit – Engineer Gross reported that last week we received the draft NPDES permit from Pennsylvania DEP that comes up for renewal every five years. Engineer Gross further stated that the draft has a thirty day comment period and some of the changes will be expensive. Engineer Gross indicated there was a mistake concerning metals (zinc); however, lab testing (\$50 per analyses) for phosphorus and nitrogen is required one time weekly and he would like to see that changed one time monthly and they will on our behalf send a comment letter on this. Engineer Gross further stated that we will have two years into the permit to monitor phosphorus and nitrogen and the three years remaining years to address the changes to the plant.

EXECUTIVE SESSION

President Clouser called an executive session for the purpose of discussing existing and possible legal action.

President Clouser closed the executive session and called the meeting back to order.

RIGHTS OF WAY & UTILITIES COMMITTEE

Sewer Feasibility Study – Solicitor Wagner suggested that a committee be appointed for information gathering only to meet with Engineer Gross and himself. President Clouser appointed John

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Long, Chairman, Karl Cless and Leroy Weller to this committee and requested they report back to Council. President Clouser requested Engineer Gross to determine if our tap fee is adequate.

There being no further business, upon motion by Councilwoman Eckert, seconded by Councilman Cless, meeting adjourned to meet on Tuesday, March 3, 2009. Motion carried.

Sincerely,

Nancy A. Pote
Secretary

