

MINUTES
Bloomfield Borough Council
December 6, 2022

Bloomfield Borough Council met this evening in a regular session in the Bloomfield Borough Council Chambers with the following council members present: President Malinda C. Anderson, Vice President J. Kevin Fitzpatrick, Jessica L. Grindle, John J. Patterson V., and Karl L. Cless. Brenten S. Dum had an excused absence.

Also present: Secretary Danielle L. Shope, Assistant Secretaries Susanne Woolever and Kathleen Miller, Borough Employee Damon Hartman, Solicitor Isaac Wakefield, BEO/ZEO Becky Smiley, Bloomfield Borough Planning Commission Representative W. Zeke Morrow, Mayor and Water Authority Representative Edward T. Albright Jr., HRG representative Ryan Hostetter, Perry County Times Reporter Paul Wyatt, visitor Ryan Woolever, West Perry High School Civics students Legend Leister, Ashtyn Leigh, Justice Hockenberry, Vincent Medley, and Ethan White, NavTech Roger Watson, and residents Ed Apple, Matthew McCarty and Kevin McCarty.

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

President Anderson led the gathered assembly in the **Pledge of Allegiance**.

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 during Public Comment identify themselves prior to speaking and they have 3 minutes to present their concern. Individuals have 10 minutes to present their concern if they are on the agenda. President Anderson asked if any individuals in the audience were also taping the meeting and if so to identify themselves for the record. Perry County Times Reporter Paul Wyatt is also recording the meeting. 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 – Vice President Fitzpatrick made the motion to approve the November 2022 meeting minutes, seconded by Councilwoman Grindle. Motion carried.

Approval of Financial Report – Councilman Patterson made a motion, seconded by Councilman Cless, to approve the financial report for November 2022 as presented. Motion carried.

REQUESTED PUBLIC COMMENTS AND/OR PRESENTATIONS

Mr. Roger Watson was not in attendance when this portion of the meeting began so President Anderson moved on to other reports.

Mr. Watson arrived at 7:10 p.m. so President Anderson returned to “Requested Public Comments” on the agenda. Mr. Roger Watson was present to discuss the pump station. He stated conditional approval was granted from the Bloomfield Borough Planning Commission. Mr. Watson handed out paper plans for Council members to view.

Centre Township has signed off on the plans. Mr. Watson mentioned there was a note Ms. Melanie Rowlands wanted attached to the plans, but Mr. Watson did not want it attached. President Anderson asked Mr. Watson to explain what the note was about. Ms. Rowlands stated no lots could be sold without transferring the pump station. This would leave him in limbo. Mr. Watson is selling 26 acres in Centre Township to his son. 4 acres are still in the Bloomfield Borough. Vice President Fitzpatrick reminded him that until the pump station transfer occurs, no land development will happen. Mr. Zeke Morrow commented that at the Planning Commission meeting, conditional approval was granted with the stipulation that Centre Township sign off, which it has. The issue on the pump station becomes one of timing. Mr. Damon Hartman stated that the punch list dealing with the pump station given to Mr. Watson has not been totally completed. Mr. Watson stated everything has been done except the phone line and Lisa Fraker was taking care of that issue. Vice President Fitzpatrick stated Council wanted a Right of Way agreement that needs to be reviewed by the Borough solicitor as well as a bond for one year and the punch list must be completed. An extension will be needed because time is running out. Mr. Morrow stated at the Planning Commission meeting for this subdivision, Council does have the option to approve this plan subject to these specific items being completed. Council can approve, but not sign until all items on the list are complete. There is a clean audit trail on the approval for this. More discussion followed. There can be no deed of dedication until the subdivision is complete. More discussion.

Vice President Fitzpatrick made the motion to approve the subdivision plans pending the following conditions: A) Completion of the maintenance and configuration as outlined subject to final review by Damon Hartman, B) Right of way agreement including maintenance provision for ROW and C) Statement of financial commitment in the event of DEP issues/requirements for one year from date of deeding over the Pump Station. The amount is \$50,000 and can be a Bond, Letter of Credit or any other form agreed to by Bloomfield Borough. To be completed within 60 days, so by February 6th, 2023 everything must be completed. This motion was seconded by Councilwoman Grindle. Motion carried.

PUBLIC COMMENTS AND/OR PRESENTATIONS

BEO Becky Smiley spoke up for resident Matt McCarty, 231 South Carlisle Street. Mr. McCarty was questioning a “supposed” alley on his property. After consulting with various Council members, pulling deeds and looking at maps, it was determined that there is no alley on Mr. McCarty’s property. It was a shared driveway probably inappropriately named on the deed years ago. Let it be known that the Borough has no ownership of anything on Mr. Matt McCarty’s property.

MONTHLY REPORTS

Solicitor’s Report – Solicitor Wakefield submitted his formal report previously to Council and unless there were any questions he would defer to that report.

Mayor’s Report – Mayor Edward T. Albright Jr. reported the Borough had a successful tree lighting with the rain holding off for thirty minutes. Approximately 80 people attended. Mayor Albright thanked the ladies who provided the cookies, the ladies who decorated the tree and Councilman Dum for his planning. Mayor Albright reported the Borough had their third recycling day with approximately 31 people attending. There were 6 volunteers. He received \$36 in donations. Mayor Albright called Sylvester’s to perform their first dump. All aluminum cans are going to the Senior Center with the newspapers going to HACC for the Ronald McDonald House and pet kennels within the county.

Parking Officer Report – There were 15 tickets issued during the month of November with 3 unpaid.

Enforcement Report – BEO Smiley had nothing in addition to her submitted monthly report.

BEO Report – Becky L. Smiley - For the complete detailed BEO report, please see Borough Enforcement Officer Monthly Report on file in the Borough Office.

BEO Smiley mentioned speaking to a tractor trailer owner who has been parking in the Borough's stone parking lot 26-36 hours throughout the week. Ms. Smiley asked Council permission to give the owner till 1/1/23 to find other parking arrangements. Council thought this was reasonable and gave her permission to do this.

BEO Smiley also asked Council permission to allow a group of residents to hold a small Oktoberfest the 2nd weekend in October on the grass area of the ballfield. It will be very lowkey, no vendors, just pumpkin carving, face painting, etc. She will oversee it. There can be no alcohol. Council gave approval.

The grandstand fund has hit the \$10,000 mark. The luminaria sale proceeds will go to the Grandstand fund.

Ms. Smiley is now preparing a Christmas dinner for shut-ins. January 28, 2023, 6-10 p.m.. there will be a cash party. Mark Little has donated \$1,000 for the Grandstand.

Planning Commission Report – Mr. Zeke Morrow, not Ms. Rowlands, gave the planning commission update.

The regularly scheduled meeting of the Bloomfield Borough Planning Commission was held at the Bloomfield Borough office on November 28, 2022.

1. Application Procedure. The draft application form has been completed. A separate checklist for completeness is now being prepared.
2. Matthew M. and Kirin M. Rice Project (Rice Memorial). Bloomfield Borough notified Joe Burget that the variance granted by the ZHB on August 13, 2022, would expire after 6 months. After discussions with Joe Burget, Bloomfield Borough will grant a six (6) month extension for the variance.
3. Re-subdivision Plan for Lakeside Development - Pump Station/Parcel 66 Subdivision Plan. At the October 31 Planning Commission meeting, BBPC voted to recommend to Council the conditional approval of this Preliminary/Final subdivision plan subject to required changes.
4. Zoning request for Talmudic University. Talmudic University has submitted a Zoning request to rezone approximately 10 acres of University property to R-3 Residential District. The property is now zoned primarily R-1 with remaining areas of R-2 and A-1. Original submission is being revised to demonstrate a feasible/buildable plan to seek a change to R-3 district status.
5. Paul Brothers - Solar Array - Land Development Application. A preliminary/final Land Development Plan was submitted for Daniel T. Paul and Jeffery H. Paul. The proposed development is for a solar panel project. The property is located at the east end of the borough on the northside of Main Street. Part of the property is in Centre Township, which has no zoning. The Bloomfield Borough portion is currently zoned A - Agriculture. An initial discussion followed for the project:
 - a. The plan was submitted to the Perry County Planning Commission for review. The review states: Solar facilities are not listed as a permitted use in in Part 5, Paragraph 52 of the Bloomfield Borough Zoning Ordinance covering the A-1 Agricultural Zoning District.

b. Borough Planning Commission comments included: plan did not appear to meet Borough zoning ordinance requirements; development would significantly change the character of the visual approach to New Bloomfield; it appears the plan cannot be approved without a resolution of the zoning issue.

c. On a direct question, Mr. Berry (the buyer of the Property) authorized the release of the plans for review by the Borough Engineer and Solicitor with the understanding that all review fees will be paid by the owners/developers. If the escrow funds of \$2,500 are not sufficient, additional review fees will be requested.

6. Lakeside Drive - Development of 8 lots. Land Owner (Fraker) and agents, held discussions with Kevin Fitzpatrick and Melanie Rowlands to understand the current status of the 8 building lots (individually deeded and recorded, but currently held under one ownership). It was made clear that any agreements related to the earlier PRD as owned by Thebes are void. Bloomfield Borough has re-zoned the land from A-1 to R-1 and as such the land can be developed as single-family homes as shown on the original subdivision plan. A land development plan is required for the 8 lots.

FEMA/PEMA Report – Councilman Cless had no report.

Water Authority Report – Mayor Edward T. Albright Jr. stated the pump is actually in the pumphouse at Talmudic, but not hooked up yet. They are still waiting for the generator. As soon as the pump station is done Talmudic are required to hook up to the town water system.

PCBA/COG – Councilman Cless stated that the organization met on Thursday November 10, 2022 in Council Chambers. Several topics were discussed including municipal road projects and the like. Jason Finnerty from TCRPC was present to answer any pertinent questions. A COG-BIU rep was present to give an update on building permits issued for the year. Officers were elected for 2023 and the scheduled meeting dates will be as follows ... February 9, September 14 and November 9, 2023.

Zoning/Permit Officer's Report – Zoning Officer Smiley stated she issued 3 permits all for solar panels. A review of old ordinances for update is beginning.

Capital Tax Collection Bureau Report – Councilman Cless stated the final quarterly meeting will be December 14th at 7 p.m. in Council Chambers.

ANNOUNCEMENTS AND CORRESPONDENCE

New Email Address: bloomfieldborough@gmail.com

Credit Card Option for paying sewer/trash invoices – This service is now available.

2021 Audit is now complete and finalized - President Anderson stated the annual audit found no findings concerning how the Borough conducts their financial business, which is a good thing.

Beginning January 4, 2023 the Borough Office will be open for in-person hours on Wednesdays from 9:00am-12:30pm on a trial basis.

The January 2023 meeting will be January 10, 2023 and the July 2023 meeting will be July 11, 2023.

Junior Mustang Athletic Association Letter - Establish underground electric connection letter -

Discussion followed. Councilwoman Grindle made the motion to approve this letter, seconded by Vice President Fitzpatrick. Motion carried.

Reappointment - Bloomfield Borough Water Authority - Edward T. Albright, Jr. - (1/1/23-12/31/27)

Councilman Patterson made the motion to approve this appointment, seconded by Councilman Cless. Motion carried.

Ordinance #361 :Fire Protection Tax 2023 - Vice President Fitzpatrick made the motion to approve this ordinance, seconded by Councilman Cless. Motion carried.

Ordinance #362: Tax Rate 2023 - No tax increase for next year. Vice President Fitzpatrick made the motion to approve this ordinance, seconded by Councilman Patterson. Motion carried.

Ordinance #363: Local Services Tax 2023 - Tax rate shall be \$52.00. Vice President Fitzpatrick made the motion to approve this ordinance, seconded by Councilwoman Grindle. Motion carried.

Ordinance #364 : Amend Text of Chapter 20 - Streets and Sidewalks, Excavation Permit Fee -

Councilman Cless made the motion to approve this ordinance, seconded by Vice President Fitzpatrick. Motion carried.

Resolution #2022-07: Permit Fees 2023 - Vice President Fitzpatrick made the motion to approve this resolution, seconded by Councilwoman Grindle. Motion carried.

Resolution #2022-08: Independent Auditor 2023 - Herring Roll and Solomon. Councilman Patterson made the motion to approve this resolution, seconded by Councilman Cless. Motion carried.

Resolution #2022-09: Per Capita Tax 2023 - Councilwoman Grindle made the motion to approve this resolution, seconded by Vice President Fitzpatrick. Motion carried.

President Anderson read a thank you note from resident Jean Weller expressing her appreciation to Council and Borough employees and all the hard work they do to keep the Borough running smoothly.

RIGHTS OF WAY & UTILITIES

Vice President Fitzpatrick expressed jubilation at the signing of the **Lot #30** plan.

HRG representative Ryan Hostetter gave an overview of the **Barnett Woods Bridge #2 issues**.

There are some federal fundings available. There is a \$2 million fund to be divided between the 3 counties for local poor condition bridges. Tri County has reworked the 100% federal funding into 80-15-5 matching funds. There will be a 5% local match to this federal funding. Tri County is also considering possibly funding entire projects, but they will have to look for more money. This will take time to work out these funding details and then identify the bridges within the tri-county area.

Vice President Fitzpatrick stated they are trying to meet with the Perry County Commissioners to ask them to support backing the Borough to receive this federal funding for the Barnett Woods Bridge #2. The bridge span is 18 inches too short. Vice President Fitzpatrick made the motion asking Council to give permission to HRG to give the Borough a cost proposal for engineering and permitting in stages, seconded by Councilman Cless. Discussion followed. It will be roughly a year till design work can continue.

Within the next 18-24 months if funding is not received Barnett Woods Road will have to close because of safety. Roughly costs would be: state funding would be \$855,000 and federal funding would be between \$1.1 Million and \$1.2 Million Motion carried.

ADMINISTRATIVE

Administrative Committee Report - Councilman Cless mentioned Commissioner Gary Eby is expected home Friday.

Councilman Cless's administrative report is as follows:

1. After several email and phone conversations with Mike Sarfert, liaison from Senator elect Rothman's office, ideas and concerns involving the upper level room renovation have now been clarified. Steve Gill Construction, the contractor of record, has been given the green light to start the project at his earliest convenience. The borough will pay for the permit fees, architectural drawings, and electrical work by Eckert Electric. All other costs will be the responsibility of the lessee. A mutually agreed upon lease by both parties was approved by phone survey and signed; it needs to be ratified by council.

President Anderson read the following statement for the minutes. A phone quorum was done on November 21, 2022. Bloomfield Borough Council president Malinda C. Anderson contacted the following members: J. Kevin Fitzpatrick, Karl L. Cless, John J. Patterson V, Brenton S. Dum and Jessica L Grindle. All five members listed above plus Malinda C. Anderson voted YES to a four year lease agreement with the Senate of Pennsylvania for the District Office of Senator William Gregory Rothman. Of issue was the reimbursement of \$18,777.50 for the construction cost for the Borough room being rented by the State. The State of PA has agreed to pay this full amount and the Borough will incur the electrical expenses of approximately \$5000.00. If a lease is received prior to the Borough's December 6 meeting this lease will be signed by Council President Malinda C. Anderson to initiate construction. This in fact was done. This agreement was approved with a unanimous vote and will be presented for ratification at the December 6, 2022 meeting.

Vice President Fitzpatrick made the motion to have the above ratified, seconded by Councilman Cless. Motion carried.

2. With regard to borough room rentals... a \$25/meeting fee for use of the Council Chambers will begin January 1, 2023 for all governmental organizations (such as Captax, PCCOG, PCBA) currently using that room. Bloomfield Borough related agencies such as Planning Commission, Zoning Hearing Board, Water Authority shall be exempt. Also, a fee of \$25/meeting, plus a \$200 deposit will be required when signing an extended rental agreement for the LL Room #8. Entry keys will be provided the day of the meeting and shall be returned the same day to the Sewer drop box in front of the boro building. Kitchen access will not be available as part of the agreement. Council vote needed for approval. Councilman Cless made the motion to approve \$25 per meeting per room with the room downstairs also requiring a \$200 deposit to cover any damages that might occur, seconded by Vice President Fitzpatrick. Motion carried.

3. A renewed request was made to PPL for a resolution on the street light account overcharges. An ultimatum was given to PPL that council would stop payment on account #71538-20008 effective January 1, 2023, if a resolution were not forthcoming. Council believes the account was mistakenly created following the 2021 street light conversion to LED without consideration to current existing accounts ...a follow up response would be greatly appreciated to resolve this ongoing issue. More in depth research will be done to determine actual street lights in the borough with past and current fees. Discussion followed.

Councilman Cless made the motion to stop payment on account #71538-20008, seconded by Councilman Patterson. Motion carried.

4. Borough Building issues addressed:

- a. Purchased and installed new lower level window adjacent to the basketball court which had been broken at some point. Cost for the new special order sash was \$333.
- b. Purchased and applied touchup paint to council chambers due to water damage on the wall and baseboard caused by the HVAC mini-split unit.

Aesthetics Committee Report – Councilman Dum was absent, but it was reported the tree lighting was a success despite the weather. Borough employees Damon and Jeremy were thanked. Luminaries are for sale from Mr. Dum. The proceeds from the sale of the luminaries will go to the GrandStand fund. There are two new park benches ready for pick up December 28, 2022.

FINANCE, INSURANCE & SAFETY

Councilman Patterson stated the 2023 Borough Budget is finished. Councilman Patterson made the motion to accept the 2023 Budget, seconded by Vice President Fitzpatrick. Motion carried.

GRANTS

Vice President Fitzpatrick had nothing new to report.

PERSONNEL

Councilwoman Grindle had nothing to report.

Mayor Albright stated the permit has been submitted for the New Year's Eve celebration in the square.

Vice President Fitzpatrick just received a text message from Roger Watson asking for permission to put a timer on his street light outside his house because of his house light display. This is not something Borough Council can address. It is a PPL issue.

CLOSING COMMENTS

There being no further business, upon motion by Councilwoman Grindle, seconded by Councilman Patterson, the regular meeting adjourned at 8:35 p.m. The next meeting is Tuesday, January 10, 2023 at 7:00 p.m. Motion carried.

Respectfully submitted,

Kathleen Miller, Assistant Secretary