

## MINUTES Bloomfield Borough Council September 3, 2019

Bloomfield Borough Council met this evening in regular session in the Bloomfield Borough Council Chambers with the following Council members present: James A. Woods, Vice President John J. Patterson V, Eric S. Berger, Alex M. Bender, and Karl L. Cless. President Malinda C. Anderson had an excused absence.

Also present: Secretary Danielle Shope, Borough Employee Damon Hartman, Mayor Arlis Krammes, HRG Borough Engineer Michael T. Postick, Solicitor Richard Wagner, Bloomfield Borough Zoning Officer and Water Authority Representative Ed Albright, Jr., Bloomfield Borough Planning Commission Representative Melanie Rowlands, BEO Harry Nazzaro, residents Peggy and Herb Robb, Robin Dum, Gary Eby, and John McClaren. (Mr. McClaren asked to personally record the meeting to which he was given permission.)

Vice-President Patterson called the meeting to order at 7:00 p.m.

### *MEETING OPENING*

**Recording of the Meeting** – Vice-President Patterson 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. Vice-President Patterson further requested that those individuals in the audience desiring to speak during Public Comment portion 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. Vice-President Patterson 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 Cless made a motion, seconded by Councilman Woods, to approve the August 6, 2019 minutes as presented. Motion carried.

**Approval of Financial Report** – Councilman Berger made a motion, seconded by Councilman Cless, to approve the financial report for August 2019 as presented. Motion carried.

### *PUBLIC COMMENTS*

Mr. Gary Eby, Barnett Street, brought to Council's attention the problem he and his wife are having with a neighbor's barking dog. He stated that his wife made a complaint and received an email back asking if the dog had a license. BEO Nazzaro stated if the dog did not have a license, he could then involve the dog warden. The dog was inside the neighbor's home. To take this matter to the District Justice, Mrs. Eby would have to testify since she is the witness to the barking. Mr. Eby said this would work. It would have to be filed as information received since BEO Nazzaro did not actually witness the violation. Mr. Eby would like citations given to these dog owners. Vice President Patterson said Council would take this under consideration. Vice President Patterson asked Mr. Eby to be part of the solution and invited Mr. Eby to join the enforcement committee. No reply from Mr. Eby.

Then, Councilman Cless mentioned about the decibel meter now on hand. This could be used to gain evidence. Solicitor Wagner stated that with all due respect he cannot imagine taking thirty-six dog cases to the District Attorney when this office has more pressing issues than barking dogs, especially when the barking is coming from inside the home. Since Mr. Eby more than exceeded his three minute limit, Vice-President Patterson said Council had to move on.

## ***ENFORCEMENT***

**Solicitor's Report** – Solicitor Wagner first stated that if they wanted to reduce Council from seven to five members a petition had to be filed. Councilman Cless had submitted the petition and it was sent to Solicitor Wagner's office, but was not asked to be filed. Councilman Cless made the motion to file the petition to reduce Council members from 7 to 5, seconded by Councilman Berger. Motion carried.

Mr. Wagner talked about the land development plan submitted by NavTech in June and another submitted in July. There are ninety days after the first filing of a plan within which to act. If there is not a clear withdrawal of the first plan, then technically there are two plans offered for consideration and if Council fails to act on either or both they could be deemed approved for failing to act on them within ninety days. Planning Commission chair Melanie Rowlands stated the first June plan was not submitted. Ms. Rowlands submitted notes to Council stating it was not officially submitted since the applicant did not have the proper application, proper signatures and an a check for the submittal fee. It was a "spec", for guidance, not a submission. Ms. Roland stated if all the owners have not signed the application and there has been no check submitted, then there is no filing window, there was no submission. Secretary Shope stated there was no check for the June plan. Secretary Shope stated they submitted another plan in July. Ms. Rowlands asked if there was a check with it and Secretary Shope stated she received no check. Rowlands stated if all of the owners have not signed it, because they are constantly getting fake submissions from that particular party who says they are the sole owner of the property and they are not the sole owner of the property, we cannot accept the submission. The Planning Commission has notified NavTech of this issue and they have no formal submission yet. Until NavTech submits a corrected version, there is no submission. Solicitor Wagner stated that whether or not it was submitted properly or incomplete; Council still needed to take action on the plans.

Councilman Berger made the motion for resolution to deny approval of the proposed land development plans submitted for review to the Borough during June and July 2019 and currently titled "Final Lot Addition/Subdivision Plan for the Lands of Fraker/Watson/Hartman, dated June 6, 2019 and last revised July 7, 2019 based upon the following:

- 1) The required application fees specifically identified as associated with this plan have not been provided (Chapter 21-SALDO, Section 81);
- 2) The proposed modifications to Lot 30 would result in a lot that does not meet the minimum setbacks and minimum lot frontage requirements (Chapter 26-Zoning Ordinance, Section 53A);
- 3) Lot 30 is currently a non-conforming lot with respect to acreage (i.e. it is less than the minimum of 2 acres), and the plan exacerbates the non-conformity by proposing a decrease in the size of Lot 30 to 0.60 acres (Chapter 26-Zoning ordinance, Section 53A);
- 4) With the proposed new subdivision property transfers and property modifications, proposed Lots 66 and 30 cannot be identified as lots since they would no longer have frontage on a street. All lots are required to have frontage on a street (Chapter 21- SALDO, Section 54.1)

Councilman Woods seconded this motion. Motion carried.

**Enforcement Committee Report** – Councilman Berger stated with the assistance of the Secretary and Assistant Secretary he sent out 6-7 letters about sidewalks or blight. Everyone who received a letter contacted Mr. Berger and is willing to make the repairs to be compliant. The Uni-Mart is progressing

nicely. New siding will be installed on the exterior for a significant improvement. Councilman Berger and Engineer Postick are doing some traffic studies around town for speed and speed limits. More details to follow.

**Mayor's Report** – Mayor Krammes mentioned the new Perry County Café opening. The café owner requested a reserved parking spot on the Square for take-out orders. Discussion followed. Council denied this request. There is already a 5 minute parking slot near the Pharmacy that could be used. Mayor Krammes stated there were 7 tickets issued in August with 3 unpaid.

**Borough Enforcement Officer's Report** - BEO Nazzaro reported he issued the following warnings: Uninspected vehicles on street-2; cemetery hours-1; burning-1; dog barking-2; dog defecating in cemetery and not cleaning it up-1. He spoke to a resident about chickens wandering loose. He caught and returned a loose dog to owner. He responded to a report of a loose dog and found nothing. He observed a loose dog and returned it home then spoke to the Dog Warden and a citation should have been issued due to the dog being a constant problem. BEO Nazzaro found a bike at the Borough Park and a picture was posted on FaceBook with no one claiming it. There were 2 vandalism incidents on Borough property: 1) a plugged toilet that required replacement and, 2) someone made a “donut” in the grass. He was unable to find any information regarding the perpetrators. He responded to multiple calls regarding a strange person biking around town. The male is homeless and has mental health issues, but was not a threat to anyone. BEO Nazzaro gave the man some pamphlets about social service agencies and encouraged him to reach out to them. He reported a damaged stop sign to borough employees. Mr. Nazzaro received a call from Trooper Clinton regarding the people charged with illegal dumping at the Uni-Mart having requested a hearing. Mr. Nazzaro spoke to Peter, the owner/manager of the Quick Mart, and explained to him the importance of attending this hearing.

## *ADMINISTRATIVE*

**Announcements and Correspondence** – Vice President Patterson read a thank you letter from the 193<sup>rd</sup> SOW Association for the Borough's \$200.00 donation in memory of Retired Chief Master Sergeant Steven P. Hile. He then reminded Council members of the October 21 and 22, 2019 budget meeting dates. These meetings will begin at 4:00 p.m. Councilman Woods stated he will be there as soon as possible after his bus driving duties are finished.

**Water Authority Report** - Mr. Albright stated there was 1 leak at the Lutheran Church on the other side of the curb stop. On August 12, 2019, they issued a voluntary drought watch. The Authority is holding at the 48 feet above the pump. They are still waiting on the DEP technical review. Once they have this they are ready to go to bid.

**Planning Commission Report** – Ms. Rowlands had nothing further to report from her comments made in the Solicitor's Report section.

**Zoning/Permit Officer's Report** - Mr. Albright issued no permits in August. The only illegal thing they have is Mr. Frank Bailor burning trash again. He has yet to be cited. Ms. Rowlands asked about the demolition at 111 West High Street. Ms. Anderson and Mr. Albright are working with the homeowners. Councilman Berger states the owner has to work faster to complete the cleanup.

**Administrative Committee Report** – Councilman Cless responded to a clogged toilet in the upper level ladies restroom. He had to replace the toilet as it was rendered inoperable. The installed price was \$650. With the assistance of Howard McCord of Knight Security, a security camera system was installed in the Borough Building, consisting of 10 cameras to provide video surveillance round the clock including the interior and exterior of the Borough building and surrounding property. The installed price was \$2800. Councilman Cless received the latest ordinances and resolutions from the secretary and posted them to the

Borough website and it is now up to date. Councilman Cless requested and received 2 quotes for a fence enclosure of the left field corner of the teener ball field. The latest example of vandalism is the reason something needs to be done. A 4' high fence is \$3,211.49 or a 6' high fence is \$4,399.92. Discussion followed. Councilman Woods made the motion to install the 6' high fence at the ballfield, seconded by Councilman Berger. Motion carried. More discussion followed.

**FEMA/PEMA Report** - Councilman Cless had nothing to report.

**PCBA/COG** – Mr. Albright stated there was nothing to report.

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

### ***AESTHETICS***

**Aesthetics Committee Report** – Councilman Woods had a meeting with the Aesthetics Committee. New Bloomfield will be hosting the VFW parade this year. Mayor Krammes asked the Borough to purchase four new flags and flag buntings for the Square. Mr. Albright suggested asking our Senator and Representative to donate these flags. Councilman Woods will look into this. Mr. Hartman will measure the old flags for proper size. Mums will be purchased for the Square. The Christmas tree will be bought from Balthasers. Mr. Woods asked for a 20' tree. The tree will be decorated on either November 21 or 22, 2019. The Tree Lighting will be Sunday, December 1, 2019. Entertainment will be provided by Musically Yours and Young Voices.

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

**Finance, Insurance & Safety Report** – Vice President Patterson had no report. He did state the new bridge was completed at the parking lot to access the ball field. The inoperative lights on the Square have been repaired.

**Grants** – No report.

**Personnel Committee Report**- Councilman Bender had no report.

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

**Rights of Way & Utilities Committee Report** - Vice President Patterson had nothing additional to report.

**ADA Sidewalks** – HRG Mike Postick reported the advertisement for bids have been placed in the newspaper. He had talked to Council Vice President about developing a capital improvement plan which can be used as a tool to be proactive instead of reactive. This is a “wish list” and how these things would be funded. If you have ideas you would like to see done in the community just put it out there. Vice President Patterson would like to see some of these ideas by the November meeting or by the budget meeting in October. Mr. Postick stated the McClure Street project done by DeTraglia has been paid by the Authority and the County. The Borough has been withholding approval until request for payment has been made.

Councilman Woods mentioned that he did not understand the complexity of the Lot 30 issue. Mr. Woods stated that Mr. Watson wants to give the Borough the pump station to rid himself of a problem, but then he wants us to cut Lot 30 in half to give something to help him. So, he wants two things to help him and nothing in return for the Borough except cost. Mr. Woods will never have anything to do with Lot 30,

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unless Mr. Watson wants to give us all of Lot 30 and the pump station for our expenses in the future. This is the only way Mr. Woods will vote on this. It is either everything or nothing. Most of Council agrees.

Mr. Woods heard a comment degrading our town this evening and he thinks Bloomfield Borough will stand against any other town.

***CLOSING COMMENTS***

There being no further business, upon motion by Councilman Berger, seconded by Councilman Cless, the meeting adjourned at 8:15 p.m. The next meeting is Tuesday, October 1, 2019 for a regular meeting at 7:00 p.m. Motion carried.

Respectfully submitted,



Kathleen Miller, Assistant Secretary