

MINUTES Bloomfield Borough Council July 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 and Karl L. Cless. Jayne M. Eckert excused due to a family matter.

Also present: Solicitor Richard Wagner, Mayor Jean Anstine, Planning Commission Chairman John Patterson, Secretary Nancy Pote, Richard Miller, Robert A. Hench, Richard Groff, Steve Dowell, Karen Dowell, Heath Fleisher, Sondra Deschenes and Robert Swenson.

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 and reminded anyone that talks when someone else is speaking will also disrupt the recording. Robert A. Hench stated he will record the meeting.

Approval of Minutes – Councilman Cless made a motion, seconded by Councilman Robinson, to approve the minutes of the June 2, 2009 meeting as reviewed. Motion carried.

Approval of Financial Report – Councilman Robinson made a motion, seconded by Vice President Long, to approve the prior month's financial report as presented. Motion carried.

Bid Opening

President Clouser proceeded to open the following bids for the North Carlisle Street paving and curbing project:

	<u>Paving</u>	<u>Curbing</u>
• Eastern Industries, Inc.	\$120,498.20	\$ 64,956.62
• G & R Charles Excavating Ltd.	\$ 80,525.64	\$ 48,027.82
• Jay Fulkroad & Sons, Inc.	\$169,463.45	\$.00
• Schussler Paving	\$254,528.40	\$ 59,948.00
• M&E Construction	\$.00	\$ 41,100.00
• Mid-State Paving, LLC	\$127,435.00	\$ 48,749.00
• B & R Construction Services	\$.00	\$ 38,826.00
• Jerry Justice Excavating, Inc.	\$ 84,885.00	\$ 33,732.00

President Clouser stated that the lowest bidder for paving was G & R Charles Excavating, Ltd. in the amount of \$80,525.64 and for curbing was Jerry Justice Excavating, Inc. in the amount of \$33,732.00. Councilman Beaston made a motion, seconded by Councilman Weller, to accept the lowest responsible bidder for each contingent upon review and approval of our Engineer and Solicitor. Motion carried. Councilman Weller further stated that curbing came in at about \$34.00 per foot.

Announcements and Correspondence

Request for Handicap Parking – President Clouser stated that a written inquiry was received regarding a handicap parking space east of Church Street on the northern side of West Main Street. President Clouser further stated that if approved such space would be available for any handicapped person and we will work with PennDOT to obtain permission to place the handicap parking space at that location. Councilman Beaston made a motion, seconded by Councilman Robinson, to provide one temporary handicap parking space on West Main Street as discussed provided permission is obtained from PennDOT. Motion carried. Councilman Robinson will work with PennDOT to also obtain their approval.

Testing Reimbursement/Training – President Clouser presented an invoice in the amount of \$100, paid for by Chris Sharrow, for prior wastewater treatment plant operator testing, and requested Council's approval for reimbursement. Councilman Cless made a motion, seconded by Councilman Robinson, to reimburse Chris Sharrow in the amount of \$100 for prior wastewater treatment plant operator testing. Motion carried. Councilman Cless made a motion, seconded by Councilman Robinson, to provide Chris Sharrow with additional training for wastewater treatment plant operator being held at Penn State Harrisburg on August 19 and 20, 2009 at a cost of \$100.00. Motion carried.

Bloomfield Borough Municipal Authority – President Clouser presented the name of Charles E. Owen as a replacement for the unexpired term of Karin Denver who has moved out of the area. Councilman Beaston made a motion, seconded by Councilman Weller, to appoint Charles E. Owen to the Bloomfield Borough Municipal Authority through December 31, 2013. Motion carried.

Public Comments

Risks/Losses to Trees from Construction – Karen Dowell expressed concern for the trees located along North Carlisle Street and how they could be affected by the curbing/paving project. Karen Dowell presented the facts, liability, value determination and realtor/assessment input associated with damage from construction to homeowner's trees and provided a copy of her findings to the Borough Secretary.

Administrative Committee Report

Upper Level Restrooms (Urinal Enclosure/Stall Doors) – Councilman Cless reported that he met with Hershocks to obtain the cost to replace six restroom stall doors and an estimate is forthcoming.

Directory Board – Councilman Cless reported that the outside directory board is up; however, some finish work needs completed. Councilman Cless further stated that the outside payment box for sewer, water and garbage will be moved to the same location as the outside directory board.

Post Office Water Line – Secretary Pote stated that H.F. Fahnestock and Son expect to replace the water line at the Post Office within the next week or so.

Diakon & IOOF Leases Expire 8/31/09 – Councilman Beaston reported that both Diakon and IOOF will renew their leases; however, IOOF is requesting their rent to be reduced from \$575 to \$500 per month and questioned the \$1M liability insurance. Solicitor Wagner feels the liability insurance is a minimal expense, it protects the Borough and he feels it is needed. Councilman Beaston made a motion, seconded by Vice President Long, to renew the leases for three years (9/1/09 to 8/31/12) to Diakon in the amount of \$437.96 per month and IOOF in the amount of \$500 per month. Motion carried.

Fence at Sewer Plant – Councilman Beaston stated that at our last meeting some discussion occurred that would possibly increase the price quoted by Fences and More of \$1,400 but not to exceed \$2,000. Councilman Beaston further stated the need for one 8’ gate to the west of the plant and one 4’ gate north of the plant for use by personnel during high water. Council concurred. Councilman Beaston stated he still feels this job will be completed for an amount not to exceed \$2,000.

Ballfield – President Clouser reported that signs have been ordered for the ballfield that state *no driving beyond this point* and will be installed where appropriate. President Clouser reported that the walking bridge has been installed from the land we acquired from Frank Bailor to the playground.

Stump Removal – President Clouser requested approval to spend \$300 to have Gene Sheibley remove all the stumps that remain from the trees being taken down on the field recently acquired from Frank Bailor. Councilman Weller made a motion, seconded by Councilman Cless, to proceed to have the stumps removed by Gene Sheibley at a cost of \$300. Motion carried.

Bloomfield Borough Water Authority (BBWA) Report

Standpipe – Secretary Pote reported that the BBWA is starting to use the standpipe.

Bloomfield Borough Planning Commission (BBPC) Report

Vacant Lot at 12 South Carlisle Street – Councilman Cless reported that he had a discussion with Donald Murray concerning Cumberland County Housing and Redevelopment Authority’s desire to build a four unit structure at 12 South Carlisle Street and he referred him to the Bloomfield Borough Water Authority to determine the availability to secure water hookups. Chairman Patterson reported he has received no official telephone call.

Zoning Map – BBPC Chairman Patterson reported that nothing has been done to update the zoning map because things are going on that could change zoning in the near future. Councilman Beaston stated that the Agreement for Municipal Planning Advisory Service we have with the Perry County Planning Commission should provide us this service at little or no cost. Chairman Patterson will follow-up on this with Jason Finnerty.

Grants

Borough Building Second Floor Front Windows Replacement – Councilman Beaston reported that this grant application is at a standstill.

American Recovery and Reinvestment Act (ARRA) – Councilman Beaston reported that of the three applications submitted for AARA, the replacement of the bridge is the only project that looks favorable.

DEP Grant Money Transfer – Councilman Beaston reported that the \$15,000 in grant money leftover from the walled waterway project has been approved to be used on the Barnett Street sewer line replacement project.

Perry County Boroughs Association (PCBA) – Vice President Long reported that future meetings will be held here on the 3rd Thursday of each month instead of the 1st Thursday of each month at 7 p.m. President Clouser further stated that future speakers include a representative from PPL (Sept.) and Larry Smeigh, Emergency Management Coordinator (Oct.) regarding their emergency notification service.

Perry County Crime Stoppers – Councilman Beaston reported that the Perry County Crime Stoppers will be meeting here on the 4th Tuesday of each month at 12:00 Noon instead of 9:00 a.m.

Mayor's Report

No Parking Signs – Mayor Anstine expressed concern with the placement of no parking signs on the east side of Chestnut Street and requested they be moved or lowered. President Clouser stated he and Rick Robinson will look at them.

AESTHETICS

Aesthetics Committee Report

Placement of Yellow Ribbons on Square – Councilman Beaston requested permission to purchase yellow ribbons to be placed on the twenty-four lampposts on the Square at an approximated cost of \$4.00-\$4.50 each. Councilman Beaston made a motion, seconded by Vice President Long, to proceed to purchase twenty-four yellow ribbons as discussed. Motion carried.

Monument Lights – President Clouser questioned if the lighting on the monument is the final set of lights installed by the County. Upon further discussion, it was determined that the installation has been completed.

Planters – Secretary Pote reported that the flowers for the planters on the Square were donated by Harrison's Flowers and Gifts.

ENFORCEMENT

Solicitor's Report

Ordinance #276 – Vacating a Portion of Cherry Alley – Solicitor Wagner stated that Ordinance #276 is an ordinance vacating Cherry Alley in the Borough of Bloomfield from the intersection of Locust Alley and High Street has been properly advertised and is in a position for adoption. Councilman Robinson made a motion, seconded by Councilman Weller, to adopt Ordinance #276 as presented. Motion carried.

Ordinance # 277 - Creation of a Permit Officer - Solicitor Wagner stated that Ordinance #277 is an ordinance providing for the creation of a permit officer providing; the appointment of the permit officer; fees to be paid to said permit officer; and the duties and obligations of said permit officer has been properly advertised and is in a position for adoption. Vice President Long made a motion, seconded by Councilman Cless, to adopt Ordinance #277 as presented. Motion carried. Councilman Cless made a motion, seconded by Councilman Beaston, to appoint Richard Watson as our Permit Officer in addition to his duties as Zoning Officer at his current salary. Motion carried.

Ordinance #278 – Permit Fee Resolution & Policy Amendment – Solicitor Wagner stated that Ordinance #278 is an ordinance amending Ordinance #274 of 2009 by providing that all references of the Mayor regarding the issue of a permit shall be amended to reflect that certain permits shall be issued by the permit officer; and further providing that all other provisions of the ordinance shall remain in full force and effect has been properly advertised and is in a position for adoption. Vice President Long made a motion, seconded by Councilman Weller, to adopt Ordinance #278 as presented. Motion carried.

Ordinance #279 – Garbage Placement at Curbside Prematurely – Solicitor Wagner stated that Ordinance #279 is an ordinance amending Ordinance #7, 1971 as amended, by adding a subparagraph (F) to Section VII, prohibiting the curbside placement of garbage, refuse or ashes prior to 24 hours before collection has been properly advertised and is in a position for adoption. Vice President Long made a motion, seconded by Councilman Weller, to adopt Ordinance #279 as presented. Motion carried.

Sidewalk Ordinance – Solicitor Wagner stated this ordinance will be advertised for adoption at our August meeting.

Record Retention Schedule – Solicitor Wagner stated as a result of our meeting last week, he is preparing a resolution for advertising stating the Borough will use the December 2008 Municipal Retention and Disposition Schedule.

Bat Infestation – President Clouser questioned how we can enforce a bat infestation problem at 25 East Main Street. Solicitor Wagner stated our ordinance addresses this and if Council directs him to write a letter to the property owner, he will. Sondra Deschenes, owner of the property, stated they are aware of the bat problem and last year they did obtain an estimate of \$4,000 to remedy this problem and recently obtained an estimate of \$2,000. Ms. Deschenes further stated they are working on this problem; however, this is bat season and per state law nothing can be done until August 31, 2009. Councilman Cless questioned if there is 1” of guano on the floor of the attic. Heath Fleisher stated the roof was replaced last year and sealed off as best as they could. Upon further discussion, Councilman Cless and Vice President Long agreed to work with the property owner and Council gave them until October 15, 2009 to address the problem.

Power and Energy Purchase Program – Vice President Long stated that he spoke to Jake Smeltz, Executive Director of Republican Consumer Affairs on the utility deregulation and he received a lot of good information that was distributed to members of Council tonight. Vice President Long reported that PPL will raise their prices approximately 30% on December 31, 2009; however, there are alternatives. Vice President Long stated that we need to shop for an electric utility provider and Mr. Smeltz feels we do not want to stay with PPL because they bought their electricity to sell for 2010 at a higher than market price. Vice President Long further stated that the Central Pennsylvania Energy Consortium information provided to us by Rye Township is extremely costly and Benchmark Energy Solutions, Inc. still looks good. Vice President Long stated that Mr. Smeltz feels the 20%+ savings from Benchmark is a good figure and we do not need to hurry; however, we need to sign the contract with Benchmark by the end of September.

Borough Property Sub-Division – Solicitor Wagner stated that he received the abstract for that deed and he expects to have it ready shortly.

Sidewalks in PRD – Solicitor Wagner stated the developer has not installed the sidewalks so the Borough will not issue zoning permits to the PRD. Councilman Weller expressed concern that the property value is diminished because of a lack of water. BBPC Chairman Patterson stated that due to the inability to provide water to the lot, the special exception granted to Dave Morrison for the conversion of the garage adjacent to 102 North Carlisle Street to a single family dwelling will be held off.

Borough Spring Determination – Solicitor Wagner stated that one of the property owners contacted has complied; however, he has heard nothing from the other property owners and as a result of last week’s meeting he will send them a letter. Solicitor Wagner was directed to give a copy to President Clouser so that he can possibly obtain the needed signatures.

Deteriorated Structure – Solicitor Wagner stated that he received a letter from the attorney representing Donald E. Slike, proprietor of 225 West Main Street, and they feel they can comply and completely renovate the garage within sixty days. President Clouser concluded we will give them sixty days.

Chamber of Commerce Lease – Solicitor Wagner stated that the tenant is requesting to get out of their lease early and there is five or six months rent would be due under the lease agreement and leaving does not relieve them of the obligation of what is due. Upon discussion by Council, Solicitor Wagner was requested to send a letter to them identifying their obligations of the lease.

Pennsylvania State Animal Response Team Agreement – Solicitor Wagner stated that the Pennsylvania State Animal Response Team has agreed to provide us with an indemnification agreement for their vehicles that are parked on Borough property and having been approved, the agreement will be sent for their signature.

PERSONNEL

Personnel Committee Report

Discussion – President Clouser reported that the Personnel Committee met recently and had discussions on various matters.

RIGHTS OF WAY & UTILITIES COMMITTEE

Barnett Street Sewer Line – Councilman Beaston stated that Jerry Justice Excavating expects to begin the sewer line replacement around July 15, 2009. President Clouser requested that the Committee oversee this project.

East Main Street PennDOT Project – Councilman Robinson reported that all manholes and lids are at the job site. President Clouser stated that a problem existed with one manhole at a driveway that was missed, taken out and sprayed with a pink circle, so Councilman Robinson put cold patch on it temporarily to avoid a vehicle tire being blown.

Curbing – President Clouser stated there is a question concerning the curbing and some residents are having trouble coming up with the money. President Clouser discussed the following options: 1.) Curbing would become part of the street and the Borough would pay for the curbing provided the Council determines where, when and if curbing is needed; 2.) the Borough pays a percentage; 3.) we become a bank against the advice of our attorney or 4.) we make the property owner pay the entire bill. Vice President Long feels the Council taking over the curbing would make it easier all around; the Borough should pay the entire bill and make an ordinance that will determine an effective date. Solicitor Wagner stated that when curbing is required and we determine people must pay for it or part of it, objective criteria must be written with a degree of certainty so those paying know exactly what his or her responsibility is and by assuming this responsibility, we avoid objectivity and subjectivity and the Borough determines when, where, how and why. Solicitor Wagner stated that the borough would be responsible for repairs unless damage is done by individuals. John Patterson expressed concern with setting precedence for those who have already done curbing and paid. Steve Dowell expressed concern with the need to raise taxes to pay for all curbing. President Clouser feels it may be possible for the Borough to obtain grants for curbing. President Clouser requested Council review the finances and a determination will be made at our August meeting.

West Main Street Between Church & Chestnut Streets Sidewalks – Councilman Weller stated that the sidewalk project deadline will be next year due to the lateness of adopting the sidewalk ordinance and notification will go out this year.

Printer's Alley Maintenance – Councilman Beaston stated the mowing has been done.

Stormwater Underground Blockage – Councilman Robinson stated he is waiting for Chad Tressler to get to this.

Potential Projects for Wastewater Treatment Plant – Councilman Robinson reported that there is a problem with the sludge pump and it may need replaced. Councilman Robinson further stated that firm in Ohio can put a chip in the computer at a cost of \$1,000 plus travel and labor and another firm can put the wiring in and it would save us a lot of money.

Sewer Arrearage and Liens – Secretary Pote stated that she filed several liens last month and a note was sent with the water bill notifying anyone in arrears must pay their account in full by February 2010.

ADMINISTRATIVE

Borough Spring – Councilman Beaston requested permission to remove two tall pines at the gate to the Borough Spring. Solicitor Wagner stated there is a boundary issue and nothing should be done at this time.

MISCELLANEOUS

Contaminated Soil Dumping in Borough – Councilman Cless questioned the dumping of possible contaminated soil from the New Bloomfield Mart gas station located at 230 South Carlisle Street in Spring Lake Development. Councilman Beaston stated that Danny Reisinger from Perry Petroleum is being very cautious and some may be set aside. Councilman Cless agreed to make a visit.

There being no further business upon motion by Vice President Long, seconded by Councilman Weller, meeting adjourned to meet on Tuesday, August 4, 2009. Motion carried.

Respectfully submitted,

Nancy A. Pote
Secretary

