

## MINUTES Bloomfield Borough Council March 5, 2019

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: President Malinda C. Anderson, Kevin C. Weller, Charles N. Summers, Vice President John J. Patterson V., Eric S. Berger, Michael J. Smith, and Karl L. Cless.

Also present: Secretary Danielle Shope, Borough Zoning/Permit Officer Ed Albright, Jr., Borough Employee Damon Hartman, Planning Commission representatives Melanie Rowlands and Kevin Fitzpatrick, Mayor Arlis Krammes, HRG Borough Engineer Michael T. Postick, BEO Harry Nazzaro, Perry County Times Reporter Jim Ryan, Firehouse Representatives Chad R. Tressler and Justin Kretzing, NavTech representative Roger Watson, residents Robin Dum, Gloria Trostle, Gary Eby, and Nancy and Carl Pote. The following high school civics students and their parents were also observing: Anthony Kertulis, Barb and Manna Keller, Sara Stone, Matthew Varner, Foster Fetro, Larry Boyer, Hope Kell, Natalya Baler and Jordan Ulsh.

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

### **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 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 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** – Councilman Summers made a motion, seconded by Councilman Weller, to approve the February 5, 2018<sup>9 OLS JMM</sup> minutes as presented. Motion carried.

**Approval of Financial Report** – Vice President Patterson made a motion, seconded by Councilman Cless, to approve the financial report for February 2018<sup>9 OLS KMM</sup> as presented. Motion carried.

**Executive Session**-The Borough Council left Council Chambers for an executive session at 7:02 p.m.

Councilman Weller made the motion to re-adjoin the regular March 5, 2019 Borough Council meeting at 7:34 p.m., seconded by Councilman Smith. Motion carried.

### **PUBLIC COMMENTS**

Mr. Gary Eby, of 110 Barnett Street, stated he would like the Borough's consideration to make the sale of marijuana illegal in the Borough of Bloomfield. President Anderson deferred this issue to Solicitor Wagner. Mr Wagner stated that it is already illegal. Mr. Eby mentioned the Borough of Landisburg has advertised such an ordinance.

Mr. Wagner stated this is a participatory ordinance in response to how the state legislature might vote on the issue of making it legal. This issue could be perceived to be a legislative prerogative for which a municipality does not have the authority to supersede. The sale and use of marijuana is illegal at this point.

President Anderson asked Mr. Wagner about the use of Council Chambers by other civic groups and municipalities that just want to have a meeting room. President Anderson stated past practice has been that if they are a government entity, they may use Council Chambers at no charge. She asked if the Lt. Governor wants to use Council Chambers to discuss making marijuana legal, can Council say "no". Solicitor Wagner stated they had the right to say "no", but suggested against it.

**Fire Company Land Development Plan** – Mr. Chad Tressler stated the Fire Company received a letter today from HRG which they will go over with Mr. Postick. The Fire Company is asking for approval for the land on South Carlisle to become the new location for the new firehouse. HRG engineer Michael Postick updated Council by saying he received updated land development plans from NavTech on February 26, 2019. They were not a full plan set, but basically sheets that had been revised from comments made at the last meeting. He also received some supplemental information from the fire company on the culvert pipes discussed at the last meeting. Mr. Postick stated HRG does not recommend approval of a waiver request from the Fire Company for relief from the storm water management requirements. The plan received from NavTech was a poor sketch of the storm water report. Mr. Postick needs a more detailed plan with numbers. He is thinking of the homeowners surrounding the property. Some items were addressed but some were not. There needs to be two large junction boxes to address storm water runoff. For more detailed explanations and clarification of this Fire Company Land Development Plan, see the HRG and NavTech letters on file. Mr. Postick recommends that the Fire Company Land Development Plan be conditionally approved this evening. Before it is final and recorded with signatures all these issues need to be cleaned up and addressed. Mr. Postick can help NavTech through these issues.

Vice President Patterson made the motion to conditionally approve the Land Development Plan as submitted by the New Bloomfield Fire Company, seconded by Councilman Summers. The conditional approval is based on the recommendations of HRG engineer Michael Postick addressing the comments that are still outstanding. Motion carried.

President Anderson is hopeful this plan could be officially signed at the April 2019 meeting. Solicitor Wagner mentioned that when something is conditionally approved it must also be approved by the developer, or in case law, it is viewed as a rejection. The developer is the Fire Company, so Fire Company President Mr. Justin Kretzing stated for the record, "Yes, I accept this plan conditionally based on the motion that was made."

## ***ENFORCEMENT***

**Solicitor's Report** – Solicitor Wagner reported he contacted the counsel twice for the party who was receiving Lot 30, but has not received a response. Mr. Wagner reported last time that there was an agreement reached in court, but the time limit of February 1<sup>st</sup> was moved for a particular reason and the last he heard was everything was to come to a conclusion the first week of March. Solicitor Wagner called the lawyer representing the people purchasing the property and he is waiting to hear back. Mr. Roger Watson was asked for any other updates on Lot 30 and Mr. Watson stated the settlement was postponed because Mr. Joe Katcocin has not returned any calls, so Mr. Watson stated they would probably be back in court April 11, 2019. President Anderson asked Solicitor Wagner to keep in touch with Mr. Watson's lawyer.

Solicitor Wagner had another issue. He received a proposed resolution from the Water Authority's attorney that Council should have a copy of. The Water Authority attorney said this resolution did not have to be advertised, so based on that recommendation if the resolution is acceptable to Borough Council it can be acted on this evening. President Anderson explained to chambers that the Bloomfield Borough Water

Authority came to Borough Council asking them to extend the existence of said authority. This resolution is required by law so that the Water Authority has the authorization to operate.

President Anderson read the resolution. "We are adopting a proposed amendment to the articles of incorporation for the Bloomfield Borough Water Authority to extend the existence of said Authority providing when this resolution shall be effective. Whereas Bloomfield Borough Water Authority has proposed to amend its articles of incorporation to add a provision thereto to increase its term existence for a period ending January 1, 2069." President Anderson asked for a motion to approve Resolution 2019-02. Councilman Weller moved to approve Resolution 2019-02, seconded by Councilman Summers. Motion carried.

Solicitor Wagner then explained that the Zoning Hearing Board is independent of Borough Council. Independent so much that if they need legal advice, the Zoning Hearing Board must hire their own attorney. They cannot come to the Borough Solicitor for advice because these are two different entities.

**Enforcement Committee Report** – Councilman Berger met with Mayor Krammes and they discussed some issues they have seen around town. Mayor Krammes told Mr. Berger she would look into these issues. Councilman Berger made the motion that Council do away with the Enforcement Committee and allow the Mayor and the Code Enforcement Officer to handle all the ordinances. Councilman Smith seconded. Motion carried. There is no more Enforcement Committee. Councilman Berger will continue to work with the Mayor if something arises.

**Mayor's Report** – Mayor Krammes reported the blighted blue home next to the Mayor's property was bought by Mr. Fred Morrow and that that blighted home will be demolished. The Mayor went over to view the Leyder property on East Main Street noting the rain gutters have fallen down. She had heard that an electrician went inside to do some work and fell through the floor. She tried to contact him, but to no avail. She will follow up on this. Mayor Krammes reported the Robinson property on High Street belonged to Jack Robinson, who was in a nursing home and when he could not pay for his keep, he signed his house on High Street over to the state. Mr. Jack Robinson's nephew, Kevin Robinson, who lives beside the house, told Mayor Krammes that he is looking into possibly buying the house.

President Anderson stated Bloomfield is a municipality that does have a blighted home ordinance and it needs to be enforced. President Anderson would like information about the blighted home ordinance enforcement put in the spring newsletter, so landlords and residents alike know about the ordinance.

Mayor Krammes stated 10 parking tickets were issued in February with 4 unpaid.

**Borough Enforcement Officer's Report** - BEO Nazzaro reported he responded to a report of a sinkhole at Apple and Main so he coned off the area and texted a picture to Council. He spoke to and walked home two intoxicated males walking home at night. He reminded them it was unsafe and illegal to be visibly intoxicated on public streets. He cleared debris out of the creek between West McClure Street and the bridge. He reported street lights were out at 302 S. Carlisle Street, Chestnut Street and West High Street, 418 West High Street and 212 East Main Street. He helped return a dog to its owner after it bolted and the owners were unable to catch it. He found and edited a model parking ordinance for Council to consider and forwarded information for signs for the Post Office Lot. The following warnings were issued: snow/ice -27; uninspected vehicle 1<sup>st</sup> warning- 8; uninspected vehicle 2<sup>nd</sup> warning- 2; uninspected vehicle 3<sup>rd</sup> warning- 1 (Council President had vehicle towed); front yard parking/wrong way- 1; property/house numbers-5 (none have complied and he will be issuing follow-up warnings); parking (wrong direction)- 9; parking (blocking driveway)- 1; parking (blocking sidewalk)- 1; parking (partly blocking roadway)- 1; parking (no parking area)- 3; and handicap parking- 1.

## ***ADMINISTRATIVE***

**Announcements and Correspondence** – President Anderson stated the Statements of Financial Interest are due by April 2, 2019. The E-cycling collection is tentatively scheduled for Saturday June 1, 2019 at the Newport Fairgrounds. She asked this be posted on the website and FaceBook once there is a definitive date. President Anderson stated the Bloomfield-Centre-Carroll Pool Color Run has asked for a donation. President Anderson stated that Council contributed to this last year, but now the Borough, combined with the other two townships, have undertaken the refurbishment of the pool at no expense to the pool association and personally felt this was the Borough's contribution already. Councilman Berger agreed with President Anderson along with the rest of the Borough Council. President Anderson said they will send a response stating that the Borough's donation will be the amount of effort and money the Borough is putting into the pool repairs. Councilman Smith stated the color run is April 6, 2019 with a rain date of April 7, 2019. 10 a.m. on the 6<sup>th</sup>, 1 p.m. on the 7<sup>th</sup>.

**Water Authority Report** - Mr. Albright reported the water has been turned off at the Leyder property on East Main Street at the owner's request. Mr. Albright said they are done with the 3 month test with DEP and having pumped over twenty million gallons of water down the creek, they are now waiting for DEP to get back with other requirements as far as filters for the plant are concerned. Once they get this the Authority can go to USDA and then they can do the bid project for the plant. They are authorized to put out for bid the 300,000 gallon tank. This should take place the end of March with bids going out in April. They will put the tank in before the treatment plant. The Authority newsletter will give residents information about how they can pay their bills with a credit card. There will be a fee of three dollars. All this will be in the newsletter. Rates for 2019 will be: Residential – for the first 4,000 gallons - \$90.90 a quarter; per 1,000 gallons - \$9.09. Commercial will be – for the first 4,000 - \$96.15; per 1,000 gallons - \$9.62.

**Planning Commission Report** – Mr. Fitzpatrick stated they had a meeting last Monday night. They were approached by Jacqueline Spriggle who put an offer in to purchase from Carson Long the former president's house on North Carlisle Street. They are requesting a variance because they want to use it to provide counseling services to the youth of Perry County. Now it is zoned R-1, so they need a variance to buy the house and use it. They do not intend to live there and there will be no more than 8 people in it on any given day and barely more than one or two people there are any given time in the facility. The Planning Commission recommended positively in favor of this variance. Mr. Fitzpatrick spoke to Mr. Brodisch twice and he assured Mr. Fitzpatrick that he would advertise it for two weeks and schedule a zoning hearing board. Mr. Fitzpatrick suggested that Borough Council should take an overall look at R1 and R2 in our zoning ordinances. This property will add to the tax rolls.

**Zoning/Permit Officer's Report** - Mr. Albright stated he issued a variance for 115 North Carlisle Street for \$750.00.

**Administrative Committee Report** – Councilman Cless reported he hired a professional to clean the carpet in the lower level room for rent. He replaced the thermostat and the room is now ready for rent. He responded to a Sulphur odor throughout the building. A postal worker dumped an industrial cleaner into a clogged drain creating a chemical reaction. He applied a deodorizer to mask the smell. He completed and submitted the annual US Census boundary survey. He also prepared several updated Zoning Ordinance booklets for an upcoming Zoning Board hearing.

**FEMA/PEMA Report** - Councilman Cless stated we received notification from FEMA regarding the recent update of our floodplain ordinance. Bloomfield Borough is now in full compliance.

**PCBA/COG** – Mr. Albright reported there is no action for this month.

**Capital Tax Collection Bureau Report** – Councilman Cless had nothing to report.

### ***AESTHETICS***

**Aesthetics Committee Report** – Councilman Summers stated there was not much to report. He does want to get the committee together this month to look at spring projects. He has been back and forth with the president of the Baseball Association, so hopefully they can get a date for painting of the grand stands. Once the weather holds, Councilman Summers will power wash the Borough Park fence. He reached out to the High School art teacher about the possibility of doing something with the backstop of the baseball stands. President Anderson mentioned about the follow up trimming of the trees in the Square and one at the Park.

### ***FINANCE, INSURANCE, AND SAFETY***

**Finance, Insurance & Safety Report** – Vice President Patterson had no report on finance. He reported that by doing certain renovations and improvements, the Borough determined flood insurance was no longer needed which saves approximately \$18,000.00 annually. The Borough can self-insure.

**Grants** – Councilman Smith had no report.

**Personnel Committee Report**- Councilman Smith reported this was discussed in the executive session.

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

**Rights of Way & Utilities Committee Report** - Vice President Patterson stated they have completed 762 feet of sewer line lining on Veterans Way and 370 feet on South Church Street will be done weather permitting. Several manholes on Oak Road and Barnett Streets are seeping and need re-grouted. To re-grout five manholes will be \$3,912.50. Vice President Patterson made a motion to approve this cost to re-grout the 5 manholes, seconded by Councilman Smith. Motion carried.

Vice President Patterson also stated they are getting bids together for the paving of South Church Street and several other locations.

Borough engineer Michael Postick discussed the ADA ramp installation project. He will be submitting a proposal to Rick Levan with PennDOT. Council had information in front of them. Opening date for bids would be April 30, 2019. Five intersections locations are selected for this project. A cost of \$40,000 was budgeted, but \$80,000 is more realistic. As an alternative, Mr. Postick looked at not doing a ramp at all four corners of some of the intersections. This would bring the estimate down to approximately \$50,000. Mr. Postick would like to give the whole package to Mr. Levan for approval, so it gives the Borough the ability to spread this project out over several years. Councilman Smith made the motion to approve the submission of this project manual to Mr. Rick Levan, seconded by Councilman Summers. Motion carried.

***CLOSING COMMENTS***

There being no further business, upon motion by Councilman Smith, seconded by Councilman Weller, the meeting adjourned at 8:42 p.m. The next meeting is Tuesday, April 2, 2019 for a regular meeting at 7:00 p.m. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathleen Miller".

Kathleen Miller, Assistant Secretary