

**MINUTES**  
**Bloomfield Borough Council**  
**October 6, 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, Karl L. Cless and Jayne M. Eckert.

Also present: Solicitor Richard Wagner, Mayor Jean Anstine, Planning Commission Chairman John Patterson, Secretary Nancy Pote, Richard Miller, Steve Dowell, Robert I. Hench, Robert A. Hench, Gretchen Haas and Jamie Brown.

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 everyone that talking when someone else is speaking also disrupts the meeting and affects the recording.

**Approval of Minutes** – Councilman Robinson made a motion, seconded by Councilwoman Eckert, to approve the minutes of the September 1, 2009 meeting as reviewed. Motion carried.

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

**Announcements and Correspondence**

**Letter of Appreciation** – President Clouser stated that the Car Show Committee sent a thank you for our supporting the Car Show by allowing them to use South Carlisle Street for handicap parking and part of East Main Street for car show parking at the recent Street Fair sponsored by the New Bloomfield Fire Company.

**Date for Assessment Appeal (Carson Long)** – Secretary Pote stated that a hearing has been scheduled for Monday, October 26, 2009 at 1:30 p.m. for the appeal of Carson Long Insitute's assessment change for 115 North Carlisle Street. Solicitor Wagner requested that President Clouser and he attend this hearing.

**Budget Meeting Dates** – President Clouser reported that the 2010 budget preparation meetings will be held October 19, 20 and 21, 2009 at 6:00 p.m. providing all the days are required.

**HP Printer** – President Clouser stated that Secretary Pote poled several members of Council and received approval to purchase a new printer, scanner, etc. from OfficeMax and the payment needs ratified. Councilman Cless made a motion, seconded by Councilman Robinson, to ratify the payment of \$427.98 for a new printer, scanner, fax, copier and one black toner as presented. Motion carried.

**Collapsed Wall Repair** – President Clouser stated that Secretary Pote poled several members of Council and received approval to proceed with the excavation of the collapsed wall at 215 South Carlisle Street and the payment in the amount of \$960.58 to H.F. Fahnestock & Son needs ratified. Councilman Robinson stated that the Borough will take care of the placement of a 1” ring to finish the job. Councilman Weller made a motion, seconded by Vice President Long, to ratify the payment to H. F. Fahnestock & Son in the amount of \$960.58 as presented. Motion carried.

**NIMS Certification** – President Clouser stated that all members of Council needs the NIMS certification and several do not currently have it; therefore, we have requested the New Bloomfield Fire Company to provide us with a date for the next training session. Vice President Long stated that a presentation on the training requirements for NIMS will be presented at the next meeting of the Perry County Boroughs Association to be held in Council Chambers on October 15, 2009 at 7:00 p.m.

**Public Comments**

President Clouser announced that anyone not on the agenda will have three minutes to make their presentation:

**North Carlisle Street Project** – Steve Dowell, 101 North Carlisle Street, commended Council on the North Carlisle Street project and for their decision regarding curbing although all did not agree, he is proud of how our Council works and he thanked them.

**Administrative Committee Report**

**Upper Level Restrooms (Urinal Enclosure/Stall Doors)** – Councilman Cless stated that Tom Bowman, Hershock’s, was out of the office; therefore, he was unable to make contact with him and he will update Council as he receives information.

**Borough Building Energy Conservation** – Councilman Cless reported with the delamping of approximately 140 bulbs in the Borough Building, he anticipates a savings of \$15.40 per day based upon an eight hour day. Councilman Cless stated that he is looking for alternative lamps for the main library and scout room. Councilman Cless further stated that he rebuilt the exhaust fan in the lower level men’s restroom at a savings to the Borough of \$70.

**Diakon and IOOF Leases** – Secretary Pote stated that the leases for Diakon and IOOF have been executed and the term of the leases is September 1, 2009 through August 31, 2012.

**Join Hands** – Secretary Pote reported that she spoke with Stacy Moore-Nybeck, Join Hands, and they will continue renting from us.

**Chamber of Commerce Lease** – Secretary Pote stated that yesterday she received the September rent check from the Chamber of Commerce and Jamie Brown stated that the October rent check would be delivered today; however, she did not receive it. Jamie Brown stated she needs to get the check from their treasurer. President Clouser asked Jamie Brown if there would be problem advertising the room so we can get someone in there and relieve the Chamber of Commerce from the lease. Ms. Brown stated they have been carrying two leases and that is why they have been late. Ms. Brown further stated that since their lease is until the end of January and they will utilize the space immediately for training and workshops; therefore, they are requesting signage on the exterior registry board. Councilman Cless stated that the signage will be provided.

**Ballfield Grading** – Councilman Beaston stated that the ballfield needs more work done and it is up to Butch Brown and his people to get in contact with Gene Sheibley. President Clouser would like to see this done before winter so that the field will be playable in the Spring.

**Final Sub-Division** – Councilman Cless stated that waiver requests sent back by the Tri County Regional Planning Commission and our sub-division and land development ordinances being so antiquated (1975), that the requirements no longer meet today's standards and he is working on redoing these. Councilman Cless further stated that the Planning Commission and Council are allowed to sign the plan as is with the waivers being addressed by Navtech. Councilman Cless met with Dave Unger, Perry County mapping office, to go over the sub-division plan. Councilman Cless made a motion, seconded by Councilwoman Eckert, to approve the final sub-division plan as presented. Motion carried.

**Front End Loader** – Councilman Weller provided members of Council with the specifications for a new well equipped front end loader that can be purchased through the piggyback program for \$27,500 of which we have budgeted \$25,000 in the general fund and requested approval to purchase the front end loader as specified with an approximate additional \$200 needed for the installation of a strobe light. Councilwoman Eckert made a motion, seconded by Councilman Weller, to proceed to purchase the front end load for \$27,500 plus the cost of the strobe light, including installation, as presented. Motion carried.

#### **Zoning/Permit Officer's Report**

**Zoning Permit Issued** – Zoning Officer Watson reported that he issued one zoning permit for 36 East Main Street for a new roof over a porch.

#### **Planning Commission Report**

**Signage for Rice Memorials Works** – Planning Commission Chairman Patterson stated that they approved the signage for Rice Memorial Works.

**Capital Tax Collection Bureau** – Councilman Cless reported that a second meeting of the Perry County Tax Collection Committee was held on September 28, 2009 as requested by the Perry County Commissioners. In attendance from Bloomfield Borough were delegate Karl Cless and alternate Nancy Pote. Officers were elected and issues regarding the adoption of bylaws among other things were discussed. Capital Tax Collection Bureau was chosen as the EIT tax collector for all of Perry County and the next meeting is scheduled for October 28, 2009 at 7:00 P.M. in the courthouse to resolve remaining topics. Councilman Cless further stated that Perry County may be the first in the state to officially appoint an EIT collection agency.

**Perry County Boroughs Association** – Vice President Long stated that this was discussed earlier (NIMS).

**Newsletter** – Councilwoman Eckert stated that the newsletter is out.

#### **Mayor's Report**

**Join Hands Walkathon** – Mayor Anstine reported that the walkathon sponsored by Join Hands will be October 24, 2009.

**304 West Main Street Grass** – Mayor Anstine stated that mowing was done by a neighbor for a vacated property located at 304 West Main Street and our ordinance provides for mowing; however, ownership is not clear. Solicitor Wagner directed the Mayor to go to the Recorder's Office to determine if the property is foreclosed and if so, obtain the name of the bank holding the mortgage and notify them.

## *AESTHETICS*

### *Aesthetics Committee Report*

**Mums/Pumpkins on Square** – Councilwoman Eckert stated that mums and pumpkins have been placed in the square and she thanked Councilman Cless for his helping with the planting of the mums.

**Benches on Square** – Councilman Cless reported that he purchased composite lumber at a cost of \$352.00 to replace the rotting seats on the park benches on the Square and he will replace the seats when he gets time. Councilman Cless further stated that he will use stainless bolts that will give a virtually maintenance “free” condition for years.

**Shade Tree Commission** – Councilwoman Eckert stated that she has been in touch with Dowell’s concerning the North Carlisle Street project. Councilman Weller stated that Joe Burget provided information to Jerry Justice Excavating, Inc. and it was not disseminated among the individuals working on the project. Councilwoman Eckert stated that the arborist gave simple instructions to include water the roots, cut roots straight, etc.; however, Karen Dowell stated that the roots were ripped out. Councilwoman Eckert further stated that the contractor did not water based upon the water diluting their concrete. Councilman Weller expressed the fact that there was not a lot of exposure since the curbing began on Monday and was finished on Wednesday.

## *ENFORCEMENT*

**Resolution #09-04** – Solicitor Wagner stated that Resolution #09-04 is a resolution providing for the authorization by Council for the installation of curbing as determined by Borough Council on Borough streets with the Borough providing payment for said curbing and it has been properly advertised and is in a position for adoption. Vice President Long made a motion, seconded by Councilwoman Eckert, to adopt Resolution #09-04 as presented. Motion carried.

**Stop Sign Ordinance** – Solicitor Wagner stated that upon the request of President Clouser to correct an oversight in the ordinances, he prepared an ordinance amending Chapter XIV of the Code of Ordinances of the Borough of Bloomfield by amending the traffic and parking regulations contained therein by changing Barnett Road to Barnett Woods Road and providing all other regulations therein to remain the same and if approve, it is in a position for advertising. Councilwoman Eckert made a motion, seconded by Councilman Robinson, to proceed to advertise the ordinance as presented. Motion carried.

**Ordinance #210 Amendment** – Solicitor Wagner stated that upon the request of President Clouser, he prepared an ordinance amending Ordinance #210 of the Borough of Bloomfield by amending Barnett Road to Barnett Woods Road and amending the location of Gusler Alley. Councilman Robinson made a motion, seconded by Councilman Weller, to proceed to advertise the ordinance as presented. Motion carried.

**Power and Energy Purchase Program** – Solicitor Wagner stated that he had the opportunity to speak with Tom Wenger, Solicitor for Pennsylvania State Townships Association and questioned him concerning the consortiums. Solicitor Wagner stated that they are being received fairly well across the state; however, the down side is if a consortium purchases energy at a certain price, you are locked into that price for the period of the purchase. Solicitor Wagner also would like to discuss this with the solicitor for the Pennsylvania State Association of Boroughs and bring that information back to Council in November. Solicitor Wagner has been hearing from surrounding municipalities that the consortiums are being received positively but there is that drawback. Vice President Long discussed problems that have occurred after signing up with Benchmark in Newport Borough and Marysville Borough that were basically

communications and clerical errors. Vice President Long further stated that PPL is dragging their feet with the transition and Benchmark is going to the PUC to issue a complaint against PPL. Vice President Long stated that some problems is PPL is still doing the transmitting and you will receive bills from PPL with the payment timeline the same whether you go thru a consortium or not. Vice President Long stated that he attended a webinar at the Perry County Chamber of Commerce that is endorsing On Demand for their consortium and detailed some of the pros and cons of that organization. Vice President Long stated that Benchmark uses email for everything except our paying PPL with a check and it will take two or three days for them to review the bill prior to emailing it to us. Vice President Long received an updated contract that he will provide to Solicitor Wagner.

**Bloomfield Spring Determination** – Solicitor Wagner stated that an action in court was filed on September 4, 2009 and we are waiting for the court to assign us a date so we can serve the respective parties to meet on common ground at the courthouse.

**Deteriorated Structure (Demolition)** – Secretary Pote stated that today she spoke to an individual that is doing the demolition and prior to the demolition, he is cleaning out the structure located to the rear of 225 West Main Street. Zoning Officer Watson stated that he has not issued a permit for the demolition of the deteriorated structure.

**Bat Infestation** – Councilman Cless stated that Ms. Sondra Deschenes of D & F Investments, owner of the property at 25 East Main Street was contacted for an update regarding the issue of “ridding” the property of bats and she claimed that the problem will be addressed soon. Solicitor Wagner questioned if Perry County has a vector control agent. No one was certain that there is a position in Perry County. Solicitor Wagner stated that he spoke to the Cumberland County Vector Control representative and he is willing to give us guidance.

**Perry County COG** – Councilman Weller stated that things are running smoothly at the Perry County Council of Governments and they are good financially.

#### ***INSURANCE AND SAFETY***

##### **Insurance and Safety Committee Report**

**Health Insurance** – Councilman Cless reported that a decision on health insurance will be determined at our 2010 budget meeting.

#### ***PERSONNEL***

##### **Personnel Committee Report**

**Personnel Performance Evaluations Webinar** – Vice President Long stated that today he sat in on a personnel performance evaluations webinar presented by the Pennsylvania State Association of Boroughs. As a result of this webinar, Vice President Long feels we are on track with our job descriptions, manual, etc. Vice President Long feels the next thing that needs addressed is a system for evaluating the employees.

#### ***RIGHTS OF WAY & UTILITIES COMMITTEE***

##### **Rights of Way & Utilities Committee Report**

**North Carlisle Street Project** – President Clouser presented Invoice #1 from G & R Charles Excavating for \$27,285.43 for the North Carlisle Street paving project and stated that the invoice was reviewed and approved for payment by Burget & Associates, Inc. Councilman Beaston made a motion, seconded by Councilman Weller, to make payment #1 to G & R. Charles Excavating for inlets, piping, etc. on North Carlisle Street in the amount of \$27,285.43. Motion carried. President Clouser presented an invoice for payment to Burget & Associates, Inc. for \$1,799.80 for preparation of bid package, distribution to potential bidders, reviewing plans, attending meetings, plan changes, postage, etc. and stated that Vice President Long, Secretary Pote and himself met and reviewed the invoice with Joe Burget and requested approval. Councilman Beaston made a motion, seconded by Councilman Weller, to approve the invoice from Burget & Associates, Inc. in the amount of \$1,799.80. Motion carried.

**Barnett Street Sewer Line Replacement** – President Clouser presented an invoice from Jerry Justice Excavating, Inc. in the amount of \$52,000.55 for the replacement of the sewer line installation on Barnett Street. Councilman Cless stated that the additional footage was a discovery after the fact and there was no choice but to continue. Councilman Cless made a motion, seconded by Councilman Beaston, to approve a payment to Jerry Justice Excavating, Inc. in the amount of \$52,000.55 for the replacement of the sewer line on Barnett Street between South Carlisle and Church Streets. Motion carried. Councilman Beaston stated there is some problems with the landscaping and they will be coming back to address that.

**Sewer Capacity Request (N.B. Fire Company)** – President Clouser stated that the sewer capacity request for the New Bloomfield Fire Company is on hold until we get final approval from Centre Township. President Clouser stated a letter has been received from Centre Township that they approve the connection to the Borough's sewer system pending all land development has been completed and approved.

**Sewer Line Installation at 110 South Carlisle Street Rear** – Councilman Cless stated that BCA Construction, Inc. was to install the sewer line at the rear of 110 South Carlisle Street last Wednesday; however, no one has shown and Councilman Robinson and he are just waiting. President Clouser stated that they are responsible to fix the alley.

**High Street Paving** – Councilman Beaston stated that the cost to pave in front of 15 West High Street that resulted from an emergency sewer main repair is \$2,900.00. Councilman Beaston made a motion, seconded by Councilman Robinson, to approve \$2,900.00 for the paving in front of 15 West High Street. Motion carried.

#### **Executive Session**

President Clouser called an executive session to discuss administrative matters.

President Clouser reconvened the meeting.

**Join Hands Lease** – President Clouser appointed Karl Cless to represent Council to discuss the misunderstanding of Join Hands lease and provide a solution at our next meeting.

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

Respectfully submitted,

Nancy A. Pote, Secretary

