

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
JANUARY 24, 2012**

The regular meeting of the Mayor and Council was held on January 24, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger - excused
	Mark Peck, Mayor	William Edleston, Esq.

**FLAG SALUTE**

**OATH OF OFFICE**

Mayor Peck explained to Council his intention to appoint Al Stiehler to the vacant Council seat until the next general election. Mr. James moved Council accept Al Stieher's appointment; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Tersigni-aye. Motion carried.

Mr. Edleston administered the Oath of Office to Al Stiehler filling the unexpired term seat until the December 31, 2012. This seat will be on the November Ballot to fill the term through 12/31/14.

Mr. Stiehler joined the Mayor and Council at the table.

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the following meeting minutes by consent agenda:

- Regular Meeting Minutes of November 22, 2011
- Executive Session Meeting Minutes of September 27, 2011
- Executive Session Meeting Minutes of November 22, 2011
- Rescheduled Meeting Minutes of December 20, 2011
- Special Meeting Minutes of December 28, 2011
- Reorganization Meeting Minutes of January 1, 2012

The Motion was seconded by Mr. James.

ROLL CALL VOTE: Peck-aye; James-aye except December 28, 2011; Papics-aye; Stiehler-abstain; Tersigni-aye-except January 1, 2012. Motion carried.

### **TAX COLLECTOR'S REPORTS**

Mayor Peck stated that the Tax Collector's Report of November 30<sup>th</sup> and December 31<sup>st</sup> will be considered together.

Mr. James moved the Tax Collector's Reports of November 30, 2011 and December 31, 2011 be accepted; seconded Mrs. Tersigni.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-abstain; Tersigni-aye.  
Motion carried.

Council reviewed the Tax Collector's 2010 Tax Sale Report and a letter of resignation dated December 11, 2011. Mayor Peck stated that it is unfortunate that Ms. Harm will be leaving as she has done a great job. The Clerk stated that she has advertised for the opening on the NJLM and the TCTA websites and that she has received three resumes to date and expects to receive at least two more.

### **APPROVAL OF BILL LIST**

Mr. James stated that he has another issue with the rent payments because we still have ceiling times out in the meeting room. The Clerk stated that she has mentioned it again to Bill Fitzpatrick. Mr. James stated that he does not know where the issue is but we pay a fair amount of rent and are not asking for a lot. Discussion followed. Council considered withholding one month's rent again until the issues are resolved. The Clerk stated that last time she had to get quotes to get the work done and then the Fire Department paid for the same. Mrs. Papics stated that she will reach out to them and tell them that the repairs need to be done. Council noted that another light is not working in the meeting room.

Mr. James moved Council approve the Bill List; seconded by Mrs. Tersigni.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Stiehler-abstain; Tersigni-aye.  
Motion carried.

### **CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's Report.

Mrs. Papics moved Council accept the Zoning Report; seconded by Mr. James. All ayes.  
Motion carried.

### **CLERK/ADMINISTRATOR'S REPORT**

- The Clerk reported that in advance of the Reorganization Meeting she reached out to all Commissions, Fire Department and the Rescue Squad requesting they provide updated roster or membership information. To date nothing has been received. She explained that she began this practice a few years ago and that groups are expected to appear before Council providing a brief update including membership, year-end budget summaries, and new year contribution requests. She explained that we do not even have an updated roster to provide accurate numbers to the insurance company for workers comp coverage.

- The Clerk explained that the Tax Collector is willing to stay on board into March if needed and added that she is accepting resumes until January 31, 2012 and will schedule interviews after that.
- The Clerk stated that there has been some confusion surrounding the Tax Assessors in office hours. She explained that during her tenure, the hours advertised in the Directory have always been the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday from 9:30 – 11:30 am. The Clerk explained that on a few occasions the Tax Assessor has stated that this is incorrect. She maintains that the original hours were 9:30 – 11:00 and that they were adjusted by ½ hour to be 10:00 – 11:30 many years ago. The Clerk stated that she looked into the Job Descriptions and found this to be true; however the adjusted schedule was not reflected. Mrs. Tersigni stated asked if there was a conflict with the County meetings and Mayor Peck stated whatever she needs to do and we will have the Directory reflect the correct hours.
- The Clerk stated she held the annual Free Rabies Clinic over the weekend and that even with the morning snow storm, 62 pets were vaccinated. The Clerk thanked her family for volunteering for the 5<sup>th</sup> year and helping to make the event successful as well as Sean from the Hose Company for his help in setting up for the same.
- The Clerk reported that Bob Heinrich made arrangements with Bethlehem Township to take Christmas trees there to be chipped which will result in a savings to the Borough of \$300 - \$350 this year.
- The Clerk stated that she has prepared a few additions for the upcoming newsletter regarding residents signing up to get a hard copy of the newsletter and announcing mailbox installation guidelines.
- The Clerk stated that although she has been working on the new animal licensing software she found there is glitch as it will not allow for the calculation of accumulating late fees. She explained that the software company is working on the issue and she hopes it will be resolved soon. In the interim, no licenses have been issued yet and if she has to write them out by hand she will as a last resort. She reminded Council that the Borough was not charged for the program as she had been able to get them to swap out the Utility Billing for the Animal Licensing Program.
- The Clerk advised Council there are two items which she will need to purchase in the near term. The Zoning Office printer is broken and she plans to put her office printer in the meeting room for his use and get a new one for her office which will hopefully solve the issue she has with printing Certified Copies from the EDRS. She also explained that the Microcassette Transcriber machine she uses to tape meetings is obsolete and that tapes are no longer available anywhere. She is currently erasing old tapes to re use them and has begun to gather quotes for a new digital recorder.

Mr. James stated that when Larry sends out alleged violations to people he just forwards them without including the Ordinance which has been violated. He stated that he thinks the Ordinance should be included so that residents are at least aware of what it is in reference to. The Clerk stated that the Ordinance number should be included on every violation notice and she will follow up with Mr. Creveling regarding the same.

## **COMMITTEE REPORTS**

### ***V.Papics***

#### **OEM -**

- Mrs. Papics stated she and the Clerk have been working on the final forms needed for submission to FEMA for reimbursement of expenses related to damage from hurricane Irene and Tropical Storm Lee. Mayor Peck asked if there will be another opportunity to submit for the October snow storm. Mrs. Papics stated that she believes there will be.

### ***C. James:***

#### **Newsletter-**

- Mr. James stated that the next newsletter will be prepared for March and he will send an email to groups letting them know there is a February 1<sup>st</sup> deadline for submissions.

#### **Environmental Commission-**

- Mr. James stated that currently the Environmental Commission pays a \$100 donation to the Musconetcong Watershed Association and that there is an opportunity instead pay \$250 and have the MWA handle the Borough's annual Stormwater points. The Clerk stated that she reached out to them today and confirmed that if the EC works with them, they will provide information for inclusion in the newsletter and information for posting on the Borough website, and they will provide education events and speakers as needed to acquire our needed 10 points annually.

Mr. Francisco stated that he will increase the EC Budget by \$150 to cover the increase for 2012.

Mr. James moved Council approve the Environmental Commission paying a \$250 membership to the Musconetcong Watershed Association for 2012; seconded by Mrs. Papics.

ROLL CAL VOTE: James-aye; Papics-aye; Stiehler-abstain; Tersigni-aye. Motion carried.

#### **Honeywell Instant Alert-**

- Mr. James stated that he continues to get call regarding interest in the Honeywell System. Assuming this needed to be considered in terms of the 2012 Budget, he has not been responding to them. Mayor Peck asked if the School Board is in favor of sharing the cost as discussed originally. Mr. James stated he has not been back in touch with the School Board. Mrs. Frey stated that it is on the agenda for discussion at an upcoming School Board meeting. He apologized for the delay but he will forward the preliminary quote to her.

*M. Tersigni:*

**Recreation -**

- Mrs. Tersigni attended the Recreation meeting and reported that they were able to pull together the 2012 Roster including Chris Smith as President, Joe Walen as Vice President, Jessica McNulty as Secretary and Rich Petri as Treasurer. Mrs. Smith will email the 2012 roster to the Clerk. He stated that there are two open alternate seats on the Commission.
- Recreation will have the 2011 Finance Report available by the March meeting. Mrs. Tersigni stated that this information is supposed to come to Council on a much more frequent basis and Mrs. Tersigni will follow up on this as well.
- Mrs. Tersigni stated that they approved their 2012 Calendar of events and stated that Greenwich has proposed some ideas for consideration by the Recreation Commission and Council which will be discussed later this evening.
- The Park walk through was held on January 14, 2012. She stated she would like to have approval for purchase of in-field mix, playground mulch and different types of field prep in order to get this going in February.
- Mrs. Tersigni stated that one request was that the bike rack be moved from the Park to the School. Discussion followed. Mrs. Frey will bring this up for consideration and possible approval at the next School Board meeting.

**Planning Board -**

- The Planning Board Reorganization was held Tom Reilly remains as Chair and Anne Ferrero as Vice Chair. The Professional will remain the same for 2012 and George Allen will be an Alternate rather than a member.

**Finance -**

- Mrs. Tersigni stated that she, the Clerk, Mayor and CFO met with the Auditor and went over preliminary Budget numbers. The Mayor explained that as a result of taking the tax increase last year, we have now stabilized the Budget and this year looks much better.

**PET WASTE**

Mr. James stated that the Environmental Commission discussed the issue of improper disposal of Pet Waste in the borough at their recent meeting. He added that the Clerk has also submitted a reminder notice for inclusion in the March Newsletter as she has received additional complaints about the same recently. Mr. James stated that there may be grant money available which could be used for Pet Waste receptacles or for signage. Discussion followed.

Mr. James will look into the cost of signs and if any grants may be available for funding the same and report back next meeting.

**STATE POLICE REPORT**

No report.

**OLD BUSINESS**

**MAIN STREET PHASE I & II**

Mayor Peck stated that we hope we can apply for the Grant for Phase II and that that in combination with SRTS Grants Awards, we can then go out to bid on the entire project at once , completing Main Street reconstruction from Church to East Street.

**HURRICANE IRENE UPDATE**

Mayor Peck stated that Rick Roseberry has certified that Willow Avenue repairs are complete.

**SCHOOL SPEED LIMIT BEACON**

Mayor Peck stated this matter has been researched and it was determined that the Borough is responsible for maintaining the same.

Mr. James asked if anything had been done with the Shed in Fawn Run. He stated that he thinks someone needs to go take a formal measurement of the easement. The Clerk stated that she thought Mr. Creveling was going to do this. She asked if this was the case or if the Council wanted her to ask Mr. Roseberry to do so in which case, he would have to bill for the same.

**NEW BUSINESS-**

**INTRODUCTION – ORDINANCE 101-12 - AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2012**

**BE IT ORDAINED** by the Mayor & Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey.

Section 1. This ordinance shall fix the salaries or wages of the employees of the Borough of Bloomsbury at the following ranges for the year 2012:

Section 2. Salary and wage ranges for the year 2012 are as follows:

- |                                |  |
|--------------------------------|--|
| a. Borough Clerk/Administrator | \$20,000 - \$45,000 per year, plus<br>\$20.00-28.00/hr for additional hours. |
| b. Deputy Clerk                | \$9.00 - \$11.00 per hour  |
| c. Registrar                   | \$1,000 - \$3,000 per year   |
| d. Deputy Registrar            | \$100 – \$500 per year   |
| e. Chief Financial Officer     | \$9,000 - \$20,000 per year  |
| f. Tax Assessor                | \$5,000 - \$10,000 per year  |

g. Tax Collector	\$5,000 - \$11,500 per year
h. Public Works Superintendent	\$6,500 - \$18,000 per year, plus \$20.00-25.00/hr for hours in excess of 65 per month
i. Public Works Laborer #1	\$5,000 - \$15,500 per year, plus \$15.00-20.00/hr for hours in excess of 65 per month
j. Public Works Laborer #2	\$3,600 - \$9,000 per year
k. Public Works Laborer #3	\$3,000 - \$7,500 per year
l. Planning Bd. Secretary	\$1,500 - \$5,000 per year
m. Code Enforcement Officer	\$5,000 - \$8,000 per year, plus \$25.00 per sidewalk inspection
n. Assistant Code Enfor. Officer	\$13.00 - \$15.00 per hour
o. Emergency Mgt. Coordinator	\$1,700 - \$4,000 per year \$9.00 - \$11.00/hr. for extraordinary FEMA events
p. Recycling Coordinator	\$250 - \$1,000 per year
q. Dog/Cat Licensing Official	\$400 - \$2,000 per year
r. Assistant EMC	\$7.50 - \$10.00 per hour
s. School Crossing Guard	\$28.00 - \$31.00 per day
t. Regular Laborer	\$15.00 - \$18.00 per hour
u. Seasonal Laborer	\$9.00 - \$12.00 per hour

Section 3. All ordinances inconsistent with this ordinance are hereby repealed.

Section 4. This ordinance shall take effect upon final passage and publication according to law.

Section 5. The exact annual salary or hourly wage for each position shall be specified by a resolution adopted by the Borough Council during the time this ordinance is effective.

Mr. James moved Council Introduce Ordinance # 101-12; seconded by Mrs. Tersigni.

ROLL CALL VOTE: James-aye; Papics-abstain; Stiehler-aye; Tersigni-aye. Motion carried.

**ORDINANCE # 102-12 - CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Governing Body of the Borough of Bloomsbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

**WHEREAS**, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$6,074.82 in excess of the increase in final appropriations otherwise permitted by, by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Governing Body hereby determines that any amount authorized herein above, that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Bloomsbury, County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Bloomsbury shall ,in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5% amounting to \$6,074.82, and that the CY 2012 municipal budget for the Borough of Bloomsbury be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and;

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption.

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.S.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Borough of Bloomsbury has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the Borough meets the necessary conditions to participate in the program for the 2011 budget year, so

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bloomsbury that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification.

The Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges.
  - b. Deferred charges and statutory expenditures.
  - c. Cash deficit of preceding year.
  - d. Reserve for uncollected taxes.
  - e. Other reserves and non-disbursement items.
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met.(Complies with the "CAP" law.)
  3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  4. That pursuant to the Local Budget Law:
    - a. All estimates of revenue are reasonable, accurate and correctly stated,
    - b. Items of appropriation are properly set forth.
    - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
  5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Mrs. Tersigni moved Council Introduce Ordinance # 102-12 ; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**INTRODUCTION - ORDINANCE 103-12 - AN ORDINANCE TO PERMIT CERTAIN WIND AND SOLAR ENERGY SYSTEMS (RENEWABLE ENERGY FACILITIES) AND ESTABLISHING STANDARDS THEREFOR**

**WHEREAS**, it is the purpose of this ordinance to promote the safe, effective and efficient use of small wind and solar energy systems to reduce the on-site consumption of utility-supplied electricity; and

**WHEREAS**, New Jersey's Renewable Portfolio Standards (RPS) require each supplier/provider, as defined at N.J.A.C. 14:8-1.2, that sells electricity to retail customers in New Jersey to provide a percentage of their retail electricity sales from renewable energy sources, beginning at 3.5 percent in 2004 and increasing to 22.5 percent by 2021; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-2n) provides that to promote utilization of renewable energy resources is a purpose of zoning; and

**WHEREAS**, on November 20, 2009, the Governor signed P.L.2009, c.146, clarifying that a wind, solar or photovoltaic energy facility or structure should be considered an “inherently beneficial” use under the Municipal Land Use Law’s analysis of positive criteria for the grant of a “d variance” under N.J.S.A.40:55D-70, regardless of whether the facility or structure is a principal use, a part of the principal use, or an accessory use or structure; and

**WHEREAS**, on April 4, 2010, Governor Chris Christie signed P.L. 2010, c. 4 exempting solar panels from being counted in calculations utilized to determine impervious coverage in land use applications under the Municipal Land Use Law; and

**WHEREAS**, existing local zoning regulations in the Borough of Bloomsbury do not address wind or solar power, which while not intended to discourage the installation of small wind turbines or solar panels, can substantially increase the time and costs required to obtain necessary local land-use permits; and

**WHEREAS**, the Borough Council finds that it is necessary to standardize and streamline the requirements for small wind and solar energy systems so that this clean, renewable energy resource can be utilized in a cost-effective and timely manner in our municipality; and

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Bloomsbury in the County of Hunterdon, State of New Jersey, that the Land Use Regulations of the Borough of Bloomsbury be amended and supplemented to include the following:

Section 1: Appendix Definitions shall be amended to include the following additional definitions:

**APPLICANT** - the application shall be executed by both the owner of the property and if applicable by the developer if other than the owner.

**110% PRODUCTION** – means that an energy system produces up to 110% of the energy that the principal use consumes on average in a year, a requirement that is one component of a “minor” system..

**GROUND MOUNTED SOLAR ARRAY** - means a solar energy system, as defined herein that is mounted on armatures anchored to the ground with ground cover beneath.

**ROOFTOP SOLAR ARRAY** – means a solar energy system, as defined herein that is mounted to roof of a building or structure.

**MINOR SOLAR ENERGY SYSTEM** – means a solar energy system, as defined herein that is used to generate electricity, has a nameplate capacity of 100 kilowatts or less, and which is

intended to offset part of all of the beneficiary's requirements for on-site energy consumption, but not to exceed 110% production.

**MINOR WIND ENERGY SYSTEM** – means a wind energy system, as defined herein that is used to generate electricity, has a nameplate capacity of 100 kilowatts or less, and which is intended to offset part of all of the beneficiary's requirements for on-site energy consumption, not to exceed 110% production.

**SOLAR ENERGY SYSTEM** – means a solar energy system and all associated equipment which converts solar energy into a usable electrical energy, heats water or produces hot air or other similar function through the use of solar panels.

**SOLAR PANELS** – a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system.

**WIND ENERGY SYSTEM** – means a wind turbine and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

**WIND TURBINE** – means equipment that converts energy from the wind into electricity. This term includes base, blade, foundation, nacelle, rotor, blades, tower, transformer, vane, wire, inverter, batteries or other components to store and/or transfer energy.

**Section 2:** Article X. Section 1007 **WIND AND SOLAR ENERGY AND PRODUCTION SYSTEMS** – this section shall be created and state the following:

1007.1 Purpose. The purposes of this section regulating Minor and Major Wind and Solar Energy Systems are as follows:

- (1) The primary purpose of a minor wind and minor solar energy system will be to provide power for the principal use of the property whereon said system is to be located and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted to prohibit the sale of excess power generated from a small solar energy system to a supplier/provider. For the purposes of this ordinance, the generation of power shall be limited to 110% of the average annual energy consumed for the principal use of the subject property.
- (2) Minor wind and solar energy systems are permitted as an accessory use on the same lot as the principal use. All minor wind and solar energy systems require approval from the zoning officer prior to installation. Applications for an energy system shall include information demonstrating compliance with the provisions of this ordinance. In the event that the zoning officer does not believe the provisions of this ordinance will be satisfied an applicant may request a variance.

- (3) All applications for minor wind and solar energy systems are to be submitted for site plan and/or variance and waiver review to the Borough of Bloomsbury Planning Board as necessary, when variance(s) and/or waiver(s) are requested.
- (4) All applications for major wind and solar energy systems are required to submit for site plan approval.

#### 1007.2 Use Regulations

- (1) Rooftop Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones.
- (2) Ground Mounted Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones.
- (3) Minor Wind Energy Systems are permitted as an accessory use in the PUD zone.

#### 1007.3 Minor Solar Energy Systems (110% production).

- (1) Rooftop Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones subject to the following requirements.
  - (a) Rooftop Solar Arrays shall not exceed a height of twelve (12) inches from the existing roof surface of a peaked roof and not exceed a height of four (4) feet from the existing roof surface of a flat roof
  - (b) In no event shall the placement of the solar arrays result in an overall height in excess of that permitted for the principle structure in the Zone District in which the principle structure is located.
- (2) Ground Mounted Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones subject to the following requirements.
  - (a) Maximum size: no more than 10% of a lot may be devoted to a ground mounted solar energy system, however in no case shall a ground, mounted solar energy system exceed 2,500 square feet.
  - (b) Minimum setback: All ground mounted solar energy systems shall have a distance of ten (10) feet from all property lines in residential zoning districts or twenty-five (25) feet from any property line in commercial zoning districts.
  - (c) Ground mounted solar energy systems shall not exceed a height of eight (8) feet as measured from the grade plane to the highest point of the mounting equipment and/or panel(s), whichever is higher.
  - (d) Ground mounted solar energy systems shall not be permitted in any front yard.
  - (e) Ground mounted solar energy systems are permitted in the rear yard and side yards, if screened from the street and adjacent properties by evergreen landscaping to create a continuous visual buffer.
  - (f) Ground arrays shall not contribute to impervious surface calculations, unless installed above an impervious surface.

- (g) Ground arrays shall be designed to permit maintenance of the ground surface to prevent or erosion or other deterioration.

#### 1007.4 Minor Wind Energy Systems (110% production).

- (1) Small Wind Energy Systems are permitted as an accessory use in the PUD zone subject to the following requirements.
  - (a) Maximum Density: maximum density of wind turbines shall not exceed one (1) turbine per five (5) acres. More than one wind energy systems may be permitted per property provided the overall density of one (1) turbine per five (5) acres is maintained.
  - (b) Maximum height: System height shall not exceed 125 feet, measured from the grade plane to the height of the blades at its highest point.
  - (c) Minimum setbacks: all wind energy systems shall be setback from all property lines a distance equal to 150% of the system height including the blades of the turbine at their highest point.
  - (d) Separation distance: all wind energy systems shall be setback from all other wind energy systems a distance equal to 100% of the system height including the blades of the turbine at their highest point
  - (e) Wind energy systems shall not be permitted in any front yard.
  - (f) Wind energy systems shall not be permitted as a rooftop installation.
  - (g) All moving parts of the wind energy systems shall be a minimum of thirty (30) feet above ground level.
  - (h) Any tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
  - (i) All guy wires or any part of the wind energy system shall be located on the same lot as the wind energy system.
- (2) Noise: All wind energy systems shall comply with the following requirements.
  - (a) Adjacent to a residential use or zone sound levels of the wind energy system shall not exceed 55 dBA at a common property line and 50 dBA to the closest occupied structure.
  - (b) In all other cases at a common property line sound levels of the wind energy system shall not exceed 65 dBA.

#### 1007.4 Abandonment.

- (1) In the case that any minor wind or solar energy system as defined herein is out of service for a continuous 12-month period will be deemed to have been abandoned.
- (2) The zoning officer or other enforcement official of the Borough may issue a “Notice of Abandonment” to the owner. The notice shall be sent via regular and certified mail return receipt requested to the owner of record.
- (3) Any abandoned minor wind or solar energy system as defined herein shall be removed at the owner’s sole expense within six months after the owner receives the “Notice of

Abandonment” from the municipality. If the system is not removed within six months of receipt of notice from the Borough notifying the owner of such abandonment, the Borough may remove the system as set forth below.

- (4) When an owner of a minor wind or solar energy system as defined herein has been notified to remove same and has not done six months after receiving said notice, then the Borough may remove such system and place a lien upon the property for the cost of the removal and restoration. If removed by the owner, a demolition permit shall be obtained and the facility shall be removed. Upon removal, the site shall be cleaned, restored and re-vegetated to blend with the existing surrounding vegetation at the time of abandonment.

### **1007.5 Major Solar energy systems**

(1) Generation System-principal use – Any solar energy system that is not classified as a minor system. Major solar energy systems are a permitted use in the PUD zone only.

(2) Major Solar energy systems may be installed on lots of a minimum area of at least 20 acres.

(3) Major Solar energy systems shall not be placed in any front yard or in any minimum front yard area.

(4) Security. All inverters, transformers and such other system components that are designed to convert or modify electric current, or transmit electric flow to the transmission or distribution system, shall be secured by with of the following methods:

- (a) Entirely contained within a structure, building secured with an operating lock;  
or
- (b) Entirely contained within an area fenced with steel, including the area above the equipment, secured with an operating lock.

(5) Required Setbacks

- (a) 350’ setback from an existing residence; and
- (b) 200 ‘from all property lines and rights of way.
- (c) Minimum buffer width required is 150’.

(6) Maximum height of ground mounted solar arrays is 20 feet.

(7) Solar reflection. The energy generation facilities, structures and equipment shall be constructed to avoid solar reflection as much as practicable.

### **1007.6 Requirements for all Major Ground Mounted Solar Energy Systems**

- (1) Major Ground Mounted Solar Energy systems must meet the minimum requirements for a Minor Solar Energy System.
- (2) Other than footings, which may be computed as impervious cover, systems shall not be counted in the calculation of maximum impervious cover, unless the area under the equipment consists of an impervious material layer, such as pavement or stone.
- (3) The design of the ground mounted system shall comply with all Borough storm water, grading, and soil disturbance regulations and the applicant shall take appropriate measures to prevent a concentrated flow of runoff.
- (4) Major Ground mounted systems shall provide one or more of the following beneath the structures: grasses or agricultural area for crops or grazing farm animals.
- (5) The height of the ground mounted solar or photovoltaic panels shall not exceed twenty (20) feet.
- (6) To the extent feasible, ground mounted solar energy systems and substations shall be screened from view.
- (7) Site Plan approval is required for all ground mount systems which shall depict the following:
  - (a) Property lines and physical dimensions of the property by a licensed land surveyor.
  - (b) Locations, dimensions and use of all existing structures on the property
  - (c) Location of the solar or photovoltaic system and dimension to all property lines.
  - (d) Location of proposed and existing overhead utility lines.
  - (e) Location of any proposed or existing substation, inverter or transformer.
  - (f) Description and design of how the energy generated by the facility will be transmitted to the larger electrical distribution system.
  - (g) For projects over 20 kilowatts, the location and elevations and design details of all transmission lines, support structures and attachments to a substation(s).
  - (h) Decommissioning Plan
  - (i) Landscaping Plan

107.6.1 The owner of the property and the developer if other than the owner shall file the application as co applicants and the owner as well as the developer or the developers successor shall be responsible for decommissioning the facility upon its abandonment as herein defined.

#### 1007.7 Major Wind Energy Systems

1) Generation System-principal use – Any wind energy system that is not classified as a minor system. Major wind energy systems are a permitted use in the PUD zone only.

2) The minimum lot size shall be 20 contiguous acres and located in the PUD zone.

3) Unless otherwise stated, all buildings and structures shall comply with the standards of the zone district.

4) A wind tower and generator shall be set back a minimum distance of 150% of the system height from all property lines. However, the setback to a residential use or zone district shall conform to the above, but shall be no less than 200 feet

5) Notwithstanding setback requirements which are applicable, no major wind energy system shall be located in a front yard.

6) The wind energy system shall not be lighted unless required by the Federal Administration Aviation.

7) Substations shall be setback a minimum of 150 feet from a property line. However, the setback to a residential use or residential zone district shall be no less than 200 feet.

8) The wind generator and the tower shall be a neutral color that is appropriate for its location and will allow the tower to be as unobtrusive as possible, unless otherwise required by the FAA.

9) The major wind generator shall comply with all minimum requirements of a minor wind generator system.

Section 3: Any and all Ordinances inconsistent with this ordinance are hereby repealed to the extent of any such inconsistency.

Section 4: Should any section, part or provision of this ordinance be deemed invalid or unconstitutional, such decision shall not affect the validity of the remaining terms of this ordinance as a whole or any part thereof, other than section, part or provision so held invalid or unconstitutional.

Section 5: This ordinance shall take effect on its final passage and publication as provided by law.

Mrs. Tersigni moved Council Introduce Ordinance # 103-12 as amended; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-abstain; Stiehler-aye; Tersigni-aye. Motion carried.

**RESOLUTION # 19-12 - MAILBOX POLICY**

**WHEREAS**, it shall be the policy of the Borough of Bloomsbury to repair or replace all properly placed and maintained mailboxes that have been damaged either by direct contact with a Borough snow plow; and

**WHEREAS**, properly placed mailboxes and posts should be mounted so that the face of the mailbox is six (6) to eight (8) inches behind the curb or edge of road; and

**WHEREAS**, all mailboxes shall be set to a height of 41 - 45 inches from the road surface to the bottom of the mailbox; and

**WHEREAS**, posts should be constructed of a 4" x 4" wooden post or a 2" diameter steel or aluminum pipe; and

**WHEREAS**, mailbox posts must be set in a hole 24 - 30 inches deep by 8 - 10 inches in diameter and filled with concrete to the surface; and

**NOW, THEREFORE, BE IT RESOLVED**, that residents with mailboxes damaged beyond repair must contact the Borough Clerk as soon as the damage is noted; and

**BE IT FURTHER RESOLVED**, the resident will present the broken mailbox and/or post to the Code Enforcement Officer in order to be considered for compensation; and

**BE IT FURTHER RESOLVED**, that if the Code Enforcement Officer determines that the damaged mailbox was properly installed in accordance with Borough Policy and if said mailbox was in good condition prior to the incident, residents may be reimbursed up to \$50.00 to replace or repair their mailbox; and

**BE IT FURTHER RESOLVED**, that the Borough will not provide compensation for improperly placed mailboxes or mailboxes that are in a state of disrepair including but not limited to evidence of a rotten wooden post.

Mrs. Papics moved Council adopt Resolution # 19-12; seconded by Mrs. Tersigni. All ayes. Motion carried.

**RESOLUTION # 20-12 - BLOOMSBURY ELEMENTARY SCHOOL PTO 50/50 RAFFLE AND DRAW RAFFLE**

**WHEREAS**, the Bloomsbury Elementary School PTO is the licensee on the application to conduct an On-Premise 50/50 Raffle and Draw Raffle to be held at the Bloomsbury Elementary School, 20 Main Street, Bloomsbury, NJ from 6-11 pm on April 20, 2012; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid on-premise 50/50 raffle and draw raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The on-premise 50/50 raffle and draw raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mrs. Tersigni moved Council adopt Resolution # 20-12; seconded by Mr. James. All ayes. Motion carried.

**RESOLUTION # 21-12 - CHURCH OF THE ANNUNCIATION MONTHLY 50/50 RAFFLE**

**WHEREAS**, the Church of the Annunciation is the licensee on the application to conduct an On-Premise 50/50 Raffle on the last Sunday of every month, to be held at the 80 Main Street, Bloomsbury, New Jersey at 12:30 pm; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid on-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The on-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mrs. Papics moved Council adopt Resolution # 21-12; seconded by Mrs. Tersigni. All ayes. Motion carried.

**CORRESPONDENCE**

No additional correspondence.

## **PUBLIC COMMENT**

Chris Smith, President of the Recreation Commission stated that Greenwich Recreation would like to review the amount the Borough pays in membership dues for our children to participate. They also want the Borough to consider changing the lower baseball field into a multi-purpose field. This project would also require the removal of the fence and backstop and relocation of the bleachers. The Clerk stated that she believes the upper field fencing is in bad condition. Discussion followed regarding possible replacement of the upper fencing with portions of the lower back stop and fencing. Foul poles would also need to be removed and the Recreation Commission will solicit quotes.

He stated that tomorrow is the Greenwich meeting and they want to know if we are agreeable to the concept. Council members voiced their support of the concept and of the Recreation Commission pursuing quotes and more information about the same.

Mr. Smith stated that they spoke about the possibility of merging the two Commissions. Discussion followed. No member of Council voiced support for merging the two Commissions.

Mr. Smith stated that they do want to discuss the Borough's contribution of approximately \$2,200.00. Mayor Peck asked if this number was based on the number of Borough children in the program. Discussion followed. Mr. Smith stated that Bloomsbury recreation does not get any portion of the registration fees, but they do get the revenue from the snack stand at our fields. Mr. Smith stated that the cost of insurance has gone up. The Clerk asked if they can forward a copy of the insurance policy because we have a volunteer policy in the Borough which may cover this. Discussion followed.

The Recreation Commission may still want to relocate the bleachers and the Clerk suggested that perhaps resident would be willing to volunteer to help do this, or that some of the on-call employees could be utilized to do this.

Mrs. Tersigni asked that Recreation provide numbers to the Clerk or herself as they get them.

Karyn Frey, School Board President asked if Mr. James has a cost for the one call system. Mr. James apologized for not forwarding to her as previously requested and will send the same on.

Mrs. Frey asked if there was a timeline for the blinking light to be fixed. The Clerk explained that Mr. Roseberry and the Company he has been trouble shooting the problem with were not sure if was the batteries which were bad, or if it was a component which needed to be replaced. They have determined the best thing to do is to replace the batteries, see if that corrects the issue, and if it does not, then they will go further, likely beginning with replacement of the component.

Mrs. Frey asked if it had been determined that the light was the Borough's responsibility. Mayor Peck stated that Mr. Edleston looked into the matter and found that the Borough is responsible. The Clerk stated that there is a file about this matter, originally the general maintenance was to be done by a janitor at the school, but then later the School Board Attorney advised the school should not take this on because of the potential liability and the matter has been debated much since that time.

Mrs. Frey stated that the School Board would be discussing the matter of possibly moving the School Board Elections to the General Election. Mayor Peck asked if the School Board had any position on this matter yet. Mrs. Frey stated she could say at this point, but they will be discussing it at an upcoming work session and will let the Borough Council know.

Mike Galuppo, 26 Main Street thanked Martha and Vicky for their work on the Safe Routes to School Grant. He asked the Clerk if she wanted quotes for meeting recording equipment, stating that he will be in his office tomorrow and would be happy to forward some.

Mr. Galuppo stated that the DPW has been discussed at past meetings, questioning efficiency and work habits with the mention of videos showing people standing with shovels. He asked who did their work orders. Mayor Peck said that we are not always that formal, that the DPW staff know what needs to be done and when extraordinary tasks come up that matters are handled by himself and the Clerk follows up as needed.

Mr. Galuppo said they are holding a Festival meeting tomorrow roads construction or non construction project is waiting in funding for phase II. Mayor Peck stated that we are waiting to apply for Phase II which we hope will be at the end of February. Mr. Galuppo said the application process will take about 6 months. Mayor Peck stated that he can not say for sure. He said that the Festival should be planned and that we will work around the festival to be sure it is not affected. Discussion followed.

Ilse Goshen, 69 Main Street asked how long the other vacant seat has been vacant and if it needs to be filled by a Republican or Democrat. Mayor Peck stated that he was not sure, but that Mr. Edleston could look into the matter.

Karen Murray 120 Willow Avenue thanked Mayor and Clerk for completing repairs to Willow Avenue and she asked if Council was aware that they are working on the Milford Road Bridge. The Mayor said he was unaware, and the Clerk stated that no notice has been received about any work going on.

Mrs. Murray stated that her son, Aaron achieved his Eagles Scout and she thanked Mayor Peck for his involvement with the recent Beautification Project at Point Park. The Clerk stated that she has a formal copy of the Resolution that Council adopted honoring Aaron for his work and will mail it to them.

### **RESOLUTION FOR AN EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss contract matters relating to our Insurance Policies, and employment matters relating to on-call employees for the DPW and action will be taken.

Mrs. Tersigni moved Council enter executive session at 8:43 PM; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Papics moved Council Re-enter Regular Session at 9:21; seconded by Mr. James. All ayes. Motion carried.

After discussion - Council voted to amend Resolution 17-12 to be a one year term, not a three year term.

**RESOLUTION # 17-12 - PUBLIC ALLIANCE INSURANCE COVERAGE FUND**  
**RESOLUTION FOR RENEWAL OF MEMBERSHIP**

**WHEREAS**, the Borough of Bloomsbury, hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

**WHEREAS**, said renewal membership terminates as of January 1, 2012 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

**WHEREAS**, the **Public Entity** is afforded the following types of coverages (as indicated by an "x"):

- ⊖ Workers' Compensation
- ⊖ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Excess Liability
  - ⊖ Auto & General Liability (including Police Professional)
  - ⊖ Public Officials Liability
- ⊖ Environmental Impairment Liability

**WHEREAS**, the **Public Entity** desires to renew said membership.

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of one year beginning January 1, 2012, and ending January 1, 2013 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently

- existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
  3. The **Public Entity** hereby appoints Lisa A. Burd Reindel as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

Mrs. Tersigni moved Council adopt Resolution # 17-12 as amended; seconded by Mrs. Papics. All ayes. Motion carried.

**RESOLUTION # 18-12 - APPOINTMENT OF ON - CALL EMPLOYEES FOR THE BOROUGH OF BLOOMSBURY DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, from time to time it is necessary for the Department of Public Works Supervisor to hire additional, part-time help in order to provide services to the Borough, and

**WHEREAS**, these services are occasional or seasonal in nature including but not limited to road repairs, snowplowing, leaf pickup and brush pickup:

**NOW THEREFORE, BE IT RESOLVED**, the following shall be appointed as On-Call Employees for the Borough of Bloomsbury for Calendar Year 2012 and shall be required to endorse the required On-Call Employment Agreement.

Bob Clark	Edward Pacenti
Steve Douglas	John Ronca
Bob Heinrich	George Tuxhorn
Dave Heinrich	Joseph Vanya
Kevin Heinrich	

**BE IT FURTHER RESOLVED**, all On-call employees will be paid the hourly laborer rate in accordance with the Salary Ordinance.

**BE IT FURTHER RESOLVED**, that the aforementioned On-call employees will not be eligible for additional benefits such as paid time off from work, medical coverage or unemployment benefits.

Mayor Peck explained that as discussed in the executive session, to the extent practicable, try to rotate, within appropriate skills sets, the employment which will be reviewed in three months.

Mr. James moved Council adopt Resolution # 18-12; seconded by Mrs. Tersigni. All ayes. Motion carried.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. James; seconded by Mrs. Papics. All ayes, motion carried. Meeting adjourned at 9:25 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
FEBRUARY 2, 2012**

The special meeting of the Mayor and Council was held on February 2, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 8:31 AM by the reading of the Sunshine Law by Lisa Burd.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 31, 2012 by providing notice to the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James - excused	Martha Tersigni
	Vicky Papics	Eric Weger - absent
	Mark Peck, Mayor	Al Steihler
	William Edleston, Esq.	

**FLAG SALUTE**

The Clerk explained that Council amended Resolution # 17-12 at the January 24, 2012 meeting changing the terms of the Membership renewal from three (3) years to one (1) year; however, after reaching out to Mr. Gemmel from Brown and Brown, he advised that the membership term must be three years per state statute.

Mayor Peck stated that it would be appropriate to rescind Resolution # 17-12 at this time, and for Council to consider Resolution # 22-12.

Mrs. Papics moved Council rescind Resolution # 17-12; seconded by Mrs. Tersigni.  
ROLL CALL VOTE: Peck-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**RESOLUTION # 22-12 - PUBLIC ALLIANCE INSURANCE COVERAGE FUND  
RESOLUTION FOR RENEWAL OF MEMBERSHIP**

**WHEREAS**, the Borough of Bloomsbury, hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

**WHEREAS**, said renewal membership terminates as of January 1, 2012 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

**WHEREAS**, the **Public Entity** is afforded the following types of coverages (as indicated by an "x"):

- ⊖ Workers' Compensation
- ⊖ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Excess Liability
  - ⊖ Auto & General Liability (including Police Professional)
  - ⊖ Public Officials Liability
- ⊖ Environmental Impairment Liability

**WHEREAS**, the **Public Entity** desires to renew said membership.

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2012, and ending January 1, 2015 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Lisa A. Burd Reindel as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

Mrs. Papics moved Council rescind Resolution # 22-12; seconded by Mrs. Tersigni.  
 ROLL CALL VOTE: Peck-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

The Clerk explained that the Fire Department Vehicles have been removed from the Borough Insurance Policy with PAIC and they are now insured under the Hose Companies Selective Policy. This change will result in a cost savings of about \$1,800 per year.

**RESOLUTION # 23-12**

**BE IT RESOLVED**, the Mayor Council of the Borough of Bloomsbury, do hereby authorize Bob Gemmel of Brown and Brown Metro, Inc., to remove Bloomsbury Hose Company Vehicles from the Borough Policy with PAIC and add said vehicles to the Bloomsbury Hose Companies existing Policy with Selective Insurance, keeping all coverage the same.

Mrs. Tersigni moved Council rescind Resolution # 23-12; seconded by Mrs. Papics.  
 ROLL CALL VOTE: Peck-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

Mayor Peck explained that either School Board or the Governing Body can adopt the resolution to change the date of the School Board Elections to November and it will be binding. The deadline for adoption is February 15, 2012. Discussion followed.

The Clerk reported that the Clerk's she spoke to at a recent meeting all stated that their Governing Bodies were in favor of this change. Mayor Peck stated that it would be a cost savings and that turn out would be better if held at the general election.

The Clerk reported that she reached out to the School Board President and the School Administrator yesterday at the Mayor's direction and that Mr. Slattery stated he had advised the Board that he is in favor of this and Mrs. Frey stated that they discussed both the pros and cons but she could not say for sure how the Board would vote. Mayor Peck stated that ideally both the Board and the Council would agree, but in this case, the Council will not have another meeting until after the deadline.

The Clerk stated that in many cases the High Schools have already adopted this Resolution but then the sending districts have also adopted it to show their agreement. Discussion followed.

**RESOLUTION # 24-12 - RESOLUTION ESTABLISHING THE ELECTION OF MEMBERS OF THE BLOOMSBURY BOARD OF EDUCATION AS THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER**

**WHEREAS**, P.L. 2011, c. 202 authorizes changing the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

**WHEREAS**, Such action requires the adoption of a resolution by a school district or the municipality or municipalities constituting such district, as set forth in P.L. 2011, c. 202; and

**WHEREAS**, P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

**WHEREAS**, P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

**WHEREAS**, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

**WHEREAS**, The Common Council of the Borough of Bloomsbury believes that the financial interest of its constituents is safeguarded by the state's tax levy cap and the thorough review of the proposed school budget by the Executive County Superintendent and the Executive County School Business Administrator; and

**WHEREAS**, The Common Council of the Borough of Bloomsbury believes that more citizens will participate in the selection of school board members at the General Election than on the third Tuesday in April and that the higher level of participation will foster positive interest in our public schools; and

**WHEREAS**, The Common Council of the Borough of Bloomsbury is committed to the non-partisan status of school board membership and the non-partisan conduct of school elections, and believes this principle will not be compromised by conducting board member elections in November.

Mrs. Papics moved Council adopt Resolution # 24-12; seconded by Mrs. Tersigni.  
ROLL CALL VOTE: Peck-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**PUBLIC COMMENT**

None. Mrs. Papics Moved Council close public comment; seconded by Mrs. Tersigni. All ayes. Motion carried.

**APPROVAL OF BILL LIST**

Mrs. Tersigni moved Council approve the Bill List of February 2, 2012; seconded by Mrs. Papics.  
ROLL CALL VOTE: Peck-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mrs. Tersigni; seconded by Mrs. Papics. All ayes, motion carried. Meeting adjourned at 8:42 AM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
FEBRUARY 28, 2012**

The Regular Meeting of the Mayor and Council scheduled for February 28, 2012 was canceled due to lack of a quorum.

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
MARCH 27, 2012**

The regular meeting of the Mayor and Council was held on March 27, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger - excused
	Al Steihler	Mark Peck, Mayor
		William Edleston, Esq.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Tersigni moved Council approve the Regular Meeting Minutes of January 24, 2012 as amended; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Tersigni moved Council approve the Special Meeting Minutes of February 2, 2012; seconded by Mrs. Papics. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics Moved Council accepts the Tax Collector's reports of January 31, 2012 and February 29, 2012; seconded by Mrs. Tersigni.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

Mrs. Papics Moved Council accepts the Tax Collector's Annual Report for 2011; seconded by Mrs. Tersigni.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mrs. Tersigni wanted Council to be aware that the Phone Bill decreased by a hundred dollars because of Lisa's due diligence and that she is still working on the electric bill.

Mr. James moved Council approve the Bill List; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Stiehler-aye; Tersigni-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's Report.

Mayor Peck again requested that Mr. Creveling be sure to go to the school at least once a week to ensure that people are not stopping and blocking the flow of traffic

Mrs. Tersigni moved Council accept the Zoning Report; seconded by Mrs. Papics. All ayes. Motion carried.

### **CLERK/ADMINISTRATOR'S REPORT**

- The Clerk reported that Mr. Heinrich requested that Council consider budgeting for an addition to the Borough garage so that they could get all of the trucks inside and out of the weather. Mr. Francisco stated that this would be a capital item and Mayor Peck stated that Council would need to seek out quotes and designs for the same.
- The Clerk stated that although there was a last minute scramble to get the paperwork completed and submitted, the Borough did receive \$7,000 grant from the State Forestry Service and a congratulatory letter from Michael Doherty regarding the same.
- The Clerk explained that all Council members are invited to attend Aaron Murray's Eagle Scout Court of Honor on Saturday, May 12, 2012.
- The Clerk stated that only nine people have signed up to receive a hard copy of the newsletter to date.
- The Clerk reported that she has been receiving resident's suggestions for possible areas for pot hole repair this spring, including Lance Lane and the alley by the Methodist Church, Brunswick Avenue, Musconetcong Drive and an area near the intersection of North and Center Streets. She requested Council consider authorizing she work with Bob Heinrich to arrange for these repairs without requiring they obtain approval from Council at a later meeting for the expenditure. She explained that last year Council had allocated for up to \$5,000 to be used and authorized Mr. Weger to mark out the areas which needed to be cut out and have a contractor make the needed repairs, but this work was never completed. The Clerk will work with Mr. Heinrich to ensure this work is completed.
- The Clerk stated that several correspondence have been received from Patriot Environmental recently indicating that no further action is currently required at the old Koh-I-Noor sites and they plan to decommission a few test wells as well.
- The Clerk stated that she is still working on the street light inventory and will continue in hopes of finding additional cost savings. She further explained that following the phone line audit she recently conducted, Council can anticipate approximately \$1,900 saving a year, \$1,800 a year for the insurance change, \$275.00 for the sonic device which is required on the computer systems and that she found a farm in Alexandria Township which is willing to take a our leaves free of charge this year. This could mean up to

\$3,500 in saving bringing the total saving to about \$7,000 per year. Mayor Peck thanked the Clerk for her efforts.

## **COMMITTEE REPORTS**

### ***V. Papics***

#### **SRTS-**

- Mrs. Papics stated that there is no news regarding a possible award of the Safe Routes to School Grant to date.

Mayor Peck stated that the Borough has been awarded approximately \$120,000.00 for the Main Street Phase III Project.

#### **OEM -**

- Mrs. Papics stated that following multiple meetings with FEMA Officials, she expects that the Borough will receive about 75% reimbursement for the \$28,778 spent on repairs following Hurricane Irene, Tropical Storm Lee and the October snow storm.

### ***C. James:***

#### **Newsletter-**

- Mr. James reported progress with the Borough newsletter.

#### **Environmental Commission-**

- Mr. James stated that the Environmental Commission is looking into a rain barrel workshop at a brewery in Easton. He stated that they will work on member appointments at their next meeting.

### ***A. Stiehler:***

#### **Board of Education-**

- Mr. Stiehler stated that the last Board of Education meeting was held on January 7th and that they reported there would be a budget meeting tonight and a public hearing about the same tomorrow night. they also asked about the status of the repairs to the blinking light.

#### **One Call -**

- Mr. Stiehler stated that he never heard anything about the One-Call system questions, so he looked into it himself and found that you can not combined the School and the Borough onto one system. He explained you can have up to six numbers per household

### ***M. Tersigni:***

#### **Planning Board -**

- The Planning Board met and approved the changes to the Renewable energy Ordinance which is on the Agenda for adoption at tonight's meeting.

**Recreation -**

- Mrs. Tersigni asked if the Clerk had received the Recreation Commission roster for 2012, stating that a lot of the Committees have outstanding items which the Clerk has been trying to pull together.
- The Egg Hunt will be held March 31st at 10:00 AM with a rain date of April 1st at 1:00 PM
- Mrs. Tersigni stated that Recreation still has no final profit calculation from the luminary sale but they are working on getting all of their financial record pulled together in time for the Audit deadline of April 16, 2012.
- Mrs. Tersigni reported that they will not combined with Greenwich Recreation but will stay their own entity and that they received only one estimate to convert the lower ball field into a multi purpose field and it was \$17,000 which is too high for anyone to tackle right now.
- The Use Area has been dug out from around the swing sets and a special thanks to Bethlehem Twp. for the same. Mulch to fill the areas will be delivered on Thursday at 8 AM. Infield mix has been ordered and should be delivered soon.

**Finance -**

- Mrs. Tersigni reported that the franchise check has been received Service Electric and we received an additional \$68.00 this year for a total of \$2,468.00.

***M. Peck:***

Mayor Peck announced that in lieu of a report he had a statement to read.

As you may have heard, I am resigning as Mayor, effective April 1. It is time for me to focus on other things, most importantly my children and my career. While I will miss being your Mayor, this decision was surprisingly easy.

I have been involved in politics my entire adult life, and was an intern for former Congressman Courter in high school and for former Congressman Zimmer in law school. My first job out of law school was 3 years in the New Jersey Legislature. Since then I have been involved in numerous political campaigns – mine and others. I have the scars to prove it.

I am in my 9<sup>th</sup> year as your Mayor. I am in my 10<sup>th</sup> year as a planning board member. Before that I spent 3 years on the Madison Borough Council, and served there as Council President. I was also a sewer commissioner. I have been Bloomsbury's representative to the Hunterdon County Republican Committee for 10 years. Prior to that I was on the Morris County Republican Committee for 5 years, and served as Madison's Republican Chairman.

In sum, I am tired. I have been overextended for too long, and I cannot continue burning the candle at both ends. I am physically and mentally tired. I have grown tired of politics.

It will be nice, for the first time in a very long time, to go on vacation and not have to worry about the Borough. It will be nice that from now on, when a tree falls into the street that I won't have to deal with it. That when it snows I can play with my kids instead of checking streets around the Borough. After a while it takes its toll. Serving as a small town mayor can be a day in day out grind – there is never a day off and there is a need to make decisions everyday. Most go unnoticed and unremarked upon – until they are noticed and remarked upon.

This job has ceased being fun. I continued to serve out of duty. I had very conflicted thoughts about even running for a third term. I believe in term limits. Last April, at the filing deadline, no one had expressed interest in the job, so I somewhat reluctantly filed my petition. If someone I thought qualified, with the right temperament, had expressed interest I would have stepped aside. That wasn't to be. It is now time for me to focus solely on my children and career.

Moving forward, there is a statutory procedure to fill this upcoming vacancy. As I was the nominee of the Republican Party, the Republican Committee - Cindy and I - have 15 days to provide 3 nominees to Council. The Council then has 15 days to select one of the three. Martha as Council President will serve as acting Mayor until Council selects my successor. My successor shall then serve until November, where whoever gets elected will be immediately sworn in to serve the remainder of my term.

Residents who might be interested in the job have until April 2 to file a petition and get on the ballot. Then an election will be conducted in the normal course of business. Republicans who would be interested in serving are encouraged to let Cindy or I know of their interest as soon as possible.

People get into politics for one of two reasons – to be something, or to do something. I got in to do things. I never had interest in seeing my name in the newspaper. I never sought out recognition. I welcomed the opportunity to get things done for the Borough.

Over the course of the past nine years we have done mundane things and we have done serious things. Things like snow, leaf and brush removal, and having roadways washed away, or melted and torn up during a parade. From flooded basements to the horrible Massaro murder. We sold the water company, and most would agree that has been a positive result for the Borough.

I was always happy to support residents who had ideas to make our community a better one. I was always pleased to support the Bloomsbury Celebrations Committee, and their lovely community events – from the Christmas tree lightings to our 100<sup>th</sup> birthday. I supported and sponsored the Environmental Commission, and Shade Tree Advisory Committee.

I take particular pride in modernizing our critical land use documents. From our Master Plan Re-examinations, to making us one of the first towns in the State to be in conformance with our Highlands obligations. Our zoning ordinances are in the process of being totally overhauled and

modernized. And we have been able to do this at no cost to the local property taxpayer. We are set to adopt a solar ordinance tonight, to regulate these new and very common projects.

I have had the pleasure and privilege to work with some great people during my tenure. We have had good people serve on Council – although we need some more of them ... In particular I have to give special thanks to Martha, who has always been a tremendous asset to the Borough, always diligent, always with facts available. Vicky also, always ready to step up and be counted. Thank you both, for your service and your friendship, thank you all.

I have also been privileged to work with some great people on staff. Bob Heinrich and his crew – overworked and underappreciated by some. Not by me. I have consistently been impressed by Bob's ability to do more with less, and his ever-present willingness to take on the toughest tasks without complaint.

Of course, my greatest thanks and appreciation goes to our Clerk/Administrator, Lisa Burd. Lisa is truly the brains of the operation, and a good friend also. We have been very fortunate to have her with us in the Borough. She is admired and respected County-wide. Lisa is just a tremendous asset, and I would not have been able to do my job without her.

I am also thankful for the opportunity to work with some of our excellent professionals – our engineer Rick Roseberry and the crew from Maser, our planners David Banish and Joanna Slagle, our Auditor Bill Schroeder at Nisovoccia. And of course our attorney, Bill Edleston.

I also must give special thanks to our "Town Crier", Jennifer Rittenhouse. Many towns spend tens of thousands of dollars creating their websites, and thousands more annually maintaining the same. Thanks to Jen we had one created for free. I'm proud of our transparency, of our e-mail alert system. You don't see this in many other towns.

I'm so thankful for all of our selfless volunteers. From Fire and Rescue to Recreation and Planning Board. You make this Borough work.

I have no real regrets about my service, other than I wish the Mill project could have been completed – hope springs eternal, we may be on the verge of seeing real progress there, and I wish our ordinances were fully codified by now. They should be in a couple more months. That project has been years and years in the making, but once the ordinances are put into Code it will be an asset for the Borough now and well into the future.

I am very proud of my years of service. I am proud of my ethics in office. I never privately met with a developer or municipal vendor. I always had Martha and/or Lisa with me (and preferably both). I never made a solo hiring decision - again, we would have a committee that would come to a consensus and make a recommendation to Council. There were never any games. I never took a dime for my campaigns, or to create a political account. I always paid my own way.

I always put the Borough's interests ahead of my own, at a personal and professional cost. I have never been paid a dime for my service, which was fine with me. I paid my own way to the League of Municipality conferences, when I would go. I never sought reimbursement for my

expenses. I did attend two Mayor conferences, which you all paid for, and also a few county elected official's dinners. But not many. I was always mindful that it was your money I was looking after.

I am also proud of how I managed the Council, of how I ran meetings. We managed to avoid controversy, for the most part – which is rare. One only has to look at some of neighbors to see how volatile local politics can be.

I am proud of how I managed employees, and the Borough. I left people alone to do their jobs, without micromanaging. I treated staff with consideration and respect. I made appointments without partisan or personal bias.

To wrap this up, I want to thank most of all Cindy and the kids for sharing me with all of you for so long. Their love and friendship means the world to me.

Being a small town mayor is a tough job, a thankless job. It's the toughest job in politics. But I wouldn't have traded a minute of it. It has been a pleasure and a privilege to serve you as Mayor these past many years, but now it's time for me to step aside and for someone else to step up and do the job. Thank you

Taylor Burd read the Following Resolution into the record, honoring Mayor Mark R. Peck.

**RESOLUTION # 31-12 - RESOLUTION HONORING AND COMMENDING  
MAYOR MARK R. PECK FOR HIS EIGHT YEARS OF SERVICE TO THE  
BOROUGH OF BLOOMSBURY**

**WHEREAS**, Mayor Mark Peck and his family moved to the Borough of Bloomsbury during the summer of 2002; and

**WHEREAS**, Mayor Peck commenced his service as Mayor of the Borough of Bloomsbury following his election to that position in November of 2003; and

**WHEREAS**, Mayor Peck began his first term as Mayor effective January 1, 2004 which was followed by his reelection to that position on two subsequent elections; and

**WHEREAS**, Mayor Peck has served in that capacity from January 1, 2004, until his announced resignation effective April 1, 2012; and

**WHEREAS**, among his achievements was the Codification of Borough Ordinances as well as the enactment of important legislation which was necessary to properly move the codification process forward; and

**WHEREAS**, Mayor Peck has represented the Borough of Bloomsbury not only Locally, but on the County level, as a member of the Republican County Committee for nearly 10

years; and

**WHEREAS**, Mayor Peck utilized his extensive knowledge and experience from representing other municipalities and municipal planning and zoning boards which experience was invaluable in the administration of the government of the Borough of Bloomsbury; and

**WHEREAS**, among the other achievements which benefited the Borough of Bloomsbury during his tenure were the streamlining of government by combining the Planning Board and Board of Adjustment's functions to a joint Land Use Board, and in providing insight and knowledge in updating Borough Council and the residents of the Borough on COAH and Highlands Regulations, and

**WHEREAS**, Mayor Peck sought to preserve Borough resources through the establishment of an Environmental Commission in the Borough of Bloomsbury which has lead to the protection of our natural resources, and public education; and

**WHEREAS**, Mayor Peck created a Volunteer Organization in the Borough of Bloomsbury to coordinate activities, celebrations, special events and to honor veterans, thereby establishing the Bloomsbury Celebration's Committee which has lead to annual events such as the Holiday Tree Lighting, Halloween Parade and Centennial Parade and Celebration which was held in 2005, Celebrating the Borough's Hundredth Anniversary with a parade, picnic and fireworks display; and

**WHEREAS**, during Mayor Peck's tenure additional important issues were addressed involving property maintenance, negotiations of two garbage and recycling contracts, the terms of which were most favorable to the residents of the Borough and addressing often controversial and contentious issues and taking the lead in making difficult decisions on matters such as the sale of the Borough Water Department.

**WHEREAS**, Mayor Peck has always sought to protect residents quality of life, taking the lead in fighting sometimes controversial matters such as the application in neighboring community for a Truck Depot and the proposed County improvements to the Route 579 Bridge; and

**WHEREAS**, during the entire period of Mayor Peck's service to the Borough of Bloomsbury, he worked tirelessly to keep property values level while not increasing the property tax burden on the taxpayers of the Borough; and

**WHEREAS**, Mayor Peck additionally devoted innumerable hours drafting Ordinances, Resolutions, and correspondence which saved the Borough from having to expend thousands of dollars toward same in legal expenses each year; and

**WHEREAS**, Mayor Peck also spearheaded the process to redevelop the Black Mill in order to create an attractive gateway for the Borough of Bloomsbury and to preserve an historic structure; and

**WHEREAS**, the Council of the Borough of Bloomsbury wishes to HONOR Mayor Peck for the foregoing achievements and countless other measures which have made the quality of life better for the residents of the Borough of Bloomsbury by adopting this Resolution as a measure of the recognition for same;

**NOW, THEREFORE**, Mayor Mark R. Peck is hereby recognized and commended for his outstanding achievements as Mayor of the Borough of Bloomsbury and for his service and leadership which have enhanced the quality of life for the Borough's residents.

Mrs. Papics moved Council adopt Resolution # 31-12; seconded by Mrs. Tersigni. All ayes. Motion carried.

Mayor Peck thanked everyone, and Mr. Reilly thanked the Mayor for his service both on Council and on the Planning Board.

### **STATE POLICE REPORT**

Trooper John McGourty provided Council with Response Volume Per Call Code print out for January 1, 2012 - March 6, 2012. Council reviewed the same. Discussion followed. Trooper McGourty explained that in 2010 Bloomsbury had a crime rate per 1,000 residents of 38.5 and in 2010 it went down to 13.8. He explained that this is due in part to our small community size and the truck stops being within our municipality. Mayor Peck thanked Trooper McGourty for his report and for all they do. Trooper McGourty wished Mayor Peck luck in his future endeavors.

### **OLD BUSINESS**

#### **MAIN STREET PHASE I & II**

Mayor Peck explained that as previously reported that the Borough has received an award for the Phase II project. Mr. Roseberry stated that he believes it is best to combined Phase I and Phase II and bid the projects together for a cost savings and stated that it is a good time of year to go to bid for this type of project. Mr. Roseberry said they could have the bid specs ready in four weeks.

#### **MILL REDEVELOPMENT**

Council reviewed a letter from Mr. Edleston to the Redeveloper. Mayor Peck explained that the plans are ready and the deed will be prepared and turned over but that there will be a reversionary clause so that in the event the redeveloper does not complete the project, the Borough will get the property back. Discussion followed.

#### **SCHOOL SPEED LIMIT BEACON**

Mr. Roseberry reported that he sent the broken component back to the manufacturer a few weeks ago, but has not received it back yet. He will continue to follow up on the same.

#### **BREATHE DEEP BLOOMSBURY**

The Clerk explained that all required information has been received including a street closure plan which has been approved by the County and NJSP and a certificate of liability coverage.

Sean McNulty stated that the Fire Department, Rescue Squad and NJSP will assist with the street closures.

**SECOND READING – ORDINANCE 101-12 - AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2012**

**BE IT ORDAINED** by the Mayor & Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey.

Section 1. This ordinance shall fix the salaries or wages of the employees of the Borough of Bloomsbury at the following ranges for the year 2012:

Section 2. Salary and wage ranges for the year 2012 are as follows:

- a. Borough Clerk/Administrator \$20,000 - \$45,000 per year, plus \$20.00-28.00/hr for additional hours.
- b. Deputy Clerk \$9.00 - \$11.00 per hour
- c. Registrar \$1,000 - \$3,000 per year
- d. Deputy Registrar \$100 – \$500 per year
- e. Chief Financial Officer \$9,000 - \$20,000 per year
- f. Tax Assessor \$5,000 - \$10,000 per year
- g. Tax Collector \$5,000 - \$11,500 per year
- h. Public Works Superintendent \$6,500 - \$18,000 per year, plus \$20.00-25.00/hr for hours in excess of 65 per month
- i. Public Works Laborer #1 \$5,000 - \$15,500 per year, plus \$15.00-20.00/hr for hours in excess of 65 per month
- j. Public Works Laborer #2 \$3,600 - \$9,000 per year
- k. Public Works Laborer #3 \$3,000 - \$7,500 per year
- l. Planning Bd. Secretary \$1,500 - \$5,000 per year
- m. Code Enforcement Officer \$5,000 – \$8,000 per year, plus \$25.00 per sidewalk inspection
- n. Assistant Code Enfor. Officer \$13.00 - \$15.00 per hour
- o. Emergency Mgt. Coordinator \$1,700 - \$4,000 per year  
\$9.00 - \$11.00/hr. for extraordinary FEMA events
- p. Recycling Coordinator \$250 - \$1,000 per year
- q. Dog/Cat Licensing Official \$400 - \$2,000 per year
- r. Assistant EMC \$7.50 - \$10.00 per hour
- s. School Crossing Guard \$28.00 - \$31.00 per day
- t. Regular Laborer \$15.00 - \$18.00 per hour
- u. Seasonal Laborer \$9.00 - \$12.00 per hour

Section 3. All ordinances inconsistent with this ordinance are hereby repealed.

Section 4. This ordinance shall take effect upon final passage and publication according to law.

Section 5. The exact annual salary or hourly wage for each position shall be specified by a resolution adopted by the Borough Council during the time this ordinance is effective.

Mr. James moved Council open the public hearing; seconded by Mrs. Tersigni. All ayes. Motion carried. No Comment.

Mr. James moved Council close the public hearing; seconded by Mrs. Tersigni. All ayes. Motion carried.

Mr. James moved Council adopt Ordinance # 101-12; seconded by Mr. Stiehler.  
ROLL CALL VOTE: James- aye; Papics-abstain; Stiehler-aye; Tersigni-aye. Motion carried.

**SECOND READING - ORDINANCE # 102-12 - CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Governing Body of the Borough of Bloomsbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

**WHEREAS**, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$6,074.82 in excess of the increase in final appropriations otherwise permitted by, by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Governing Body hereby determines that any amount authorized herein above, that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Bloomsbury, County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Bloomsbury shall ,in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5%

amounting to \$6,074.82, and that the CY 2012 municipal budget for the Borough of Bloomsbury be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and;

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption.

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.S.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Borough of Bloomsbury has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the Borough meets the necessary conditions to participate in the program for the 2011 budget year, so

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bloomsbury that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification.

The Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges.
  - b. Deferred charges and statutory expenditures.
  - c. Cash deficit of preceding year.
  - d. Reserve for uncollected taxes.
  - e. Other reserves and non-disbursement items.
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met.(Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,

- b. Items of appropriation are properly set forth.
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Mrs. Papics moved Council open the public hearing; seconded by Mrs. Tersigni. All ayes. Motion carried. No Comment.

Mrs. Papics moved Council close the public hearing; seconded by Mrs. Tersigni. All ayes. Motion carried.

Mrs. Papics moved Council adopt Ordinance # 102-12; seconded by Mr. James. ROLL CALL VOTE: James- aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**SECOND READING - ORDINANCE 103-12 - AN ORDINANCE TO PERMIT CERTAIN WIND AND SOLAR ENERGY SYSTEMS (RENEWABLE ENERGY FACILITIES) AND ESTABLISHING STANDARDS THEREFOR**

**WHEREAS**, it is the purpose of this ordinance to promote the safe, effective and efficient use of small wind and solar energy systems to reduce the on-site consumption of utility-supplied electricity; and

**WHEREAS**, New Jersey’s Renewable Portfolio Standards (RPS) require each supplier/provider, as defined at N.J.A.C. 14:8-1.2, that sells electricity to retail customers in New Jersey to provide a percentage of their retail electricity sales from renewable energy sources, beginning at 3.5 percent in 2004 and increasing to 22.5 percent by 2021; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-2n) provides that to promote utilization of renewable energy resources is a purpose of zoning; and

**WHEREAS**, on November 20, 2009, the Governor signed P.L.2009, c.146, clarifying that a wind, solar or photovoltaic energy facility or structure should be considered an “inherently beneficial” use under the Municipal Land Use Law’s analysis of positive criteria for the grant of a “d variance” under N.J.S.A.40:55D-70, regardless of whether the facility or structure is a principal use, a part of the principal use, or an accessory use or structure; and

**WHEREAS**, on April 4, 2010, Governor Chris Christie signed P.L. 2010, c. 4 exempting

solar panels from being counted in calculations utilized to determine impervious coverage in land use applications under the Municipal Land Use Law; and

**WHEREAS**, existing local zoning regulations in the Borough of Bloomsbury do not address wind or solar power, which while not intended to discourage the installation of small wind turbines or solar panels, can substantially increase the time and costs required to obtain necessary local land-use permits; and

**WHEREAS**, the Borough Council finds that it is necessary to standardize and streamline the requirements for small wind and solar energy systems so that this clean, renewable energy resource can be utilized in a cost-effective and timely manner in our municipality; and

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Bloomsbury in the County of Hunterdon, State of New Jersey, that the Land Use Regulations of the Borough of Bloomsbury be amended and supplemented to include the following:

Section 1: Appendix Definitions shall be amended to include the following additional definitions:

**APPLICANT** - the application shall be executed by both the owner of the property and if applicable by the developer if other than the owner. The owner of the property is deemed to be the co-applicant and is bound by all requirements of the ordinance or any approval including, but not limited to, the decommissioning plan.

**110% PRODUCTION** – means that an energy system produces up to 110% of the energy that the principal use consumes on average in a year, a requirement that is one component of a “minor” system..

**GROUND MOUNTED SOLAR ARRAY** - means a solar energy system, as defined herein that is mounted on armatures anchored to the ground with ground cover beneath.

**ROOFTOP SOLAR ARRAY** – means a solar energy system, as defined herein that is mounted to roof of a building or structure.

**MINOR SOLAR ENERGY SYSTEM** – means a solar energy system, as defined herein that is used to generate electricity, has a nameplate capacity of 100 kilowatts or less, and which is intended to offset part of all of the beneficiary’s requirements for on-site energy consumption, but not to exceed 110% production.

**MINOR WIND ENERGY SYSTEM** – means a wind energy system, as defined herein that is used to generate electricity, has a nameplate capacity of 100 kilowatts or less, and which is intended to offset part of all of the beneficiary’s requirements for on-site energy consumption, not to exceed 110% production.

SOLAR ENERGY SYSTEM – means a solar energy system and all associated equipment which converts solar energy into a usable electrical energy, heats water or produces hot air or other similar function through the use of solar panels.

SOLAR PANELS – a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system.

WIND ENERGY SYSTEM – means a wind turbine and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

WIND TURBINE – means equipment that converts energy from the wind into electricity. This term includes base, blade, foundation, nacelle, rotor, blades, tower, transformer, vane, wire, inverter, batteries or other components to store and/or transfer energy.

Section 2: Article X. Section 1007 WIND AND SOLAR ENERGY AND PRODUCTION SYSTEMS – this section shall be created and state the following:

1007.1 Purpose. The purposes of this section regulating Minor and Major Wind and Solar Energy Systems are as follows:

- (1) The primary purpose of a minor wind and minor solar energy system will be to provide power for the principal use of the property whereon said system is to be located and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted to prohibit the sale of excess power generated from a small solar energy system to a supplier/provider. For the purposes of this ordinance, the generation of power shall be limited to 110% of the average annual energy consumed for the principal use of the subject property.
- (2) Minor wind and solar energy systems are permitted as an accessory use on the same lot as the principal use. All minor wind and solar energy systems require approval from the zoning officer prior to installation. Applications for an energy system shall include information demonstrating compliance with the provisions of this ordinance. In the event that the zoning officer does not believe the provisions of this ordinance will be satisfied an applicant may request a variance.
- (3) All applications for minor wind and solar energy systems are to be submitted for site plan and/or variance and waiver review to the Borough of Bloomsbury Planning Board as necessary, when variance(s) and/or waiver(s) are requested.
- (4) All applications for major wind and solar energy systems are required to submit for site plan approval.

## **1007.2 Use Regulations**

- (1) Rooftop Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones.
- (2) Ground Mounted Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones.
- (3) Minor Wind Energy Systems are permitted as an accessory use in the PUD zone.

### **1007.3 Minor Solar Energy Systems (110% production).**

- (1) Rooftop Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones subject to the following requirements.
  - (a) Rooftop Solar Arrays shall not exceed a height of twelve (12) inches from the existing roof surface of a peaked roof and not exceed a height of four (4) feet from the existing roof surface of a flat roof
  - (b) In no event shall the placement of the solar arrays result in an overall height in excess of that permitted for the principle structure in the Zone District in which the principle structure is located.
- (2) Ground Mounted Solar Arrays for Minor Solar Energy Systems are permitted as an accessory use in all zones subject to the following requirements.
  - (a) Maximum size: no more than 10% of a lot may be devoted to a ground mounted solar energy system, however in no case shall a ground, mounted solar energy system exceed 2,500 square feet.
  - (b) Minimum setback: All ground mounted solar energy systems shall have a distance of ten (10) feet from all property lines in residential zoning districts or twenty-five (25) feet from any property line in commercial zoning districts.
  - (c) Ground mounted solar energy systems shall not exceed a height of eight (8) feet as measured from the grade plane to the highest point of the mounting equipment and/or panel(s), whichever is higher.
  - (d) Ground mounted solar energy systems shall not be permitted in any front yard.
  - (e) Ground mounted solar energy systems are permitted in the rear yard and side yards, if screened from the street and adjacent properties by evergreen landscaping to create a continuous visual buffer.
  - (f) Ground arrays shall not contribute to impervious surface calculations, unless installed above an impervious surface.
  - (g) Ground arrays shall be designed to permit maintenance of the ground surface to prevent erosion or other deterioration.

### **1007.4 Minor Wind Energy Systems (110% production).**

- (1) Small Wind Energy Systems are permitted as an accessory use in the PUD zone subject to the following requirements.
  - (a) Maximum Density: maximum density of wind turbines shall not exceed one (1) turbine per five (5) acres. More than one wind energy systems may

be permitted per property provided the overall density of one (1) turbine per five (5) acres is maintained.

- (b) Maximum height: System height shall not exceed 125 feet, measured from the grade plane to the height of the blades at its highest point.
  - (c) Minimum setbacks: all wind energy systems shall be setback from all property lines a distance equal to 150% of the system height including the blades of the turbine at their highest point.
  - (d) Separation distance: all wind energy systems shall be setback from all other wind energy systems a distance equal to 100% of the system height including the blades of the turbine at their highest point
  - (e) Wind energy systems shall not be permitted in any front yard.
  - (f) Wind energy systems shall not be permitted as a rooftop installation.
  - (g) All moving parts of the wind energy systems shall be a minimum of thirty (30) feet above ground level.
  - (h) Any tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
  - (i) All guy wires or any part of the wind energy system shall be located on the same lot as the wind energy system.
- (2) Noise: All wind energy systems shall comply with the following requirements.
- (a) Adjacent to a residential use or zone sound levels of the wind energy system shall not exceed 55 dBA at a common property line and 50 dBA to the closest occupied structure.
  - (b) In all other cases at a common property line sound levels of the wind energy system shall not exceed 65 dBA.

#### **1007.5 Abandonment.**

- (1) In the case that any minor wind or solar energy system as defined herein is out of service for a continuous 12-month period will be deemed to have been abandoned.
- (2) The zoning officer or other enforcement official of the Borough may issue a “Notice of Abandonment” to the owner. The notice shall be sent via regular and certified mail return receipt requested to the owner of record.
- (3) Any abandoned minor wind or solar energy system as defined herein shall be removed at the owner’s sole expense within six months after the owner receives the “Notice of Abandonment” from the municipality. If the system is not removed within six months of receipt of notice from the Borough notifying the owner of such abandonment, the Borough may remove the system as set forth below.
- (4) When an owner of a minor wind or solar energy system as defined herein has been notified to remove same and has not done six months after receiving said notice, then the Borough may remove such system and place a lien upon the property for the cost of the removal and restoration. If removed by the owner, a demolition permit shall be obtained and the facility shall be removed. Upon removal, the site shall be cleaned, restored and re-vegetated to blend with the existing surrounding vegetation at the time of abandonment.

## **1007.6 Major Solar energy systems**

(1) Generation System-principal use – Any solar energy system that is not classified as a minor system. Major solar energy systems are a permitted use in the PUD zone only.

(2) Major Solar energy systems may be installed on lots of a minimum area of at least 20 acres.

(3) Major Solar energy systems shall not be placed in any front yard or in any minimum front yard area.

(4) Security. All inverters, transformers and such other system components that are designed to convert or modify electric current, or transmit electric flow to the transmission or distribution system, shall be secured by with of the following methods:

- (a) Entirely contained within a structure, building secured with an operating lock;  
or
- (b) Entirely contained within an area fenced with steel, including the area above the equipment, secured with an operating lock.

(5) Required Setbacks

- (a) 350' setback from an existing residence; and
- (b) 200' from all property lines and rights of way.
- (c) Minimum buffer width required is 150'.

(6) Maximum height of ground mounted solar arrays is 10 feet.

(7) Solar reflection. The energy generation facilities, structures and equipment shall be constructed to avoid solar reflection as much as practicable.

## **1007.7 Requirements for all Major Ground Mounted Solar Energy Systems**

(1) Major Ground Mounted Solar Energy systems must meet the minimum requirements for a Minor Solar Energy System.

(2) Other than footings, which may be computed as impervious cover, systems shall not be counted in the calculation of maximum impervious cover, unless the area under the equipment consists of an impervious material layer, such as pavement or stone.

(3) The design of the ground mounted system shall comply with all Borough storm water, grading, and soil disturbance regulations and the applicant shall take

appropriate measures to prevent a concentrated flow of runoff. No increase in run-off shall be permitted.

- (4) Major Ground mounted systems shall provide one or more of the following beneath the structures: grasses or agricultural area for crops or grazing farm animals.
- (5) To the extent feasible, ground mounted solar energy systems and substations shall be screened from view. Screening must include a 50 foot vegetative buffer, Inverter pads must be setback 150 feet from any property line. Buffering shall have three (3) offset rows of trees. The trees shall be at least the same height as the installed panels at the time of planting. At least 20% of the trees shall be deciduous trees. Landscaping buffer shall include ground cover in addition to trees. All plantings must be of native species. The solar installation shall not be visible in any location from vehicle or pedestrian level. There shall be no lighting, except for motion sensor lighting at entry points/gates.
- (6) Site Plan approval is required for all ground mount systems which shall depict the following:
  - (a) Property lines and physical dimensions of the property by a licensed land surveyor.
  - (b) Locations, dimensions and use of all existing structures on the property
  - (c) Location of the solar or photovoltaic system and dimension to all property lines.
  - (d) Location of proposed and existing overhead utility lines.
  - (e) Location of any proposed or existing substation, inverter or transformer.
  - (f) Description and design of how the energy generated by the facility will be transmitted to the larger electrical distribution system.
  - (g) For projects over 20 kilowatts, the location and elevations and design details of all transmission lines, support structures and attachments to a substation(s).
  - (h) Decommissioning Plan. The Decommissioning Plan must provide that when the system ceases operation, the property must be restored to agricultural or other permitted use to the Board's satisfaction.
  - (i) Landscaping Plan
  - (j) Environmental Impact Statement required upon submission

### **1007.8 APPLICANT/OWNER**

The owner of the property and the developer if other than the owner shall file the application as co-applicants and the owner as well as the developer or the developer's successor shall be responsible for decommissioning the facility upon its abandonment as herein defined.

## **1007.9 Major Wind Energy Systems**

- 1) Generation System-principal use – Any wind energy system that is not classified as a minor system. Major wind energy systems are a permitted use in the PUD zone only.
- 2) The minimum lot size shall be 20 contiguous acres and located in the PUD zone.
- 3) Unless otherwise stated, all buildings and structures shall comply with the standards of the zone district.
- 4) A wind tower and generator shall be set back a minimum distance of 150% of the system height from all property lines. However, the setback to a residential use or zone district shall conform to the above, but shall be no less than 200 feet
- 5) Notwithstanding setback requirements which are applicable, no major wind energy system shall be located in a front yard.
- 6) The wind energy system shall not be lighted unless required by the Federal Administration Aviation.
- 7) Substations shall be setback a minimum of 150 feet from a property line. However, the setback to a residential use or residential zone district shall be no less than 200 feet.
- 8) The wind generator and the tower shall be a neutral color that is appropriate for its location and will allow the tower to be as unobtrusive as possible, unless otherwise required by the FAA.
- 9) The major wind generator shall comply with all minimum requirements of a minor wind generator system.

Section 3: Any and all Ordinances inconsistent with this ordinance are hereby repealed to the extent of any such inconsistency.

Section 4: Should any section, part or provision of this ordinance be deemed invalid or unconstitutional, such decision shall not affect the validity of the remaining terms of this ordinance as a whole or any part thereof, other than section, part or provision so held invalid or unconstitutional.

Section 5: This ordinance shall take effect on its final passage and publication as provided by law.

Mrs. Papics moved Council open the public hearing; seconded by Mr. James. All ayes. Motion carried. No Comment.

Mrs. Papics moved Council close the public hearing; seconded by Mr. Stiehler. All ayes. Motion carried.

Mrs. Papics moved Council adopt Ordinance # 103-12; seconded by Stiehler.  
ROLL CALL VOTE: James- aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**NEW BUSINESS**

**INTRODUCTION - ORDINANCE # 104-12 - AN ORDINANCE AUTHORIZING AN INCREASE IN THE ANNUAL FEE IMPOSED FOR THE ISSUANCE OF A CLASS "C" PLENARY RETAIL CONSUMPTION LICENSE ISSUED BY THE BOROUGH OF BLOOMSBURY**

**WHEREAS**, The Borough of Bloomsbury imposes an annual fee for the renewal of a Class "C" Plenary Retail Consumption License which fee is currently \$1,000.00; and

**WHEREAS**, the Borough has determined to increase the annual fee for same pursuant to N.J.S.A.33:1-12;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and State of New Jersey as follows:

1, The annual Class "C" Plenary Retail Consumption License is hereby increased to \$1,200.00 effective for the renewal period of July, 1 2012 through June 30, 2013.

**Effective Date:**

This Ordinance shall take effect following final passage and publication in accordance with law.

Mr. Stiehler moved Council Introduce Ordinance # 104-12 on first reading; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**RESOLUTION # 25-12 - RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH CERTAIN BOROUGH PROFESSIONALS**

**WHEREAS**, the Borough of Bloomsbury, County of Hunterdon and State of New Jersey requires the services of an engineer, auditor, attorney, and planner; and

**WHEREAS**, the Mayor and Common Council of the Borough of Bloomsbury are satisfied that the services to be provided by an engineer, auditor, attorney and municipal planner are not susceptible to precise definition and that the bidding of same would be impracticable; and

**WHEREAS**, C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting is a duly qualified licensed engineer of the State of New Jersey; and

**WHEREAS**, William Schroeder of Nisivoccia and Company, is a duly qualified licensed auditor of the State of New Jersey; and

**WHEREAS**, William Edleston, Esq. is a duly licensed attorney of the State of New Jersey; and

**WHEREAS**, David Banisch, PP/AICP, of Banisch and Associates, is a duly qualified licensed professional planner of the State of New Jersey; and

**WHEREAS**, the Mayor and Council are desirous of retaining the services of the aforementioned individuals;

**WHEREAS**, the Chief Finance Officer has certified that the contracts (recited below) with C. Richard Roseberry, of Maser Consulting, William Schroeder of Nisivoccia and Company, William Edleston, Esq. and David Banisch of Banisch and Associates may exceed \$17,500 in value, and such parties have furnished to the Borough of Bloomsbury (or will furnish to the Borough of Bloomsbury prior to the effectiveness of an award of contract with them) a Business Entity Disclosure Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contribution so reportable; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1et seq.) requires a resolution authorizing the award of contracts for Professional services without competitive bidding must be advertised,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey as follows:

1. That the Mayor and Clerk of the Borough of Bloomsbury are hereby authorized and directed to execute contracts with the following all being for a period of one year, ending on January 1, 2013, contingent upon receipt from each of the following where the contract may exceed \$17,500 of a Business Entity Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contributions so reportable:

C. Richard Roseberry, P.E., P.P., C.M.E., of Maser Consulting is appointed Borough Engineer for the calendar year 2011.

William Schroeder is appointed Borough Auditor for the calendar year 2012.

William Edleston, Esq. is appointed Borough Attorney for the calendar year 2012.

David Banisch, PP/AICP is appointed Municipal Planner for the calendar year 2012

- B. These contracts are awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5-(1) (a) of the Local Public Contracts Law.
- C. This resolution shall be published once in the Hunterdon County Democrat.
- D. Copies of said professional agreements shall be maintained in the municipal offices of the Borough.

Mr. James moved Council adopt resolution # 25-12; seconded by Mrs. Tersigni. All ayes. Motion carried.

**RESOLUTION # 26-12 - APPOINTING WILLIAM R. EDLESTON, ESQ.  
EMPLOYMENT ATTORNEY FOR THE BOROUGH OF BLOOMSBURY**

**BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey, that William Edleston, Esq., is hereby designated employment attorney for the Borough of Bloomsbury, for the calendar year 2012.

Mrs. Tersigni moved Council adopt resolution # 26-12; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Tersigni moved Council authorize the Mayor and Clerk to execute contracts with said professionals; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

**RESOLUTION # 27-12 - MAY - OLDER AMERICANS MONTH**

**WHEREAS**, this municipality includes a number of citizens aged 60 and over; and

**WHEREAS**, the 2012 theme is "Never Too Old to Play!" in honor of Older Americans; and

**WHEREAS**, and the older adults in this Municipality have an important role in sharing knowledge, wisdom, and understanding of the history of our community through interactions with children, youth, and adults from other generations; and

**WHEREAS**, the fruits of knowledge and experience can be effectively transferred from generation to generation through meaningful social interactions; and

**WHEREAS**, their interactions with family, friends, and neighbors across generations enrich the lives of everyone involved; and

**WHEREAS**, our community can provide opportunities to enrich citizens young and old:

- Emphasizing the value of included elders in public and family life
- Creating opportunities for older Americans to interact with people of different generations
- Providing services, technologies, and support systems that allow older adults to participate in social activities in the community

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Bloomsbury does hereby proclaim the month of May 2012 to be Older Americans Month. We urge every citizen to take time this month to engage with our older citizens through enjoyable social interactions such as sports, games, contests, and other forms of play.

Mr. James moved Council adopt Resolution # 27-12; seconded by Mrs. Papics. All ayes. Motion carried.

**RESOLUTION # 28-12 - BLOOMSBURY ELEMENTARY SCHOOL PTO DRAW RAFFLE**

**WHEREAS**, the Bloomsbury Elementary School PTO is the licensee on the application to conduct an Off-Premise Draw Raffle to be held at the Borough Park, Church Street, Bloomsbury, NJ from 9:00 AM to 1:00 PM on April 21, 2012; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid off-premise draw raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The off-premise draw raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mrs. Papics moved Council adopt Resolution # 28-12; seconded by Mr. James. All ayes. Motion carried.

**RESOLUTION # 29-12 - BLOOMSBURY HOSE COMPANY # 1 INC. OFF-PREMISE 50/50 RAFFLE**

**WHEREAS**, the Bloomsbury Hose Company #1 Inc. is the licensee on the application to conduct an Off-Premise 50/50 Raffle on May 18, 2012 to be held at the Bloomsbury Hose Company, 91 Brunswick Avenue, from 6:30 - 10:30 PM.

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid off-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

2. The off-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mrs. Papics moved Council adopt Resolution # 29-12; seconded by Mr. James. All ayes.  
Motion carried.

### **RESOLUTION # 30-12 - LIEN REDEMPTION**

**WHEREAS**, the Tax Collector of the Borough of Bloomsbury has advised the Committee that the following properties have been redeemed and the money due thereon paid to the Borough of Bloomsbury Tax Collector;

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury this 27th day of March 2012 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #	AMOUNT
US Bank Cust for CCTS Capital 2 Liberty Place 50 S. 16 <sup>th</sup> St. Suite 1950 Philadelphia, PA. 19102	17/19	2010-007	\$817.22

Mrs. Papics moved Council adopt Resolution # 30-12; seconded by Mr. James. All ayes.  
Motion carried.

### **2012 BUDGET REQUESTS**

#### **BLOOMSBURY HOSE COMPANY**

Sean McNulty stated that they are requesting Council provide the same contribution as last year. Chief, Travis Beatty stated that they continue to hold their Spring and Fall Dream Raffles in addition to a mailer and that they are hosting event such as an upcoming wing night in their Rec Room in order to raise more funds. He explained that all municipal donations go toward their new truck payments.

Travis Beatty thanked Mayor Peck for his years of service.

### **BLOOMSBURY RESCUE SQUAD**

Chief Jim Anderson provided Council with a copy of the Squad's 2011 expenses. He stated that they were not able to pull together all of the information which had been requested by the Mayor and Council.

Mayor Peck asked if the Rescue Squad had given further consideration to becoming a paid service. Discussion followed.

Mr. Anderson stated that they are not asking for an increase in the Borough Contribution but asked that the amount stay level describing financial hardship facing the Rescue Squad particularly regarding their inability to pay rent on the Squad building.

Mr. Anderson reported that in 2010 both Bloomsbury Rescue and Bloomsbury Hose Company received an award from St. Luke for their response to an accident involving two young children. Mr. Anderson stated that this was possible because one of the Rescue Squad members was within a half mile of the accident scene when it happened, was able to contact communications immediately and administer care immediately. The patient was at a trauma center within 30 minutes of the incident. He explained that this is because of the Volunteers and the fact that they live in this community. Discussion followed.

Mr. Anderson said that he wanted to Thank Mayor Peck on behalf of the Squad and thank him for his leadership. He explained that he was always able to reach out to the Mayor help and support.

### **BLOOMSBURY RECREATION ASSOCIATION**

Chris Smith, Recreation President stated that they are staying consistent with their request for funds, which is primarily related to the Greenwich fee which is paid annually for the Borough children to participate in the Greenwich recreation program.

Mr. Smith explained that their Summer Recreation program ends up a wash, and in 2011 they spent a few hundred more than they took in. They will again hold their annual golf outing and also continue to raise some funds through the sale of concessions at the snack shack.

Mr. Smith thanked Mayor Peck for always putting the best possible Council members as their liaisons over the years.

### **BLOOMSBURY ENVIRONMENTAL COMMISSION**

Mr. James reported that the Environmental Commission is requesting \$650 for 2012 which is an increase of \$150 over last year to cover the membership to the Musconetcong Watershed Association so that the Stormwater Management requirements will be satisfied with their assistance.

### **BUDGET INTRODUCTION**

Mr. Francisco stated that most line items stayed the same with a few increases or decreases depending on the situation. He stated that they are proposing to raise the levy slightly about

\$9,000 more total across town with the average home paying about \$27.00 more or \$ 2.25 per month for the municipal rate. He stated that he believes that the County and School tax are remaining the same. He further explained that we are not using any of the water department money to balance this budget and reported that there is \$205,000 remaining in that reserve for future capital items but should not be used to pay for recurring items.

Mr. James stated that he noticed that the proposed One Call System was not included in the budget. Mr. Francisco stated that capital requirement so if we decide to do it, he feels that the amount of up to \$1,500 could e paid from OEM line and a possible small transfer.

Mr. James moved Council Introduce the 2012 Budget as presented; seconded by Mr. Stiehler. ROLL CALL VOTE: James-aye; Papics-aye; Tersigni-aye; Stiehler-aye. Motion carried.

### **INSURANCE**

Council discussed difficulties that the Clerk has been having in getting clear information regarding insurance policies. The Clerk will reach out to Mr. Gemmell and request he attend a future Council meeting.

### **RECREATION APPOINTMENT**

Mayor Peck appointed Robert Byrne of School Street to the Recreation Commission.

### **CORRESPONDENCE**

No additional correspondence.

### **PUBLIC COMMENT**

Karen Murray, 120 Willow Avenue stated that recently she ran into a female truck driver who was asking for directions and presented a map which she got from the truck stop. She explained it is basically a map printed from Google earth, but it made her a bit uncomfortable given some of the issues that the Borough has had in past years. She asked if there was anything that could be done to prevent them from handing these maps out. Mayor Peck stated that it is public information and there is not likely anything that could be done.

Bob Clark, Fawn Run asked if there was s tart time for the fertilizer plant on Lehigh Avenue. He stated that at 5:20 AM you can hear tailgates crashing closed. The Clerk stated that we had reached out to them with a similar problem about a year ago and that they said they would make their drivers aware and also post signs. The Clerk will follow up to be sure this was done and ask that they remind their drivers of the same.

Jacky D'Angelo, Bethlehem Avenue asked if the Council will be directing the Code Enforcement Officer to follow up on the vacant properties which are not being maintained. She explained that some of these have been empty for years. The Clerk will let Mr. Creveling know that he must start the process that our Property Maintenance Ordinance allows for remediating the situation.

### **RESOLUTION FOR AN EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss contract matters relating to contract negotiations.

Mr. James moved Council enter executive session at 8:30 PM; seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. James moved Council Re-enter Regular Session at 8:51; seconded by Mrs. Tersigni. All ayes. Motion carried.

Mayor Peck stated that no formal action will be taken.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. James; seconded by Mrs. Papis. All ayes, motion carried. Meeting adjourned at 8:52 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
APRIL 24, 2012**

The regular meeting of the Mayor and Council was held on April 24, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger
	Al Steihler	William Edleston, Esq.

**FLAG SALUTE**

**2012 BUDGET – PUBLIC HEARING**

Bill Schroder explained that the State has reviewed the 2012 Budget and it is ready for adoption.

Mr. James moved Council Open the 2012 Budget Public Hearing; seconded by Mrs. Papics. All ayes. Motion carried.

No Comment.

Mrs. Papics moved Council Close the Public Hearing; seconded by Mr. James. All ayes. Motion carried.

Mrs. Papics moved Council Adopt the 2012 Budget; seconded Mr. James.  
ROLL CALLVOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**APPOINTMENT OF TEMPORARY MAYOR**

Mark Peck, Chairman of the Bloomsbury Republican Committee stated that it is Council's job to select a candidate from the list of three names which the Committee provided which are, Martha Tersigni, Vicky Papics and Cynthia Peck. He informed Council that Cynthia Peck has since with drawl her name, so Council need not consider her at this time.

Mr. Edleston opened the floor up to nominations for the appointment of Mayor through the General Election. Mr. James moved Council nominate Martha Tersigni; seconded by Mrs. Papics. No other nominations were made. Nominations were closed.  
ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. Peck offered congratulations to Mayor Tersigni, and stated that in his capacity as Chairman of the Bloomsbury Republican Committee there is now a vacancy on Council and we will go through the same procedure to fill that seat and he will solicit Republicans who are interested and hope to get three candidates who are interested.

**APPROVAL OF MINUTES**

Mr. Stiehler moved Council approve the Regular Meeting Minutes of March 27, 2012 seconded by Mr. James. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics Moved Council accepts the Tax Collector's monthly report of March 31, 2012; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. James Moved Council accepts the Tax Collector's Quarterly Report dated March 31, 2012; seconded by Mr. Weger.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mr. James moved Council approve the Bill List; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Stiehler-aye; Weger-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's Report.

Mr. Weger moved Council accept the Zoning Report; seconded by Mr. James. All ayes. Motion carried.

**STATE POLICE REPORT**

Mayor Tersgini stated that she and the CFO have been reviewing the Court information and find that the numbers are way down. She asked if he may have any insight into that. The Clerk advised that she has requested a report from the Court Administrator and when she receives it she will forward a copy of the same to trooper McGourty. He will review and provide comments for the same.

**BOB GEMMELL – RISK MANAGEMENT CONSULTANT**

Mr. Gemmell stated that he is in attendance to answer any questions the Council may have. He provided contact information to all members and suggested that they reach out to him via his cell phone to get the quickest response. Mr. James asked if the policy questions which came up last month had been answered. Mr. Gemmell stated that Bollinger is the master broker for that policy but it is actually a McNeill and Company Policy. He said he just received a copy of that policy and has forwarded the same to the Fire Company. Mr. Tersigni stated that after speaking to a few members of the Hose Company, they are questioning the increase in Premium, and she asked if Bob Gemmell had an explanation. Mr. Gemmell stated that with that Policy, across the Board the benefits have been increased. The Clerk stated that when she spoke to the

representative at Bollinger, she had been told that this year it was an enhanced policy and that components of could toggled to potentially reduce the cost. Mr. Gemmell stated that he asked the same question and was told that you cannot. The Clerk asked if there were any other options, with other companies for that policy to try to avoid the 20%+ Increase. He stated that there is not. Discussion followed.

Mr. Gemmell stated that he should avoid further discussion about this policy with Council as it is not their policy. He explained that he will request their permission to prepare an outline regarding this policy and share it with Council of they allow it.

Mr. James asked if moving forward it may be beneficial to have representatives from each organization meet together with him to discuss the policies. Mr. Gemmell agreed that it would. Mrs. Tersigni stated that she prefer it remain separate, that they have their business decisions and we have ours. Mr. James stated that he had been under the impression that some of the policies were combined. The Clerk explained that part of the confusion was that extra workers comp policy, part of it was the auto insurance which is now separated. She also mentioned that although the Municipality does have to hold the workers compensation policy for the Borough, the Fire Department and the Rescue Squad, that it is within the Borough's right to ask that the other municipalities served also contribute toward that cost. Mr. Gemmell confirmed that currently the workers compensation portion of the policies accounts for about 50 % the total cost. Discussion followed.

The Clerk mentioned that she and Mrs. Tersigni had really hoped that the Borough would realize a significant cost savings on the liability side following the sale of the water department. Mr. Gemmell explained that the liability coverage premium is based more on the Budget and the Population.

The Clerk stated that when reviewing the Workers Compensation side of the policy it appears that we pay more per Borough Employee than we do per Fire Fighter and wondered why that would be. Mr. Gemmell stated that the number is based on payrolls, and because they are volunteers and not salaried employees, they are assigned a rate around \$1,300 per member.

The Clerk asked if Mr. Gemmell could provide her with an updated copy of the work pages that are reviewed for accuracy each so that she can share that information with Council so they can gain a greater understanding of what policies we hold and what items and properties are covered. Mr. Gemmell will prepare and forward the same.

The Clerk stated that she understands that in some cases, based on use, that certain vehicles may be considered portable equipment. Mr. Gemmell said a trailer may be or a gator, but never a truck.

### **CLERK/ADMINISTRATOR'S REPORT**

- The Clerk stated that Council had agreed to allow her to arrange to have Pip's Paving come out to give an estimate for road repairs up to \$5,000. She reported that she received

a quote from Pip's to cut, clear, pave and hot seal the cracks and seams at several locations on six different roads in the Borough for \$13,800.00. Discussion followed.

Sheetz Lane – 1290 sq ft. - \$3,400  
Brunswick Ave – 1377 sq ft. - \$3,700  
Alley by Church – 346 sq. ft. - \$1,000  
North Street by Center – 448 sq ft. - \$1,200  
Willow Avenue – 1908 sq. ft. - \$2,800

The final quote is listed at Staats Road by Bridge for \$ 1,700, but this street is not in the Borough so the Clerk has reached out for clarification on where this repair is to be made.

The Clerk will provide a copy of the estimate to Mr. Weger so that he can meet with Mr. Heinrich and together determine which areas are the worst and in need of being cut and filled as noted in the estimate and which areas the Borough DPW workers may be able to patch.

- The Clerk stated that she had the electrician come out to provide a quote not only for the Meeting room light but also for the work bench lights at the Borough Garage. She explained that she authorized he proceed with installing two additional 8' fixtures which will be hard wired for a total cost of \$325.00.
- The Clerk reminded Council that she still needed to purchase a conference recorder, as was discussed at the March meeting. She was pleased to report that she found the unit she thought would be the best fit online for only \$899.00 which is an additional savings of a few hundred dollars so she will proceed with ordering the same.
- ON CALL EMPLOYMENT REPORT  
The Clerk stated that on call employees were hired for 12 hours in January, no hours in February and 3.5 hours in March. She explained that this time was split between two employees. She explained that hours were low due to the mild winter and that the hours for April are already at over 40 hours because of brush clean up and necessary work at the Borough Park, including mowing and snack shack plumbing repairs.

Mr. Stiehler asked if the hours are being spread out among the employees. The Clerk stated that to the extent possible they are based on availability and skill sets.

- The Clerk stated that she continues to work on the finalization of the Codification project.
- The Clerk continues to work on the Street Light inventory and audit.
- The Clerk has requested a report from the Court Administrator and expects to have one for consideration at the May meeting.
- The Clerk has gathered quotes for several different zero turn mowers including one 60" cut Commercial diesel Kubota for \$12,000. She will continue to seek additional quotes

and Council will discuss further in May. Mr. Francisco stated that if the Council so chooses, we could adopt a Capital Ordinance to pay for it out of Capital and cancel the unexpended balance from the previous capital ordinance which was to cover storm repairs. Discussion followed. Mr. James asked when the Council may be able to get together to discuss these matters and plan for them in order of importance.

## **COMMITTEE REPORTS**

### ***E. Weger***

#### **Shade Tree-**

- Mr. Weger stated that the trees on Main Street did well over the winter. He said they are in need of additional volunteers and requested that Mr. James include an announcement about the same in the next newsletter.
- Mr. Weger will follow up with Mr. Heinrich about the road repairs and the Pip's quote.

### ***V. Papics***

#### **Rescue Squad-**

- Mrs. Papics stated that the Rescue Squad has received an eviction notice from the property owner stating that they must vacate the premises by May 15, 2012. Discussion followed.

#### **OEM -**

- 

### ***C. James:***

#### **Newsletter-**

- Mr. James reported that he has a deadline for submissions to the newsletter and he will be reaching out to all the groups with that information so the newsletter will go out on time.

#### **Environmental Commission-**

- Mr. James stated that there was no meeting but they are working on a rain barrel work shop which has generated public interest.

### ***A. Stiehler:***

#### **Board of Education-**

- Mr. Stiehler stated that there were two School Board meetings which he attended. On March 28, 2012 they held their public hearing on the budget and there was no need to go to a vote as it only increased by .32% which did not reach the threshold.

- Mr. Stiehler reported that at the April 10, 2012 meeting they announced that there will be a 17 student limit for kindergarten so after the Bloomsbury kids are enrolled there will be a lottery to fill the remaining seats.

***M. Tersigni:***

**Planning Board -**

- Mrs. Tersigni reported that there was no Planning Board meeting held in April.

**Recreation -**

- Mrs. Tersigni reported that mulch and infield mix are now in place and the facilities are up and running.
- Mrs. Tersigni stated that lacrosse and softball have already started and there may be issues with the lack of parking at the fields as people park on the grass.

**Finance -**

- Mrs. Tersigni reported that Kim is working on the Court contract and that our revenues have been declining. In 2009 we had more than \$19 k, in 2010 we had \$16 k, in 2011 revenues were down to \$8,031 and budget anticipation was \$16 k. This year we anticipated \$8 k and we seem to be on target for that so far. Discussion followed.

Mr. Francisco explained that under our old contract we paid \$30 k a year and received more in revenues. Under the current contract, we now pay \$ 38 k so our cost increased by \$8 k and our revenues have gone down another \$8k. The spread used to be about \$11 k and now it is almost \$30 k.

Council discussed the need to review the current contract and try to understand the numbers. The Clerk reminded Council that the contract was restructured when Lebanon joined the court as a shared service.

- Mrs. Tersigni stated that Sharon Brown has provided a spread sheet of some of the liens currently held on the North Street properties. She noted that it is excess of \$265,000.00 and that this is another thing we should keep in mind which may require some action in the future. Discussion followed. Mr. Edleston will look into the results of the recent Sheriff's sale and try to find out when the Borough may expect to receive payment.

**OLD BUSINESS**

**MAIN STREET PHASE I & II**

The Clerk stated that the Engineer is working on the new Bid Specifications. Mr. Francisco asked if the Borough has yet to receive the new grant agreement. The Clerk stated that she has only received a congratulatory letter stating that the Borough had received the new grant in the amount of \$120,000. Discussion followed.

**MILL REDEVELOPMENT**

The Clerk stated that Mr. Zaleski called today requesting a letter from the Borough Zoning Officer stating that the proposed mixed use has been approved by Council. The Clerk will forward the request to Mr. Edleston so he can follow up regarding this matter and his recent letter requesting proofs of insurance, and that permits are in place.

**SCHOOL SPEED LIMIT BEACON**

The Clerk stated that Mr. Roseberry has received the part he needed and will be installing the same this week.

**SECOND READING - ORDINANCE # 104-12 - AN ORDINANCE AUTHORIZING AN INCREASE IN THE ANNUAL FEE IMPOSED FOR THE ISSUANCE OF A CLASS "C" PLENARY RETAIL CONSUMPTION LICENSE ISSUED BY THE BOROUGH OF BLOOMSBURY**

**WHEREAS**, The Borough of Bloomsbury imposes an annual fee for the renewal of a Class "C" Plenary Retail Consumption License which fee is currently \$1,000.00; and

**WHEREAS**, the Borough has determined to increase the annual fee for same pursuant to N.J.S.A.33:1-12;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and State of New Jersey as follows:

1, The annual Class "C" Plenary Retail Consumption License is hereby increased to \$1,200.00 effective for the renewal period of July, 1 2012 through June 30, 2013.

**Effective Date:**

This Ordinance shall take effect following final passage and publication in accordance with law.

Mr. Edleston questioned why the Hose Company would have a C License instead of a Club License. The Clerk explained that if they had a Club License the Borough may be able to issue the current license to someone else. She further explained that the number of licenses is based on total population, so the Borough will never have more than one.

Mr. Weger moved Council open the public hearing on Ordinance # 104-12; seconded by Mr. Stiehler. All ayes. Motion carried.

Ilse Goshen, 69 Main Street asked why the Borough is responsible for the license and not the Hose Company. Mr. Edleston explained that the Borough has the authority to issue the licenses and that the Hose Company pays a fee to the State as well as to the Borough.

Mrs. Goshen asked why the Hose Company can't go to a Club License because it really is not open to the public. The Clerk explained that there are rules which apply to the Club License such as the Club members must be present and they can have guests with them, which would limit their activities in the banquet hall. Discussion followed. The Clerk will look into the matter further and provide an update to Council.

Mr. Weger moved Council close the public hearing; seconded by Mrs. Papics. All ayes. Motion carried.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

### **2012 BROUGH HALL LEASE**

Mayor Tersigni stated that there is a 3% increase so the annual rent will be \$11,936.00. She explained that she and Mr. James met with Don Mittermaier to go over the lease. Mr. James explained that moving forward maintenance issues that arise will be addressed within two weeks of notification and that notification will go through the chain of command beginning with Hose Company President and then to the Vice President. If the problems are not addressed, the Borough has the right to rectify the problem and take it off the quarterly payments. Mrs. Papics noted that the current Lease incorrectly states the rent payments are monthly. The Clerk will amend the same to read Quarterly.

Mr. Weger moved Council authorize the Lease to be signed by Mayor Tersigni as amended; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

### **NEW BUSINESS**

#### **RESOLUTION # 32-12 - APPOINTMENT OF SHARON BROWN AS TAX COLLECTOR FOR THE BOROUGH OF BLOOMSBURY**

**WHEREAS**, Rebecca Harm served in the capacity Tax Collector in the Borough of Bloomsbury from March 2010 until her resignation in February 2012; and

**WHEREAS**, Sharon Brown was hired to fill Ms. Harm's Unexpired term through December 31, 2012,

**NOW, THEREFORE, BE IT RESOLVED** that Sharon Brown is hereby appointed to the position of Tax Collector term to expire on December 31, 2012.

Mrs. Papics moved Council adopt Resolution # 32-12; seconded by Mr. James. All ayes. Motion carried.

**RESOLUTION # 33-12 - RESOLUTION IN SUPPORT OF THE EMPLOYMENT INITIATIVE PROGRAM OF THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVES**

**WHEREAS**, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “... this generation of heroes has made the United States safer and more respected around the world.”; and

**WHEREAS**, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

**WHEREAS**, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

**WHEREAS**, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

**WHEREAS**, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

**WHEREAS**, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

**WHEREAS**, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

**WHEREAS**, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

**WHEREAS**, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

**WHEREAS**, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

**WHEREAS**, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

**WHEREAS**, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

**WHEREAS**, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

**WHEREAS**, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up;

**NOW THEREFORE BE IT RESOLVED**, on this 24th Day of April, Two Thousand and Twelve, that the Common Council of the Borough of Bloomsbury recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

**BE IT FURTHER RESOLVED**, that in gratitude, Borough of Bloomsbury pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

Mr. Weger moved Council adopt Resolution # 33-12;seconded by Mrs. Papics. All ayes. Motion carried.

## **RESOLUTION # 34-12 - TONNAGE GRANT APPLICATION**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulation impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing the municipality to apply for such tonnage grants (for calendar year 2011) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Bloomsbury to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the Borough of Bloomsbury that the Borough of Bloomsbury hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Steve Douglas, Recycling Coordinator, to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED**, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

Mrs. Papics moved Council adopt resolution # 34-12; seconded by Mr. Weger. All ayes. Motion carried.

## **2012 SALARY RESOLUTION**

Council reviewed proposed Salary Resolutions reflecting 0%, 1 %, 1.5% & 2 % increases.

Mr. James stated that employees did not get a raise last year and that the 2% has been included in the budget. He further stated that 2% is not that much and due to the increased deductions he thinks it is only fair. Mr. Stiehler and Mr. Weger agreed.

**RESOLUTION # 35-12 - A RESOLUTION SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2012**

WHEREAS, The Borough of Bloomsbury has adopted a salary ordinance # 101-12 setting salary and wage ranges for 2012, and

NOW THEREFORE, BE IT RESOLVED, this resolution will specify the specific 2012 salary or wage for each employee serving in each position as follows:

<u>Position (Employee)</u>	<u>Salary or Wage</u>
a. Borough Clerk/Administrator (Burd-Reindel)	\$44,238 per year, plus \$27.11/hr for additional hours
b. Registrar (Burd-Reindel)	\$1,224 per year
c. Deputy Registrar (Ruta)	\$100 per year
d. Chief Financial Officer (Francisco)	\$19,383 per year
e. Tax Assessor (Hagaman)	\$9,981 per year
f. Tax Collector (Brown)	\$6,500 per year
g. Public Works Superintendent (R Heinrich, Sr)	\$17,249 per year, plus \$22.11/hr for hours in excess of 65 per month
h. Public Works Laborer #1(Stonebach)	\$15,398 per year, plus \$1897/hr for hours in excess of 65 per month
i. Planning Bd. Secretary (Burd-Reindel)	\$3,672 per year
j. Code Enforcement Officer (Crevling)	\$6,365 per year, plus \$25.00 per sidewalk inspection
k. Emergency Mgt. Coordinator (Papics)	\$1,897 per year, plus \$10.00/hr for FEMA related hours
l. Dog/Cat Licensing Official (Burd-Reindel)	\$510 per year
m. School Crossing Guard (Jordan & Vanya)	\$30.90 per day
n. Regular Laborer (Douglas, K. Heinrich, R. Heinrich Jr, Pacenti, D. Heinrich, Tuxhorn, Clark, Ronca)	\$16.00 per hour
o. Municipal Recycling Coordinator (Douglas)	\$510 per year

NOW THEREFORE, BE IT FURTHER RESOLVED, the above salaries and wages include a 2% increase and shall be retroactive to January 1, 2012.

Mr. Weger moved Council adopt the Salary Resolution setting a 2% increase for 2012; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-abstain; Stiehler-aye; Weger-aye.

**RESOLUTION # 36-12 CHURCH OF THE ANNUNCIATION - 50/50 RAFFLE**

**WHEREAS**, the Church of the Annunciation is the licensee on the application to conduct an Off-Premise 50/50 Raffle on June 9, 2012, to be held at the 80 Main Street, Bloomsbury, New Jersey from 10:00 AM - 5:00 PM; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid on-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Acting Mayor and Council as follows:

1. The off-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mr. James moved Council adopt Resolution # 36-12; seconded by Mr. Mrs. Papics. All ayes. Motion carried.

#### **CONFERENCE ATTENDANCE**

Kim Francisco and Sharon Brown requested Council approve for them to attend the Tax Collector's and Treasurer's Conference attendance. Mr. Francisco reported that his attendance will cost about \$420 and the Clerk reported that Mrs. Brown will have the cost of her attendance shared between Union Township and Bloomsbury with our share being about \$300.

Mrs. Papics moved Council approve the conference attendance; seconded by Mr. James. ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

#### **DAM REMOVAL**

Council discussed correspondence received from the Army Corp of Engineers recommending partial removal of the Dam in Bloomsbury. According to the report the private parties who own the dam have already agreed that they are in favor of removal. Comments are requested to be submitted by May 9, 2012. Ilse Goshen stated that she is in favor of it. Discussion followed. The Clerk will forward the report to all Council members, ask that it also be posted on the Borough website and an email alert sent out so any resident interested can comment about the same.

#### **CORRESPONDENCE**

Council reviewed correspondence.

#### **PUBLIC COMMENT**

Mrs. Papics moved Council Open Discussion to the public; seconded by Mr. James. All ayes. Motion carried.

No Comment.

Mr. James Moved Council Close Public Comment; seconded by Mr. Weger. All ayes. Motion carried.

Mr. Weger moved Council enter executive session at 8:40 PM; seconded by Mr. Stiehler. All ayes. Motion carried.

### **RESOLUTION FOR AN EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss potential litigation matters.

Mrs. Papics moved Council Re-enter Regular Session at 9:02; seconded by Mr. James. All ayes. Motion carried.

Mrs. Papics moved Council authorize Rick Roseberry to amend the draft letter to Heather and Wesley Lance to include specific time frames for compliance and for the Zoning Officer to sign and send the same; seconded by Mr. Weger. All ayes. Motion carried.

Mr. James moved Council authorize Rick Roseberry to serve as an expert on behalf of the Borough with upcoming tax appeals; seconded by Mr. Papics. All ayes. Motion carried.

### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. James; seconded by Mrs. Papics. All ayes, motion carried. Meeting adjourned at 9:04 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
MAY 22, 2012**

The regular meeting of the Mayor and Council was held on May 22, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:01 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger
	Al Steihler - excused	William Edleston, Esq.

**FLAG SALUTE**

**APPOINTMENTS**

**COUNCIL VACANCY**

Mark Peck, Chairman of the Bloomsbury Republican Party reported that a vacancy on Council was created when Mrs. Tersigni was appointed to serve out the unexpired Mayoral term. He explained that within the required time they submitted three names to fill the vacant seat, Chris Smith, Kathleen Jordan and Cynthia Peck. He further stated that since that time, Cynthia Peck has withdrawn her name.

Mr. James moved Council nominate Chris Smith, seconded by Mr. Weger.  
ROLL CALL VOTE: James-aye; Papics - aye; Weger-aye. Motion carried.

**CLASS III PLANNING BOARD MEMBER**

Mrs. Tersigni stated that we now need to appoint a member of Council to the Planning Board to serve as a Class III member. The Clerk reported that no one had expressed interest in filling this position to date.

**COUNCIL PRESIDENT**

Mayor Tersigni asked for nominations for to fill the position of Council President.  
Mr. James nominated Mrs. Papics as Council President; seconded by Mr. Weger.  
ROLL CALL VOTE: Tersigni-aye; James-aye; Weger-aye. Motion carried.

**ENVIRONMENTAL COMMISSION MEMBERSHIP**

Mrs. Tersigni stated that she wanted to legitimize the membership of the Environmental Commission but that to date she had not received any information from them. Mr. James

reported that he had not been able to attend the last Environmental Commission meeting but that he had not heard anything either. Mr. James will reach out to Mrs. Goshen.

### **APPROVAL OF MINUTES**

Mr. Weger moved Council approve the Executive Session Meeting Minutes of March 27 and the Regular Meeting Minutes of April 24, 2012, seconded by Mrs. Papics. All ayes. Motion carried.

### **TAX COLLECTOR'S REPORTS**

Mrs. Papics Moved Council accepts the Tax Collector's monthly report of April 30, 2012; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Weger-aye. Motion carried.

### **APPROVAL OF BILL LIST**

Mrs. Papics asked about the payment to unemployment. Mr. Francisco stated that the payment is made to the state and that an appeal has been filed regarding that claim. If we win the appeal, we will get a credit from the state. Mr. Edleston stated that they expect to set a hearing date in about a month.

Mrs. Tersigni explained that the McNeill and Company bill for the Fire Department is being paid out of the Fire Department Other Expense line.

Mrs. Tersigni stated we received \$484.01 revenue from the Court for May and that year to date we have received \$2,319.96. Mr. Francisco explained that our annual Court Expenses are \$38,000. The Clerk stated that she has been trying to obtain information from the Court Administrator but did not receive it in time for the meeting, so she will do her best to get the information to the Council in advance of the next meeting so that there is time to review.

Mrs. Tersigni noted that the Rescue Squad contribution and vehicle payments are on the bill list for approval and asked if Mrs. Papics if she had any information on the status of the Rescue Squad. Mrs. Papics stated that the eviction notice has been given to their Lawyer and she does not have an update as of yet.

Mr. Weger moved Council approve the Bill List; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Weger-aye.

Motion carried.

### **CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's May Report. The Clerk stated that she hired on call employees to mow two properties which were in violation of the property maintenance code.

### **COMMITTEE REPORTS**

*V. Papics*

**Rescue Squad-**

- Mrs. Papics stated that the Rescue Squad voted in three new members. She stated that they have hired an Attorney to look into the matter of their pending eviction from the Main Street building.

#### **OEM -**

- Mrs. Papics stated that at the last meeting they did a webinar about the weather service which provided information about predicting storms.

#### ***E. Weger***

#### **Shade Tree-**

- Mr. Weger stated that there is nothing to report.

#### **Streets & Roads-**

- Mr. Weger stated that he met with Mr. Heinrich and apparently someone told him he should get the roller out and start patching some holes. He said that he looked at some of the spots and he thinks that when we had repairs with Pip's prior that they were small areas and these are pretty big. Mr. Weger stated that he would like to look at the resurface technique for the larger areas because it would cost a lot less and that we could do \$1.00 sq foot if we brought in a small mill vs. him digging them out.

Discussion followed. Mr. Weger stated he was shocked to hear from Bob Heinrich that he was told there is no money for repairs and he would have to make them. The Clerk stated that Bob was to repair the small areas which he would normally handle. The large areas were to be done by an outside contractor. Mr. Weger stated that he thinks that \$13,000 as quoted by Pip's is a lot to do the areas.

Mrs. Tersigni asked if Mr. Weger had been able to prioritize which areas were to be done for the originally allotted \$5,000 as discussed at the last meeting. Mr. James asked how long the repairs will be held up if we wait to get a quote for a different technique. He explained that he understood from the last meeting that \$5,000 worth of work was approved and we just needed to have the list ranked in order of priority.

Mr. Francisco stated that if Council wants to do additional repairs over the \$5,000 that estimate amount should be included in the capital ordinance to be introduced tonight so that we can adopt at the June meeting and move forward with the repairs. Mrs. Tersigni stated that we do not want to lose another month. Mr. James voiced concern about the summer heat and the need for these repairs to be completed.

Discussion followed. Mrs. Tersigni stated that to recap, Council had previously approved last year and then again this year for \$5,000 worth of repairs to be done on areas that are too big for our DPW to complete and that they were going to continue to do the small pot hole repairs they always do.

Mr. James asked if we would be looking at a significant savings if we hold off on having the work done as previously planned and obtain a quote for using this different technique. He stated that if we would not be getting a significant more square feet, then he would be inclined to just get it done. Mr. Weger stated that considering the Main Street repairs done a few years ago he believes we could get almost triple the area of ground done for about \$20,000. Lengthy discussion followed.

The Clerk asked if Council can make a motion on the record stating that she can proceed according to plan, unless after Eric researches this, we find there would be a significant savings doing it the new way he suggests, then we would go that direction.

Mr. Weger stated that he spoke to Mr. Heinrich about putting an addition on the garage, and he stated that he told him to pick one truck and leave it outside. Mr. Weger also requested Mr. Heinrich go to get a new price on sandblasting and undercoating the newer truck which he thought would cost a little under \$1,000 in order to not lose the truck prematurely.

Mr. Weger will be getting a price for installing an awning roof out from the right side of the Borough Garage instead of a costly addition.

***C. James:***

**Board of Education-**

- Mr. James stated that he attended the Board of Education meeting for Mr. Stiehler. He explained that superintendent is leaving after eight years.
- The Board of Education got \$170,000 windfall from the state and were discussing using the money for a new roof, but that was voted down.
- Field Day is June 1, 2012.

**Newsletter-**

- Mr. James reported that he will have the Newsletter to content to Lisa tomorrow.

**Environmental Commission-**

- Mr. James stated that he did not make it to the last meeting, but the rain barrel workshop is coming up in June.

***M. Tersigni:***

**Recreation -**

- Mrs. Tersigni stated that she attended the Recreation meeting, but no one else did so she assumes they cancelled it without notifying her.

**Planning Board –**

- Mrs. Tersigni reported that there was no Planning Board meeting held in may due to lack of a quorum. She stated that at the next meeting, the Borough Planner will be presenting information on what needs to be done for our Highlands Plan Conformance and Master Plan Reexamination which could include a new ERI.

#### **General -**

- Mrs. Tersigni reminded everyone that if you cannot make a meeting, please notify the Clerk as soon as possible.
- Mrs. Tersigni stated that she may have a conflict with attending the graduation and may need to ask someone to fill in for her.

#### **CLERK/ADMINISTRATOR'S REPORT**

- The Clerk reported that the DPW workers took the old leaf vacuum to the scrap yard and received about \$130.00.
- The Clerk reported that she is still waiting to receive the information about the Court expenses and revenues from the Administrator and hopes to have everything in advance of the June meeting for Council to review. The Clerk explained she has specifically asked for numbers for Bethlehem, Bloomsbury and Lebanon of volume or usage of the court, payments made for and revenue received by each so that a comparison can be made. Mr. James asked if there are other options for what Court we can belong to. The Clerk stated that there are other options, but none have ever seemed better for the Borough. She explained that she has been receiving calls recently from other municipalities who are also looking into their options. Discussion followed.

Mrs. Tersigni explained that there are two different levels of membership in the court as of a year ago. She explained that it is a joint court between Bethlehem and Bloomsbury but that Lebanon joined last year as a shared service. Mrs. Tersigni stated that although we seem to be a partner, we do not have equal say in decisions which are made. The Clerk explained that Lebanon Borough's contribution is much less than Bloomsbury's share, but they do not receive any revenues either.

The Clerk will forward any information she receives to the Council and requested that they in turn forward any questions they may have to her.

- The Clerk reported that Mr. Roseberry received the part he ordered for the School Beacon Light last month and installed it but that the light is still not operational. She explained that he is now sending the main unit to the company so that they can further troubleshoot the issue but the entire light may need to be replaced.

- The Clerk stated that Mr. Heinrich mentioned that Mr. Weger planned to obtain additional quotes for a commercial diesel mower. She asked if he had anything for the Council to review. Mr. Weger stated that he did not but that we would go back to the place that holds the state contract for equipment where we purchased or leaf vac from.

The Clerk stated that she understands that was what Mr. Weger proposed at the March meeting, but knowing that we need to have this information for tonight in order to move forward with the Capital Ordinance, she tried to obtain 3 quotes.

The Clerk stated that as she had reported last month, she has a quote for a commercial diesel 60" zero turn Kubota from Powerco. That original quote for the machine was \$12,200 which includes a governmental discount of \$2,692 and trailer was \$2,850 or around \$15,000 for both.

Additionally she received a quote from Power Place for a similar John Deere model for \$14,875 and trailer for \$1,475 or around \$16,000 for both.

The Clerk explained that she also contacted Pierce Eagle where the leaf vac was purchased but they do not deal in mowers.

The Clerk explained that she called the salesman from Powerco and asked if they would consider a trade of our old mower and he came out to inspect the mower and provided a new quote giving the Borough a credit of \$1,750 for the trade. Additionally - he provided a new quote for a smaller trailer for \$2,395 bringing the total for mower and trailer down to under \$13,000.

The Clerk stated that if Council is agreeable, she would like to ask that \$15,000 be included in the Capital Ordinance for Introduction tonight so we can move forward with the purchase of the mower and trailer from Powerco.

### **PERRYVILLE STATE POLICE**

No Report.

### **OLD BUSINESS**

### **MAIN STREET PHASE I & II**

The Clerk reported that she has not yet received the new bid specs from the Engineer. Discussion followed. The Clerk will reach out to Mr. Roseberry and request that the new bid specs be submitted for Council review prior to the June meeting. The Clerk will again request that Mr. Roseberry forward any confirmation he may have from the State regarding our award for Phase II. Council requested the Clerk reach out to Rick to ask that the new bid specs be forwarded to Council in advance of the next meeting and to get a copy of the agreement from the state.

### **MILL REDEVELOPMENT**

Mrs. Tersigni stated that she knows that Mr. Zaleski has received the zoning permit he needed and that she reached out Mr. Zaleski to introduce herself recently.

Mr. Edleston stated that he has contacted Mr. Zaleski and outlined the specific insurance information he needs to receive but has not received anything to date.

Mrs. Papics moved Council authorize the Mayor and Clerk to execute the Deed when Mr. Edleston has received all the required documents; seconded by Mr. Weger. All ayes. Motion carried.

## **NEW BUSINESS**

### **RESOLUTION # 39-12 - RESOLUTION OPPOSING SENATE BILLS S-1451 AND S-1452, OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

**WHEREAS**, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public Records Act (S-1452); and

**WHEREAS**, the Common Council of the Borough of Bloomsbury agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

**WHEREAS**, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

**WHEREAS**, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- \* A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- \* A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- \* A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and

- \* A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- \* A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive;
- \* A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of the Division of Archive Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- \* A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- \* A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- \* A new requirement that comprehensive minutes that must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

**WHEREAS**, the Common Council of the Borough of Bloomsbury agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens’ reasonable expectation of privacy; and

**WHEREAS**, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- \* The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government record created before their tenure with the public body; and
- \* The creation of a definition of “advisory, consultative or deliberative” material that may be contrary to the well established definition in case law leading to costly litigation; and
- \* The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- \* The inclusion of a subjective definition for “reasonable” that may be contrary to the well established definition in case law leading to costly litigation; and
- \* A new requirement that any video or audio recordings of public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- \* A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians’ Toolkit, which should be codified; and
- \* A provision that permits the records custodian to advise a requestor that a government records is readily available on the public agency’s website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by “access to a computer”; and
- \* A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories or records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and

- \* A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

**WHEREAS**, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decrease revenues and increasing operating expense; and

**WHEREAS**, the totality of the new requirements of S-1451 and S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

**WHEREAS**, while the Borough of Bloomsbury strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient.

**NOW THEREFORE BE IT RESOLVED** that the Common Council of the Borough of Bloomsbury, County of Hunterdon and State of New Jersey for reasons stated above, does hereby oppose S-1451 and S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills.

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Sheila Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the Legislators of the 16<sup>th</sup> Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities, the Hunterdon County Clerks and the Municipal Clerk's Association of New Jersey.

Mr. James moved Council adopt Resolution # 39-12; seconded by Mrs. Papics. All ayes. Motion carried.

### **RESOLUTION # 38-12 - BLOOMSBURY ELEMENTARY SCHOOL PTO RAFFLE**

**WHEREAS**, the Bloomsbury Elementary School PTO is the licensee on the application to conduct an On-Premise 50/50 Raffle to be held at 20 Main Street, Bloomsbury, NJ from 10:00 AM to 5:00 PM on September 29 & 30; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid on-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The on-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mr. James moved Council adopt Resolution # 38-12; seconded by Mr. James. All ayes. Motion carried.

**RESOLUTION 37-12 - A RESOLUTION CANCELLING THE UNEXPENDED BALANCE OF \$37,768.46 FROM CAPITAL ORDINANCE 105-11**

**WHEREAS**, The Council of the Borough of Bloomsbury previously adopted Capital Ordinance 105-11 for \$50,000 for improvements to Borough Streets, Roads and Drainage after the 2011 storms, and

**WHEREAS**, The road and drainage improvements were completed at a cost of \$12,231.54 leaving an unexpended balance of \$37,768.46, and

**WHEREAS**, it is necessary to formally cancel the unexpended balance by resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the following unexpended balance is cancelled:

Ordinance 105-11	\$37,768.46
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Mr. Weger moved Council adopt Resolution # 37-12; seconded by Mr. James. ROLL CALL OTE: James- aye; Papis-aye; Weger-aye. Motion carried.

**INTRODUCTION - ORDINANCE 105-12 AN ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS AND THE APPROPRIATION OF \$30,000 FROM THE BOROUGH OF BLOOMSBURY GENERAL CAPITAL FUND**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NJ AS FOLLOWS:

Section 1: The capital improvements described in Section 2 of this Ordinance are hereby authorized as General Improvements to be made by the Borough of Bloomsbury. There is hereby appropriated \$30,000 from the Capital Improvement Fund for the said purpose stated in Section 2.

Section 2: The improvements hereby authorized and the proposed authorizations are for the following purposes:

Improvements to Borough Streets & Roads	\$15,000
Purchase of Public Works Mowing Equipment	\$15,000

The maximum amount of money to be appropriated is \$30,000, no part of which is to be borrowed.

Section 3: The said purchases described in Section 2 are not current expenses and are for the purchases stated above.

Section 4: These appropriations are made as a result of the need to improve existing Borough infrastructure and replace Borough equipment.

Section 5: This Ordinance shall be published in the manner provided by law. Final passage is scheduled for Tuesday, June 26, 2012 at 7:00 PM in the Borough Hall, 91 Brunswick Avenue, Bloomsbury, NJ or at such other date and time to which it may be adjourned.

Section 6: This Ordinance shall take effect upon final passage as provided herein.

Mr. Weger moved Council Introduce Ordinance # 105-12 on First Reading; including Improvements to Borough Streets not to exceed \$15,000 and Purchase of Public Works Equipment not to exceed \$15,000; for a maximum appropriation of \$30,000; seconded by Mrs. Papics.

ROLL CALL VOTE: James- aye; Papics-aye; Weger-aye. Motion carried.

Mrs. Tersigni asked if Council is comfortable with authorizing the Clerk to handle the Road repair matter with Mr. Heinrich. All agreed.

**AUDIT OF 2012**

Mr. Francisco stated that there are two recommendations in this year’s audit. He explained that the first is that the segregation of duties is not ideal, that in a perfect world, we would have someone open the mail, someone record the checks, someone t go to the bank and someone else to do the bank reconciliation. He stated that because we are so small with limited staff this is not possible. The other recommendation was regarding the recreation account which was not reconciled properly. Mr. Francisco stated that he has reached out to the Recreation Treasury and has worked it out. The recommendations have been addressed.

Council members present signed the Certification of the Audit.

**CORRESPONDENCE**

Council reviewed correspondence.

**PUBLIC COMMENT**

No comment.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mrs. Papis. All ayes, motion carried. Meeting adjourned at 8:12 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
JUNE 26, 2012**

The regular meeting of the Mayor and Council was held on June 26, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:01 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

**ROLL CALL:** Chris James Martha Tersigni  
Vicky Papics Eric Weger  
Chris Smith Al Stiehler  
William Edleston, Esq. - excused

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the Regular Meeting Minutes of May 22, 2012, seconded by Mr. Weger. All ayes. Smith- abstain. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics moved Council accepts the Tax Collector's monthly report of May 31, 2012; seconded by Mr. Weger.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. James moved Council accept the Tax Collector's Quarterly Report dated June 30, 2012; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**TAX ASSESSOR'S QUARTERLY REPORT**

Mrs. Tersigni stated that she believes some of the information included in the report may need to be discussed in executive sessions they may relate to potential litigation. She requested and questions Council may have to be held until they can be discussed in executive session.

Mrs. Papics moved Council accept the Tax Assessor's Quarterly Report; seconded by Mr. Weger. All Ayes. Motion carried.

**APPROVAL OF BILL LIST**

Mrs. Papics moved Council approve the Bill List; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Smith - aye; Stiehler-aye; Weger-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's June Report.

Council discussed that the zoning permit fee may have been unintentionally changed with the last fee schedule ordinance amendment from \$5.00 to \$10.00. Council discussed possibly refunding the difference to the property owners who paid the higher fee.

Mr. Creveling stated that the property maintenance code will be notified by regular mail, fax, certified mail or by a notice being placed on the house.

Two of those just had the notice on the house and that this was questioned by someone that they deserve more than that and just so they know if someone questions it- this is easier than mailing a letter especially with the grass height if you mail it by the time they get the letter it takes several days to get it- then several days to remediate it. And it doesn't say anything in the code about what amount of time is a reasonable amount of time so he has been using 5 days. He has not been taking them to court. By the time we go thru all that he spends all night at court and the fine is high and the general consensus is to get compliance – not to penalize them. He said it is easier to put a note on the door and then give them five days and then if they don't do it have the clerk hire someone to mow it.

Mr. Stiehler asked if he gets a lot of repeat offenders. Lengthy discussion followed regarding certain properties in the Borough.

Mrs. Papics moved Council accept the Zoning Officer's Report of June, 2012; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Smith - aye; Stiehler-aye; Weger-aye. Motion carried.

**CLERK/ADMINISTRATOR'S REPORT**

Mayor Tersigni provided Council with a copy of the Clerk/Administrator's Report. She explained the Clerk had a busy week and asked that she present her report to Council on her behalf.

Mrs. Tersigni stated that following Town for Sale- people left garbage and other items such as a stack of broken folding chairs at Borough Park. The Clerk was unable to review the tape as the equipment appears to be malfunctioning. We were able to identify one of the offenders by looking thru the garbage and the Clerk contacted the State Police and they handled it. The Clerk asked that the garbage be removed and no charges were filed. The Clerk wanted Council to be aware that when the security system was originally purchased, the installer has promised to provide some signage for the park to alert visitors that the area was under surveillance. These were never received and she would like to purchase some.

Mrs. Tersigni reported that the Clerk has made multiple attempts to contact the new security company to get assistance with troubleshooting the equipment, set up training, and to get the equipment set up so that Lisa has remote access to the footage, but they have been non-responsive. Lisa may reach out to a local person to see what they can do about getting it up and running, and gaining remote access. Mrs. Tersigni stated that the Clerk is seeking approval to contract with someone - to make repair and do whatever is needed to get remote access.

Mr. James stated the he would suggest the Clerk meet with a few vendors to get bid specs and proposals to compare to.

Mrs. Papics stated that she didn't feel it would cost too much to get signs to alert visitors to the park that they are being recorded.

Mr. Smith asked if the signs were something that was supposed to be provided by the security company. Mrs. Papics stated that she thought so but then they went out of business. Discussion followed.

Mr. Stiehler stated that he would be happy to try to reach out to the company to see if he can get any answers if that is helpful to the Clerk. Discussion followed. Mrs. Papics voiced her support for authorizing the Clerk to purchase signs.

Mrs. Papics moved Council authorize the Clerk to purchase up to five signs for a cost not to exceed \$250.00; pending Mr. Stiehler's call to the security company; seconded by Mr. Stiehler. ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

### ROAD REPAIRS

Mayor Tersigni asked if everyone had been able to review the Pip's Paving and Mannon quotes for repair work. She stated that the Mannon estimate which some thought would come in less actually came in over \$18,000 which is over the bid threshold.

She explained that the Clerks report shows that the area by the Methodist Church has already been completed by the DPW staff. She explained that the Mannon Bid which some thought would in lower actually came in higher and above our bid threshold.

Mrs. Tersigni stated that the Mannon estimate of \$18,250 is almost \$4,000 more. Mr. Weger stated that he does not believe that they bid it to mill it, but that they were quoting the same thing doing cut outs like Pip's.

Mrs. Papics stated that she would like to proceed as outlined by the Clerk.

Mr. Weger stated that his only concern has been the mess going under the railroad bridge in their right of way, which is why he suggested milling. Mr. Stiehler stated that he is confident that Pip's will know what they need to do in order to proceed. Mr. James stated that he feels we need to move forward and if an issue arises, then we will deal with it then. Discussion followed.

### MOWING EQUIPMENT

Mrs. Tersigni asked if Mr. Weger has any additional quotes for Mowing equipment. Mr. Weger stated that he did not but he was happy with the quote that the Clerk obtained and that she did a good job with that. He also voiced support for the purchase of the trailer so that the mower would no longer be driven down the Borough streets and so that they can take the mower in for service on their own.

Mrs. Tersigni stated that the original cost of the mower was \$14,892 and the Clerk was able to obtain a Governmental discount of \$2,692 and a trade in value for the old mower of \$1,750 bringing the final cost for the Kubota down to \$10,450. The Clerk will get the mower next week and the trailer in a few weeks.

### TRACTOR EQUIPMENT

Mrs. Tersigni stated that the Clerk's report contains information about other DPW equipment, what is working, what is not working, or no longer needed. She mentioned that the Clerk had obtained trade in values for the two tractors and other unused equipment and would like Council to start considering the same for obtaining new equipment in the future. Council discussed the list briefly. No action was taken.

### STATE POLICE REPORT

No Report.

### COMMITTEE REPORTS

#### *V. Papics*

##### **Rescue Squad-**

- Mrs. Papics stated that the Rescue Squad have been talking to Mr. Havey and began paying \$750 per month rent and they did a fundraiser on Route 173 over the weekend but she was not aware of how much they were able to collect.

#### *E. Weger*

##### **Shade Tree-**

- Mr. Weger stated that there is nothing to report.

##### **Streets & Roads-**

- Mr. Weger had nothing addition to report.

Mrs. Papics asked if Council could discuss the tree that came down from the Borough right of way into her yard during the storm. Mrs. Tersigni stated that she was hoping the matter could wait until the Clerk returned from vacation. Brief discussion followed.

#### *C. James:*

**Newsletter-**

- Mr. James reported that Newsletter was done and he will send out an email blast to get submissions in earlier this time. He stated that he believes August 1<sup>st</sup> is the due date.

**Environmental Commission-**

- Mr. James stated that he did not make it to the rain barrel workshop and he has not received any report as to how it went to date.

**Recreation-**

- The Golf outing will be held on October 7, 2012 and a \$500 deposit is required to hold the date with Morgan Hill which will be paid back by the registration fees.

Mr. James moved Council authorize a \$500 deposit be paid for the upcoming Golf Outing which will be reimbursed by the fees collected; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye.

***A. Stiehler:***

**Board of Education-**

- Mr. Stiehler reported that the Board of Education met with the teachers to discuss the hiring process for a new Superintendant and Principal.
- The Council representative gave a speech at Graduation that brought tears to everyone eyes. Mayor Tersigni thanked Mr. Stiehler for standing in for her.

***M. Tersigni:***

**Planning Board –**

- Mayor Tersigni reported that the June Planning Board meeting got caught on a lot of housekeeping items since our last meeting in March.

Mayor Tersigni stated that the Travel Centers resolution was approved explaining that that meeting was held in December so the work was complete before the Resolution was finally approved.

The Brown's Hunterdon Mack resolution was adopted and the escrow amounts which can be refunded will now be processed.

Joanna Slagle of Banisch and Associates presented information about the continued work required with our Highlands Council Plan Conformance. She explained that we have \$113,500 budget approved by the State to compete remaining tasks.

She added that we are focused on the following three items at this time:

Environmental Resource Inventory - requires review by the Environmental Commission and approval by June 30, 2012 and that is underway.

Highlands Council Model Checklist - this check list would be in addition to our existing checklist and will have to be approved by Council and should be on the agenda for the July meeting.

Master Plan Reexamination – A subcommittee has been formed to go over the draft in the next 10 days. They will be focusing on the goals and objectives and Council and Planning Board will be involved in the process.

## **General -**

### **JOINT COURT**

- Mrs. Tersigni reported that the Clerk emailed the Court data she received to all Council members for their review. She added that after Council has reviewed the same she may want to form a subcommittee to go over the contract.

### **INSURANCE**

- Mayor Tersigni reported that the Clerk obtained the Insurance documents per Council's request and has requested Council review the same and forward any questions or comments to her.

### **CLEAN UP DAY**

- Clean Up Day will be held on July 21, 2012 and Mayor Tersigni and Mrs. Papics have volunteered to work. Mr. Weger will help out if he is available as well.

### **CODIFICATION**

- Mrs. Tersigni stated that the fee schedule was problematic and the Clerk is still working on a few elements. Mr. Weger asked if the Code would be available on line. Mrs. Tersigni stated that she believed it would be online and that the Borough will also receive a few hard copies. Discussion followed.

### **BUDGET**

- Mayor Tersigni presented Council with a budget review sheet prepared by Kim Francisco showing a to-date Budget recap for 2012. Council can direct questions to Mr. Francisco.

## **OLD BUSINESS**

### **MAIN STREET PHASE I & II**

The Clerk had not received anything new to date. The State is currently reviewing the bid specs. Mr. Weger asked if Council could review the bid specs before they go to the state. Discussion followed. Mr. Weger would like to review the instructions to bidders prior to publication.

### **MILL REDEVELOPMENT**

Mayor Tersigni stated that the Clerk had not received an update. Mr. James asked if Mr. Edleston had received the Insurance proofs he had requested. Mayor Tersigni stated that she was unaware of any additional information being received.

### **SCHOOL SPEED LIMIT SIGN BEACON**

Mayor Tersigni reported that the part has been sent in for service but not yet received or installed to her knowledge.

### **APPOINTMENT OF THE ENVIRONMENTAL CHAIR**

Mayor Tersigni reported that Ilse has now submitted the required paperwork, but has not yet been sworn in.

## **NEW BUSINESS**

### **RESOLUTION # 41-12 – SEPTIC SYSTEM WAIVER**

**WHEREAS**, a new septic system is proposed to replace a malfunctioning system located on lands known as Lot 14, Block 22 (40 West Street) in the Borough tax list; and

**WHEREAS**, the Hunterdon County Department of Health has determined that that proposed septic system is closer to being in conformance with N.J.A.C. 7:9A, but requires a waiver since the disposal bed will only be 21' from the disposal bed on the adjacent property; where N.J.C.A 7:9A requires 50' separation; and

**WHEREAS**, after reviewing the septic system application, the soil logs, the soil permeability testing, and the alternatives, it is the Borough Engineer's recommendation for the Board of Health to Grant said waiver.

**NOW, THEREFORE**, based upon the foregoing, the Borough of Bloomsbury does hereby grant the aforementioned waiver for the proposed septic system replacement on Lot 14, Block 22 (40 West Street) in the Borough of Bloomsbury

The applicant shall submit a five-hundred dollar (\$500.00) escrow payment payable to the Borough of Bloomsbury to defray the Municipal Engineers expenses incurred in connection with this request;

The applicant shall hold the Borough of Bloomsbury and the County of Hunterdon harmless in connection with any and all claims of whatever nature relating to the future functioning of the system;

Mr. Weger moved Council adopt Resolution # 41-12; seconded by Mrs. Papics.  
ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 42-12 – A RESOLUTION AMENDING THE 2012 SALARY RESOLUTION #35-12**

**WHEREAS**, The Borough of Bloomsbury has previously adopted salary resolution #35-12 setting salaries and wages for 2012, and

**WHEREAS**, Resolution 35-12 set the hourly rate for additional hours of the Borough Clerk/Administrator at \$27.11 per hour, and

**WHEREAS**, it is necessary to amend the resolution due to a recalculation of the hourly rate,

**NOW THEREFORE, BE IT RESOLVED**, the amended hourly rate for additional hours of the Borough Clerk/Administrator is \$36.61 per hour.

Mrs. Papics moved Council adopt Resolution # 42-12; seconded by Mr. Smith.  
ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 43-12 – APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS**, the Borough of Bloomsbury is currently in need of a Deputy Emergency Management Coordinator; and

**WHEREAS**, Martha J. Tersigni is qualified for this position;

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the Borough of Bloomsbury does hereby appoint Martha J. Tersigni to the position of Deputy Emergency Management Coordinator with a term ending December 31, 2012.

Mrs. Papics moved Council adopt Resolution # 43-12; seconded by Mr. Weger.  
ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**SECOND READING - ORDINANCE 105-12 AN ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS AND THE APPROPRIATION OF \$30,000 FROM THE BOROUGH OF BLOOMSBURY GENERAL CAPITAL FUND**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NJ AS FOLLOWS:

Section 1: The capital improvements described in Section 2 of this Ordinance are hereby authorized as General Improvements to be made by the Borough of Bloomsbury. There is hereby appropriated \$30,000 from the Capital Improvement Fund for the said purpose stated in Section 2.

Section 2: The improvements hereby authorized and the proposed authorizations are for the following purposes:

Improvements to Borough Streets & Roads	\$15,000
Purchase of Public Works Mowing Equipment	\$15,000

The maximum amount of money to be appropriated is \$30,000, no part of which is to be borrowed.

Section 3: The said purchases described in Section 2 are not current expenses and are for the purchases stated above.

Section 4: These appropriations are made as a result of the need to improve existing Borough infrastructure and replace Borough equipment.

Section 5: This Ordinance shall be published in the manner provided by law. Final passage is scheduled for Tuesday, June 26, 2012 at 7:00 PM in the Borough Hall, 91 Brunswick Avenue, Bloomsbury, NJ or at such other date and time to which it may be adjourned.

Section 6: This Ordinance shall take effect upon final passage as provided herein.

No Comment from Council.

Mrs. Papics moved Council Open the Public hearing; seconded by Mr. Stiehler. All ayes. Motion carried.

No Comment.

Mrs. Papics moved Council Close the Public hearing; seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. Weger moved Council adopt Ordinance # 105-12; seconded by Mrs. Papics.

ROLL CALL VOTE: James- aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

Mayor Tersigni asked Council authorize the Clerk to proceed with the purchase of the Kubota tractor and trailer.

Mr. Weger moved Council authorize the Clerk to order the Kubota tractor and trailer; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

Mayor Tersigni stated that we also need an authorization for the Clerk to execute the agreement with Pip's paving for the \$12,800 for road repairs.

Mrs. Papics moved Council authorize the Clerk to execute the agreement with Pip's paving to perform road repairs in accordance with their quote; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

### **PEDDLER'S LICENSE**

Mayor Tersigni stated that there is re-application for a peddler's license for sale of ice cream novelties. She explained that the sales have been on going, but the licensee failed to submit for a new license for 2012. The Clerk reached out to her and she did submit the application, but to date has not received the required payment and has since been selling without the permit. Discussion followed. Mr. Weger asked if the licensee gets a permit with the date for which it expires. Mayor Tersigni stated that she does not know exactly what she is given, but she assumes it is an annual thing.

Mrs. Tesrigni stated that she is in favor of approving it but believes we should also make sure she knows that before the season next year she needs to be sure to have her permit or else it can be denied or she can be fined.

Mr. Stiehler moved Council approve the peddler's license; seconded by Mrs. Papics. All ayes. Motion carried.

### **WASTEWATER MANAGEMENT PLAN**

Mayor Tersigni reported that Mr. Roseberry has outlined a few minor changes to the Wastewater Management Plan.

Mr. Weger moved Council authorize the Mayor and Mr. Roseberry to make said changes to the wastewater management plan; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**CORRESPONDENCE**

Mayor Tersigni stated that a resident dropped off a letter to her late last night but that it was not received in time to be discussed at tonight's meeting and may be an item for discussion next month.

**PUBLIC COMMENT**

No comment.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mr. Smith. All ayes, motion carried. Meeting adjourned at 8:08 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
JULY 24, 2012**

The regular meeting of the Mayor and Council was held on July 24, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger
	Chris Smith - excused	Al Stiehler
	William Edleston, Esq.	Richard Roseberry, Engineer

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the Regular Meeting Minutes of June 26, 2012, seconded by Mr. Weger. All ayes. Motion carried.

Mr. Stiehler moved Council approve the Emergency Meeting Minutes of June 28, 2012, seconded by Mrs. Papics. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics moved Council accepts the Tax Collector's monthly report of June 30, 2012; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mr. James moved Council approve the Bill List; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Stiehler-aye; Weger-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the Code Enforcement Officer's Report.

**STATE POLICE REPORT**

Trooper McGourty stated that he does not have anything significant to report but that residents may have noticed some traffic and back-ups on Route 78 due to the construction which is taking place. He stated there were a few problems at the truck stop including a HAZMAT issue, but it is basically truck drivers hitting other truck drivers.

The Clerk provided Trooper McGourty with information regarding some partial street closures in the Borough while some road ways are resurfaced.

Mrs. Tersigni stated that we have received notice that they will be repaving Route 173 in the future. She advised that the Engineer is already working on ideas for how we can avoid the issues we experienced when the Route 173 Bridge was closed. Trooper McGourty said they will go over it when the time comes, once DOT provides them with information and an effort will be made to try to keep the traffic off of Main Street in the Borough and possibly they can do this work at night like they are now on the current Route 78 project.

Mr. Stiehler stated that he understands that the Pharmacy in Phillipsburg was robbed right at closing time last night and asked if perhaps a trooper may be able to stop by the Lawrence Pharmacy to see if the owner may want an Officer there as he closes. Trooper McGourty will stop by to see the Pharmacist on his way out of town.

Sandra Schuler, 125 Main Street asked Trooper McGourty if the State Police can increase their enforcement of no parking on the shoulder near the truck stops. She stated that between 8:30 pm and 10:30 pm there have been as many as 9 trucks parked illegally. Trooper McGourty stated that this has been an ongoing Bloomsbury problem and that they continue to write tickets and that they have been writing more tickets recently. He explained that they write tickets and move them along a daily basis, but it continues to be a problem. He added that often times the truckers are stopping there because the lots are full. Mrs. Papics asked if the weigh station could be opened for them. Trooper McGourty said that the State will not open the weigh station for parking. Discussion followed.

Carol Staten, Brunswick Avenue stated that she has a problem involving truck drivers. Mrs. Tersigni stated that this is actually not the time for this discussion that it really to relate matters to the State Police which concern the Borough as a whole. Trooper McGourty stated that if she would like to call him or speak to him now outside about personal matter he would be happy to meet with her. Mrs. Tersigni stated that this may not be a matter for the Council to deal with but rather for a police matter which should be handled by the State Police directly. Ms. Staten stated it is actually a matter for the Council to deal with too and she will bring it up under new business. Trooper McGourty said he could provide her a number to call Perryville and Ms. Staten advised she had already called them on the 13<sup>th</sup>.

## **COMMITTEE REPORTS**

### ***A.Stiehler:***

#### **Board of Education-**

- Mr. Stiehler reported he was unable to attend the recent School Board meeting but he did send Mrs. Frey an email advising the blinking light had been repaired.

- She advised that eighth grade teacher Mrs. Skein resigned and they are looking for a replacement for her. The Interim superintendant is Al Purdy and the primary discussion at the meeting was regarding the feasibility study. She asked if the Council had made any decision regarding the one call system.

*C. James:*

**Environmental Commission-**

- The Environmental Commission sold 31 rain barrels and said the workshop was a great success. They would like to use some of the Clean Communities money to do an electronics recycling pick up in town. They were considering a two hour event in the fall and possibly combined with a poster contest through the school.

He said that they asked if it is possible to stagger the clean up days each year, having one in the fall one year, then the summer I the next as some people seem to always be away on vacation when during the clean up day. The Clerk stated that this year she had asked Council if they wanted to consider changing it because some people felt it was too hot in July, but Council wanted to keep the same date for this year. She advised that any change would be subject to approval by Premier and their schedule, but that there is only one year left on that contract so this could certainly be considered as part of our discussions for the next contract period.

**Newsletter-**

- Submissions must be in by the beginning of August and Mr. James will send out an email advising of the same.

**Recreation-**

- The Third Annual Golf outing website is set up to accept registrations and they will be sending out information to area businesses to try to get tee sponsorships as well.

*E. Weger*

**Shade Tree-**

- Nothing to report.

*V. Papics*

**BCC –**

- Nothing to report – no word on when next event may be.

**Rescue Squad-**

- Mrs. Papics reported that they submitted a request for donations which was received just this month and that it is too late to be considered for this year. She advised that they are holding their first golf outing at Harker's in August so they have been trying to get donations for the same.

**Hose Company -**

- Mrs. Papis reported they had a big scare at the Pilot truck stop with the possible hazmat situation. She stated that the crisis was averted and that the leaking material was found to just be the coolant that surrounds the inner tank.

***M. Tersigni:*****Recreation -**

- Mrs. Tersigni was unable to make the meeting but she knows they are planning for at least one movie night this summer, a softball game in September and a 5k which we will hear more about later.

Mrs. Tersigni stated that there have been no reports submitted to her, such as a Treasurer's report or other problem issues which were supposed to be addressed.

**Planning Board –**

- Mrs. Tersigni was unable to attend the July meeting but she did participate in the subcommittee review of the Master Plan and the Highlands Conformance Element which was reviewed last week but nothing is ready to be sent to Council at this time.

**Finance -**

- Mrs. Tersigni stated that Tax Bills went out last week and she wanted to thank Sharon, Vicky, Eloise and Lola Burd for assisting in getting them out. The due date has been extended due to the delay in the bills going out.
- The Borough reimbursement for Tropical Storm Lee expenses should be received by late August.

**General –**

- Mrs. Tersigni believes the Environmental Commission has submitted the statistical reports but she does not have proof of that. She also stated that their review of the ERI is also still outstanding so we will need to get that in order to get the project pulled together.
- Mrs. Tersigni stated that she has received word that the Arts Fest has been cancelled and the Environmental Commission always has a stormwater display which gets the Borough some of the required points each year. She asked if the Clerk was aware of where they stand to date with the same. The Clerk advised that has not received any information regarding events which they have planned, but that they are working with the Musconetcong Water shed to obtain all of the points needed. Mr. James will follow up with the Environmental Commission about the same.

**Clean Up Day -**

- Mrs. Tersigni thanked Mrs. Papics for joining her to help on Clean Up Day. She explained that Mrs. Papics and the Clerk made last minute signs to try to stop unmonitored and unauthorized dumping prior to the clean up which has happened in the past. She stated that she would like to give those signs credit for preventing that this year.

Mrs. Tersigni stated that there was one representative from Premier present. They hauled away one dumpster full of metal, two full of junk and two remain full of bulk waste at the park. One empty container is still at the park as well as a pile of additional metal, all of which will be discussed further later.

### **CLERK/ADMINISTRATOR'S REPORT**

The Clerk stated that when reviewing the minutes from the June meeting which she was not Present for, she felt there were a few things that needed clarification for the record to be sure everything was clear.

#### **Zoning Permit Fee -**

- She stated that there had been discussion regarding the zoning permit fee. She explained that as part of her review of the zoning ordinance she had noticed that the zoning permit fee had been adjusted from \$5.00 to \$10.00 with the adoption of Ordinance # 110-06 in 2006. She had advised Mr. Creveling of the same and he did begin charging residents the new fee. She stated that she understands there had been discussion on the record about going back to the old fee, and that this increase was possibly just oversight and not necessarily the intention of Council at the time.

The Clerk further explained that that based off that discussion at the meeting, she understands that Mr. Creveling began calling residents and telling them that he had money to return to them. The Clerk stated that she has since spoken to Larry and advised that he cannot simply refund this money. She has explained to him that the current Ordinance states that the fee is \$10 and it will remain that until Council adopts an amendment to the same. She further advised that no refund can be given unless Council so authorizes by resolution outlining the names of each resident and the amount to be refunded.

#### **Property Maintenance Violation Notification -**

- The Clerk stated that our property maintenance Ordinance allows for many different options of how to provide notice of violation to the property owner, but does not specify that any one must be used. She stated that she feels that it is unfair and not in keeping with the spirit of the Ordinance when it was written to simply pin a note on the door knowing that the house is vacant and then subject those people to fines when they don't abate the situation in time. She stated that she has given Mr. Creveling specific direction to always put a letter in the mail and pin one to the door – doing both on the same day and giving them 7 days to abate. She stated that we can only do our best and mail the

letter to the last known good address, understanding that some of these people have moved several times. Mr. Edleston voiced agreement for this course of action moving forward. The Clerk will send Mr. Creveling written notice regarding the same.

### **Park Security System -**

- The Clerk explained that she sent one last email outlining all of her efforts to contact the new company including all of her calls and emails and still has received no response. She stated that she and Mr. Francisco reviewed when our last payment was made to them for the maintenance agreement and that it was made in February for the January bill. She said they believe this was for the first quarter covering January, February and March. Mr. Stiehler reported that he called and left a message for the representative and got no response, but he will continue to be on top of this matter this week.

The Clerk stated that she did get a call from a gentleman who said he was referred by POM. She made an appointment to meet with him so that he can go over our equipment and possibly provide a quote for a maintenance contract moving forward. The previous contract was \$129/quarter so that will be the price to compare to.

### **Road Repairs -**

- The Clerk stated that the Mannon quote had been about \$5,000 higher than the Pip's quote, and that someone had said that this was likely because they asked to quote the job in the same way that Pip's did, by saw cutting and removing the existing black top rather than milling, which would be cheaper. The Clerk clarified this by explaining that she did not direct them to quote the job using any particular method but rather asked that they look at the areas and provide a quote for repairs based on their expertise.

She further stated that the Mannon quote actually was for milling all of the areas, and not saw cutting like the Pip's quote, and they were still significantly higher.

### **Codification –**

- The Clerk stated that she and Mrs. Tersigni finished the review of the fee schedule and made several changes to the same in an effort to make it cleaner and more user friendly.

She further advised that Mr. Roseberry is finalizing the Streets and Roads Chapter and she hopes to have all the final documents submitted to General Code as soon as possible.

### **Roof Repairs –**

- The Clerk stated that she had previously reported that Mr. Heinrich informed her that they have a few leaks in the DPW garage roof. She reported she sought three quotes for the needed repairs and only received two, one for \$2,087 with a 2 year guarantee and the other came in for \$600. The Clerk asked that Council take action tonight so that she may

proceed with hiring someone as soon as possible to minimize the damage to the interior ceiling. Council reviewed and discussed the same.

Mr. Weger moved Council to authorize the Clerk to enter into an agreement with Danucci roofing for \$600 to make the needed repairs to the garage roof; seconded by Mrs. Papics. ROLL CALL VOTE: James- ayes; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

#### **DPW Tractors –**

- The Clerk explained that she had given Council a list of trade in values for unused equipment that we now have at the borough garage. She stated that the tractor is having another issue with the clutch and Bob thinks it was repaired recently for a cost of about \$600 and that there may be an issue with the oil pump now. She also advised that the trailer will be delivered in the next few weeks and she is hoping to be able to get it into the garage to store it inside. The Clerk reminded Council that she received a \$16,000 trade in offer for the equipment. Discussion followed.

The Clerk stated that she got 2 quotes for Kubota Tractors the first for a 5100 model for \$25,000 and the second for a larger 5240 for \$37,000. She explained both of these are hydrostatic and both prices reflect a significant municipal discount offered by Powerco.

The Clerk stated that she has not price shopped for these, but that considering the trade in value, we could purchase the 5100 for just over \$9,000. Mr. Weger asked if the Clerk had priced having a rear back hoe added. The Clerk stated that she not, but will get a price. Council discussed the Borough's inability to do even minor repairs as we do not have the right equipment to do the job.

Mr. Weger asked if we can budget for the same for the next year. Mr. Francisco stated that he would like to wait for the final bill to come in for the paving and then reevaluate.

#### **MEETING SUBMISSIONS**

Mrs. Tersigni reminded everyone that the deadline for submission of items to be included in packets or considered as agenda items must be submitted to the Clerk not later than the Tuesday before, or one week prior to the meeting date. She will send an email out to all the different committees so that everyone is aware of this deadline.

#### **OLD BUSINESS**

##### **MAIN STREET PHASE I & II**

Mr. Roseberry stated that Main Street Phase I and Phase II is out to bid, and four contractors have requested bid packages to date. He stated that the Bid opening is scheduled for July 31, 2012 and bids will be reviewed at that time.

Mr. Weger asked when the project would be underway and when it would be completed. Mr. Roseberry stated that because it is a DOT funded project that they need to approve the contractor

and then we will need to give the contractor notice to proceed. He will then have 10 or 14 days to provide the Borough with his performance bond and other paperwork. Mr. Roseberry estimated that everything will be finalized and the project will start in late August.

The Clerk will schedule a special meeting for the purpose of awarding the bid for August 7, 2012 at 6:00 pm and will provide the appropriate notice of the same to the Hunterdon County Democrat.

### **MILL REDEVELOPMENT**

Mr. Edleston stated that he tried to reach Mr. Zaleski again today but to date is still waiting for the certificate of insurance so they can get started. He has not heard back from him but will try again tomorrow. Mr. Edleston stated that Mr. Zaleski should be required to either appear before Council at the next meeting or to at least provide some notice in writing explaining what the hold up is.

### **VEHICLE INSURANCE**

Mr. Francisco has not received a corrected invoice reflecting the change in the vehicle insurance from Mr. Gemmel to date.

### **ON CALL**

Mr. James stated that the Clerk had given him paper work several months ago about another system which may be available for the Borough at no charge. He stated that he has not yet followed up on this but he will do so and have a report for Council at the August meeting.

Mrs. Tersgini stated that this idea originated from the school when they thought we may be able to partner up and share the cost but since that is not an option, she wondered if we would still be interested in doing it. Discussion followed. Mr. Stiehler stated it is a good notification system. Mrs. Tersigni stated that we already have the email alert that we send out when needed.

Mr. James said that if a subcommittee were formed they could provide additional information at the next meeting. Mr. Stiehler volunteered to participate in the same. Mrs. Tersigni stated that they will also to consider who would be available 24 hours a day seven days a week to enter the alert information and maintain the updates. Discussion followed.

### **NEW BUSINESS**

#### **RESOLUTION # 40-12**

**WHEREAS**, the Borough of Bloomsbury was awarded \$160,000 for Main Street Phase I Improvement project in March 2011; and

**WHEREAS**, the bids were unsuccessful as only two bids were received and the cost was too high; and

**WHEREAS**, the Borough of Bloomsbury has been awarded \$120,937 for Main Street Phase II project in March 2012; and

**WHEREAS**, it has been determined that both Phase I and Phase II should be bid together

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury, do hereby authorize and request the DOT allow the Local Aid Grants for Main Street Phase I and Phase II be combined into a single project.

Mr. Weger moved Council adopt Resolution 40-12; seconded by Mr. James.

ROLL CALL VOTE: James- ayes; Papics-aye; Stiehler-aye; Weger-aye. Motion carried

**RESOLUTION # 45-12 – SEPTIC SYSTEM WAIVER**

**WHEREAS**, a new pressure dosing septic system is proposed to replace a malfunctioning system located on lands known as Block 20; Lot 12 (82 Main Street) in the Borough tax list; and

**WHEREAS**, the Hunterdon County Department of Health has determined that that proposed septic system is closer to being in conformance with N.J.A.C. 7:9A, but requires a waiver since the toe of the mound will be only 8 feet from the side property line; whereas 10 feet is required; and

**WHEREAS**, after reviewing the septic system application, and letter from the Hunterdon County Department of Health dated June 22, 2012, it is the Borough Engineer’s recommendation for the Board of Health to Grant said waiver.

**NOW, THEREFORE**, based upon the foregoing, the Borough of Bloomsbury does hereby grant the aforementioned waiver for the proposed septic system replacement on Block 20; Lot 12 (82 Main Street) in the Borough of Bloomsbury

The applicant shall submit a five-hundred dollar (\$500.00) escrow payment payable to the Borough of Bloomsbury to defray the Municipal Engineers expenses incurred in connection with this request;

The applicant shall hold the Borough of Bloomsbury and the County of Hunterdon harmless in connection with any and all claims of whatever nature relating to the future functioning of the system;

The Applicant’s Engineer will inspect and provide a certification that the proposed grading does not impact off-site conditions. Said Certification will be sent to the applicant and the County.

Mr. James moved Council adopt Resolution # 45-12; seconded by Mrs. Papics. All ayes; Weger- abstained. Motion carried.

**RESOLUTION # 46-12 - EXTEND GRACE PERIOD FOR PAYMENT OF TAX**

**WHEREAS**, the 2012 final and 2013 preliminary tax bills will be mailed out beyond the June 14, 2012 statutory date, NJSA 54:4-64 as a result of a delay in obtaining the Municipal Tax Rate, and;

**WHEREAS**, the law of 1994 known as A179 requires a minimum of a twenty –five day payment period for either estimated or final tax bills.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury this 24th day of July 2012, that the grace period allowed for payment of the August 1, 2012 tax quarter be extended to August 15, 2012 and any payment received after said date will be charged interest from the original August 1, 2012 due date.

Mrs. Papics moved Council adopt Resolution # 46-12; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 47 - 12 - INSERTION INTO THE 2012 BUDGET OF THE BOROUGH OF BLOOMSBURY IN THE AMOUNT OF \$120,937.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, MUNICIPAL AID PROGRAM - MAIN STREET, PHASE 2**

**WHEREAS**, N.J.S.A. 40A-:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been available by Law and the amount thereof was not determined at the adoption of the Budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Bloomsbury request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2012 budget in the sum of \$ 120,937.00 which item is now available from the State of New Jersey, Department of Transportation, Municipal Aid Program – Main Street, Phase 2

**BE IT FURTHER RESOLVED** that a like sum of \$ 120,937.00 and the same is hereby appropriated under caption:

“UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES”

State of New Jersey, Department of Transportation, Municipal Aid Program – Main Street, Phase 2.

**BE IT FURTHER RESOLVED** that the above is the result of the approval and the receipt of an award letter from the State of New Jersey, Department of Transportation.

Mrs. Papics moved Council adopt Resolution # 47-12; seconded by Mr. Stiehler.  
ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**MOVIE NIGHT IN THE PARK**

Megan Henry, Bloomsbury Recreation stated that they are hoping to hold a movie night in the park on August 9, 2012.

**RESOLUTION # 48-12 - A RESOLUTION AUTHORIZING THE BLOOMSBURY RECREATION COMMISSION TO HOST MOVIE NIGHT AT THE BOROUGH PARK**

**WHEREAS**, the Bloomsbury Recreation Commission would like to host a Movie Night at Mayor Tuxhorn Park; and

**WHEREAS**, this event will be held on Thursday, August 9, 2012 beginning at 8:45 PM; and

**WHEREAS**, the Borough Park is open to the public from dawn to dusk,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomsbury that the Bloomsbury Recreation Commission is hereby authorized to utilize the Borough Park on August 9, 2012 until 11:00 PM.

Mr. Weger moved Council adopt Resolution # 48-12; seconded by Mr. Stiehler. All ayes. Motion carried.

**5K Race**

Mrs. Henry stated that they are also hoping to plan a 5k walk/run for the fall. She stated that all money raised would benefit the PTO as the Arts Festival; their main fundraiser has been canceled. She stated they are hoping to hold it in late October. Mrs. Tersigni questioned if we will be done with the Main Street road work. The Clerk explained that they would need to finalize a route and bring that Council for their approval. If approved, the route would then also need to be approved by NJSP and they also weigh in on what will be required to affect the closure of each location as well. Mrs. Tersigni stated that anything relating to crossing Church Street 579 needs to be approved by the County Freeholders and they only meet once a month. The Clerk stated that they need to get the route in as soon as possible because they don't have a lot time to do everything that is required.

The Clerk asked if they plan to also do a raffle. They said they may and the Clerk explained that this will also have to be submitted for the next meeting in order to allow for LGCCC approval in advance of the event.

Mrs. Henry will forward final details about the 30 and over softball game to the Clerk and she will send out an email alert announcing the same.

**HIGHLANDS PLAN CONFIRMATION – ERI**

Mrs. Tersigni stated there is nothing for Council to review at this time. The Clerk stated that due to the notice which is required, she believes it will not come to Council for consideration until the September meeting.

### **MUNICIPAL ALLIANCE PROGRAM - 2013**

Mrs. Papis moved Council authorize the Mayor to renew our application with the Municipal Alliance Substance Abuse Prevention Program for 2013; seconded by Mr. Weger. All ayes. Motion carried.

### **ROUTE 173 ROAD RESURFACING**

Mr. Roseberry stated that the letter is asking for a cost estimate for anticipated Engineering expenses for the Borough. He will review the same and give a number to the Clerk so that a response can be sent.

### **CORRESPONDENCE**

Council reviewed a letter received from Carol Staten dated June 12, 2012 requesting Council no left turn signs off rRoute173 onto Wilson Avenue. Mr. Roseberry stated the Borough does not have the authority to regulate that. Mrs. Tersigni stated that the Borough does have 4 ton weight limit on all streets in the Borough. Mrs. Tersigni addressed Ms. Staten who was present and advised this is the Council's answer.

Mrs. Staten stated that the letter was two-fold and she has already spoken to the State about this matter and that Council has to either concur with her suggestion or not concur. She stated that she has been advised that that is not a Township Road but Wilson Avenue is and that the letter states and/or. Either a no left turn off of 173 and/or no access onto Wilson from 173.

Mrs. Papis stated that she not comfortable with either suggestion stating that she uses that road to enter the Borough often. Mrs. Tersigni stated that there is already a 4 ton weight limit on all streets and that she feels a lot of the damage occurred when Route 173 was closed for the bridge work. She stated that she believes we will accept out Borough Engineers opinion on this matter, that we have no control over the state roadway and leave it as it is at this time. Mrs. Tersigni asked if any other Council member had anything to say or suggest.

Mr. Weger stated that this is the first time the Council has heard any concerns about this location, and he does not see the need to change the current signage. Ms. Staten stated that there is a pot hole on Wilson near Brunswick Avenue. Mrs. Papis stated that then perhaps the DPW can make this part of their next round of pot hole repairs. Ms. Staten said it is going to need to be repaired properly and should have been part of our current road work project.

Mrs. Tersigni advised Council that this discussion is now getting out of line with the letter which is the subject of discussion. She asked if Council wanted to pursue this matter with the State in some way, or are they comfortable saying we have received a letter, considered the request and will take the advice of our Professional.

The Clerk will ask that Mr. Heinrich look at the pot hole on Wilson and add it to the list of locations they will try to make repair to this year.

### **RESCUE SQUAD**

Council reviewed a letter from the Rescue Squad requesting an addition contribution from the Borough. Mrs. Tersigni stated that it actual came looking like a bill showing that we owe \$21,000 but we had budgeted \$16,500 and that has been paid in full. She explained that everything we had agreed to give them has been received and this actually asking for \$5,000 more which was not budgeted for.

Mrs. Tersigni stated that budget information which the Clerk started asking for in November of last year is actually finally included in this. She explained that the Clerk requested budget information well in advance of re-organization so that any requests could be considered prior to the adoption of the Budget. Mr. Papis will let the Rescue Squad know that again for this year they will be expected to supply this information prior to January 1<sup>st</sup> so that Council can consider the same.

### **DEP LETTER – DATED JULY 3, 2012**

Mr. Roseberry stated that he spoke to Harry Kachrew who is the enforcement agent. He explained that they had a lengthy conversation and the bottom line is that they just want to know what the Boroughs plans are in this area. He said some people may read this letter and feel that they are telling the Borough that they have to do something but that that is not the case at all. They received a DEP hotline phone call from Ms. Schuler and followed up with an investigation and then issued this letter.

Mr. Roseberry stated that there is no citation in this letter indicating we are in violation of anything, there is no fine, and they are just asking what our plans are. He stated that he will be preparing a letter of response to them, explaining what has been discussed several times in the past, which is there is no collection system in this area and there is currently no plan to install any.

Mr. Roseberry provided a large scale aerial photo of the area in question and outlined to Council how the water flows down the mountain. He explained that we have pretty good records dating back into the 80's that show this. He further explained that the railroad track has been there for over one hundred years. Under that track there is a 30" pipe which conveys water from the North side to South side. All the storm water from the above farms and the mountain all drains down into this location through this pipe.

There is a drainage ditch that went through the Schuler property and went straight out to Main Street. It was a well defined drainage ditch several feet deep, several feet wide. He explained that then, at some point, this drainage ditch was filled in. There is a catch basin which was installed in the rear of the property. He has a map which shows that a 12" storm sewer was installed on what is now the Lance property but he cannot find the end of it, but everything was filled in and now there is nowhere for the water to go.

There is no conveyance system what so ever and the Borough has no easements, no pipes, and no legal jurisdiction to do anything. The Borough property starts at Main Street where all the water is discharged onto.

Mr. Roseberry stated that the Lance's recently installed a berm with landscaping in the Borough paper street. He stated that it does not really affect the storm water much right now because it still goes down their driveway, but because they put in it in the Borough right of way without permission; we sent them a notice that they have to remove it. He stated that they have retained Counsel and Mr. Roseberry met with their Engineer and walked the site. He explained that we are currently waiting for a plan from him as to what they may propose.

Mr. Roseberry recapped that with no collection system having ever been in this area, we are not in violation of anything. We have no legal authority to do any work on any of the properties. He stated that the situation does exist but it was created over the years by residents filling in the existing drainage ditch.

Mr. Roseberry stated that we did look at solutions, and in order to get the water from North Street it would have to run all the way to Gardner and then run it all the way down Gardner to connect in some way to the Musconetcong River. Mr. James asked if the owner of the field has any responsibility where their water gets directed and do neighbors typically have a responsibility as to where their water goes. Mr. Roseberry stated that the field really has no affect on this because that area has not changed and that is generally how legal decisions are made. Basically wherever water used to flow is where it is supposed to flow so you only have issues when you start to re-direct the original course.

Mr. Papics stated that she can recall seeing the drainage ditch before it was filled in. Mr. Roseberry stated that they have surveys showing the same. Mr. Roseberry stated that he plans to prepare a response stating that we do not have any collection system in that area. He believes that the DEP thought that the catch basin in the rear of Ms. Schuler's yard was a Borough catch basin, and he will clarify that it is not. Discussion followed.

Mr. Roseberry stated that he has never heard of the DEP forcing a municipality to install a collection system where none exists, and added that there are thousands of sub-standard systems in the state and the DEP does not force their replacement.

Mr. James moved Council authorize Rick Roseberry to respond to the letter from Richard Paul, NJDEP; seconded by Mrs. Papics.

ROLL CALL VOTE: James- aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

### **PUBLIC COMMENT**

Sandra Schuler, 125 Main Street stated that she feels we need to move beyond the fact that there was a swale there because other improvements have been made to the area. She asked why a pipe can't be installed down the town right of way taking it out to Main Street. She stated that this area was supposed to be addressed in the stormwater management plan. Mr. Roseberry stated that she is misinterpreting what a stormwater management plan does. He explained that the DEP permit regulates discharge out of existing storm sewers and the plan is put into place to ensure that you comply with that DEP permit but it is really for discharge, regulating car washing activities, connections to storm sewers, etc. As far as flooding concerns, the only requirements of the DEP is to adopt Ordinances for future development so that they don't negatively impact the storm sewers anymore than they are currently, it is not a plan put in place to improve existing drainage problems.

Ms. Schuler asked why this was not put into the original stormwater management plan. Mr. Roseberry stated it is not a requirement to list existing drainage problems. Ms. Schuler said that she is concerned about what Mr. Roseberry mentioned earlier about someone attempting to fill in the drainage pipe under the Railroad. Mr. Roseberry stated that the Borough advised the Railroad of the same and that they sent someone out to inspect it, but it is up to them as to whether or not they want to clear it.

Ms. Schuler stated that there are six homeowners directly affected by this and it is getting worse. She stated that the berm the Lance's installed helps several of the homeowners. She said that residents are taking matters into their own hands. She stated that she has taken measures to protect her basement and will do further regarding on her property and hopes that it will not push water onto her neighbors property. She stated this is the problem that people are re-directing water in their own properties.

Ms. Schuler addressed Mrs. Tersigni directly stating that she was on Council when houses were built in the area and Mrs. Tersigni stated that she could not respond directly to Ms. Schuler as she has obtained Counsel and is threatening another law suit against the Borough. Ms. Schuler stated that she is not threatening another law suit but that there are six other homeowners who she can tell Council, can take the law suit she filed against the Borough years ago and file the same against the town. She said the Council really needs to think about this.

Ms. Schuler stated that she knows for a fact that the Borough has gotten \$280, 000 in grant money the Borough has received and asked where has all this money gone? Mrs. Schuler asked if the Council has all the bills for what this money was spent on and what work has been done?

Mr. Roseberry stated that this grant money is a DOT Local Aid Project and putting in a drainage system does not qualify for that. She asked why the Borough can't look into other grants that may be available. Mr. Roseberry stated that he is aware of what grants are available. And the only thing that is available, is a loan, not a grant and it is the Stormwater infrastructure trust program and it is a very competitive loan combined with all the sanitary sewer projects in the state and municipalities can wait 10 years to get on the list for a loan like this.

Wesley Lance, 124 North Street stated that he put the berm up because he had to do something. He stated that he does not know why there is a problem if he has the berm, builds up the front of his driveway and just direct it down North Street and down Wilson as it ultimately gets to Main Street anyway. Mr. Roseberry stated that ultimately yes, but that if they are going to re-direct the runoff they need to have a good engineering study to back it up stating that it will not negatively affect any other property owner. He said that as soon as another neighbor or someone further down North Street gets affected by the next major storm, we will have a whole different group of people appearing before Council and pointing fingers and then at that point the Borough may have some responsibility because they allowed a change to be made which is why anything that is done needs to be backed up by an engineering study.

Mr. Roseberry stated that if property owners dug the ditch back out to Main Street, that may be the easiest solution.

Sandra Schuler stated that she and Mr. Lance have several ideas about how to correct this problem including adding curbing to divert water down the street, adding a berm to the bottom of one of the driveways or possibly changing the slope of North Street. She told Council to keep this in mind for when it is time to re-pave the roadway. She asked if Mr. Lance would need to submit a letter to Council about this. Mr. Roseberry reiterated that Mr. Lance would have to have his Engineer submit a plan, including the proper calculations to show that those bumps and berms that they would be proposing are not going to adversely affect any other property owner. Discussion followed.

Mrs. Tersigni stated that Mr. Roseberry appeared tonight to educate Council on the letters which Council received regarding this issue so that we could be better prepared to deal with it.

Mr. Roseberry stated that he is very familiar with this situation, that the cost to properly fix it is exorbitant. He reiterated that doing anything on North Street does require Borough approval because it is a Borough right of way, and in order to get our approval – they need to be able to convince Council and himself that it will not have any negative effect on anyone else. Ms. Schuler said that maybe they could have neighbors downstream, who may be negatively impacted sign off and give their approval.

Mr. Edleston stated that that would not be appropriate or possible from a legal standpoint. Mr. Edleston stated that Mr. Roseberry is still waiting to receive a report from the Lance's Engineer.

Mr. Roseberry confirmed the same, stating that he met with the Lance's Engineer, Jim Chmielak and he seemed to have a grasp of what was going on and he was going to further review the same and send a letter proposing a plan to correct the situation.

Ms. Staten told Council to be careful about diverting that water to Wilson Avenue and to be sure to consider the homes you are diverting to because you are taking from A to B and we may have a whole new set of problems. Mr. Roseberry agreed.

Ms. Staten stated that her second concern is regarding the TA, and that she had two trespassers sit on the edge of her driveway on July 13, 2012. She explained that she went out and asked them to leave and they did taking the sidewalk at the back of her home crossing the highway up the hill to TA's property and there is nothing blocking them from doing that. She provided Council with a letter that she wants to be added to the agenda for next month which is about the situation that occurred.

Mr. Weger moved Council close Public Comment; seconded by Mrs. Papis. All ayes. Motion carried.

### **RESOLUTION FOR AN EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss potential litigation and a contract matter.

Mrs. Papics moved Council enter executive session at 9:02 PM; seconded by Mr. Weger. All ayes. Motion carried.

Mr. Weger moved Council Re-enter Regular Session at 9:50; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Papics moved Council authorize Mr. Edleston to take whatever appropriate action is necessary if we don't get written confirmation that he dumpsters at the Borough Park will be removed by this Friday, and if not that we compel them to show cause before a judge why they should not live up to their contract; seconded by Mr. Weger.

ROLL CALL VOTE: James-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. Edleston stated that Council shall defer any action on the North Street drainage matter until we hear from Mr. Roseberry regarding his review of the Lance's Engineer's report of the issue of the berm that they installed on the Borough right of way.

### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mr. James. All ayes, motion carried. Meeting adjourned at 9:54 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
AUGUST 28, 2012**

The regular meeting of the Mayor and Council was held on August 28, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger - excused
	Chris Smith – arrived 7:07	Al Stiehler
	William Edleston, Esq. - excused	

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mr. James moved Council approve the Regular Meeting Minutes of July 24, 2012, seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. Smith joined Council at the table.

Mrs. Papics moved Council approve the Special Meeting Minutes of August 7, 2012, seconded by Mr. Smith. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics moved Council accepts the Tax Collector's monthly report of July 31, 2012; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mr. James moved Council approve the Bill List; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye – except payroll; Smith-aye; Stiehler-aye. Motion carried.

**STATE POLICE REPORT**

Trooper McGourty appeared, introducing the Lieutenant Robinson and assistant Sergeant Ayala to the Mayor and Council. The Clerk thanked Perryville Troopers for their recent responses to the Borough regarding children riding four wheelers and motor cycles on the Borough Streets. Discussion followed.

## **CODE ENFORCEMENT OFFICER'S REPORT**

Mrs. Papis moved Council accept the Code Enforcement Report; seconded by Mr. Smith. All ayes. Motion carried.

## **COMMITTEE REPORTS**

### *A. Stiehler:*

#### **Board of Education-**

- Mr. Stiehler reported he attended the Board of Education meeting on August 14, 2012, and the New Parent's Social is being held this evening. The Board will meet on September 11, 2012 to vote on moving forward with exploring more options about possible separation from Phillipsburg High School and transition to a Hunterdon County School District.
- Mr. Stiehler reported to the School Board that Council anticipates the Main Street road work to begin in a few weeks and they voiced concerns about how that may affect student pick up and drop at the school.

Mrs. Tersigni stated that no date has been set yet for a pre-construction meeting but we will reach out to the Board to let them know when that may be held so that they can attend. Discussion followed.

### *C. Smith:*

#### **Recreation-**

- The Smith reported another successful Summer Recreation Program this year which ran from early July until August 10<sup>th</sup>. He stated that all equipment was returned to the attic of the school. He stated that he has not had the opportunity to finish up the accounting, but will do so in the next week or so.

Mr. Smith stated that members did stake and line the soccer field converting it from lacrosse field to a soccer field and practices have begun. He does not have a start date for games at this point.

A 5k run is being planned in conjunction with the PTO to be held in late October. A Golf outing is scheduled for October 7<sup>th</sup> and the Over 30 Softball game will be held on September 9<sup>th</sup> at Tuxhorn Park.

Mr. Smith reported that large garbage bags were purchased for use in the recycling bins at the park. He explained that the Recreation Commission will get together with the Environmental Commission to hand empty the bins and start using the liners. He stated

that they will put holes in the liners for drainage and be sure to have them in place when events are held at the park.

***C. James:***

**Environmental Commission-**

- Mr. James reported there was no Environmental Commission meeting this month and therefore nothing to report.

**Newsletter-**

- Mr. James stated that he provided the Mayor with a hard copy of the Fall Newsletter and will email the Clerk a copy as well. If there are no changes it is ready to go.

***V. Papics***

**BCC –**

- Nothing to report.

**Rescue Squad-**

- Mrs. Papics reported that the Rescue Squad held their Golf Tournament last Sunday but she has not received a report about how much money the event raised.

**Hose Company -**

- Mrs. Papics stated the Hose Company is considering future dates for wing night but none have been scheduled yet.

**OEM –**

- Mrs. Papics reported that the NIMS Cast report which is due August 31, 2012 has been completed and submitted.

***M. Tersigni:***

**Planning Board –**

- Mrs. Tersigni stated that the Borough Planner, Joanna Slagle was present to provide an update on the 2012 Master Plan Reexamination Report and Master Plan Amendment which did incorporate all the changes made by the Planning Board. A hearing is schedule for the September meeting.

**Finance -**

- Mrs. Tersigni stated that the tax sale will be held on December 5<sup>th</sup> with letters going out to tax payers on October 3<sup>rd</sup> and ads will be run for four consecutive weeks prior to the sale. The Tax Collector has provided information regarding the properties that the Borough already holds liens on which should be considered for possible foreclosure of a parking lot. The Clerk will scan and email the same to Council.

- Funding is in place for Main Street Phase I and Phase II. The Clerk received and email from the State approving the contractor for the project and the contracts have been signed. The Clerk is holding the same until she can confirm that the related insurance documents and performance bond have been received.
- Mrs. Tersigni stated that the FEMA reimbursements for the October storm are in bringing our total received to \$15,442.00 thanks to a lot of number crunching and information gathering by Vicky, Lisa, Kim and the DPW employees. She added that Mrs. Papics had reported that many towns are not getting any reimbursement.
- Mrs. Tersigni stated there is nothing to report about the auto insurance premium adjustment yet. The Clerk reported that she inquired with Mr. Gemmel about the status of this issue and was again advised that he has not received the corrected invoice for the same again.
- The dumpsters from clean up day were removed from the park by the deadline given by Mr. Edleston. Premier billed the Borough for the \$1,000 flat fee in accordance with the contract, which was paid and we expect the same to be the case next year.

## **CLERK/ADMINISTRATOR'S REPORT**

### **Security System-**

- The Clerk reported that Integrated Systems & Services came out and conducted an evaluation of the existing security system equipment. As she had expected, the monitor was not functioning properly, and a monitor she had donated to the office has now been installed in its place. They also quoted the Borough for what they believe are additional and necessary repairs. She asked Council keep in mind that the date of the original system installation completion was only just in October 2010 and it was supposed to last a very long time. Not only did the technician confirm that the monitor is already not working, but found that one of the cameras under the pavilion is not working either. He stated that this did not appear to be an issue with vandalism or physical damage, but rather just a camera which stopped working and will need to be replaced.

The Integrated System Account Manager, Robert Keating stated that he has never seen a system installed where the equipment was unprotected and subject to the elements like ours is and feels it continue to be an issue. He recommended that the Borough purchase a temperature controlled dust free box to house the entire system to protect it. The Clerk explained that the quote to make the needed repairs is for \$1,838. She reminded Council that the original system only cost around \$5,000.

The Clerk stated that with the original service and maintenance agreement the Borough was paying \$129 per quarter and their quote was for \$420 per quarter. Discussion followed.

The Clerk will continue to try to get additional quotes for service and maintenance contracts for the existing system.

#### **DPW Tractors –**

- The Clerk presented updated quotes for a tractor, optional heated cab and addition of a backhoe. The Clerk explained that she has requested quotes from two other companies but has not received anything to date. Discussion followed. Mr. James stated that he prefers not to spend this much money without budgeting for the same. He asked if there is an immediate need for the new tractor. The Clerk explained the DPW does currently have two tractors, but that they often have mechanical difficulties with them and never use both at the same time. Additionally, there is a sickle bar and a rear mower which are taking up space in the garage which are no longer used and there is a need to make room for the new trailer which will be delivered soon. Mr. Smith asked if the tractor could be purchased this year and then perhaps a backhoe could be added at a later date when the same could be budgeted for. Council discussed the trade in values for the old equipment and the money remaining in the capital fund. Discussion followed.

#### **Insurance–**

- The Clerk reported that she is scheduled to meet with Mr. Gemmel to conduct the annual review. She stated that she provided Council review sheets two months ago so that they had the opportunity to review the same and forward any questions or concerns to the Clerk. To date no comments have been received. She stated that there had been discussed regarding the possibility of going with a new agent for next year because of some concerns about the service we have been receiving with Mr. Gemmel and Brown and Brown. The Clerk stated that any comments Council may have must be received by the end of the week so that she can plan accordingly.

#### **DPW – Truck sandblasting**

- The Clerk reported that Mr. Heinrich did obtain another quote for sandblasting and painting the undercarriage of the Ford Truck. The second quote came in at \$2,600 and the first had been \$2,414. She stated that this is much higher than Mr. Weger's original guess of a few hundred dollars, but that she saw the truck and can confirm that it is necessary to have this done to preserve the vehicle.

Mr. James moved Council move ahead with the lowest quote that the Clerk received to have the undercarriage sandblasted and painted for \$2,414; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

#### **Codification -**

- The Clerk advised that she received notification today that the Code is ready and hard copies are in the mail and on their way. She explained that there is also a link to the eCode which she can share with Council so that everyone can take some time to review the same and report and typos and problems they may find. The Clerk explained that Ordinances will need to be considered for final adoption of the Code.

#### DPW Signs -

- The Clerk reported that the DPW is in need of signs and cones to properly warn approaching traffic when they are doing road work. She explained that she has priced getting 10 road cones with reflective collars, several miscellaneous warning signs, street signs and frames for a total of \$751.66 which will qualify for free shipping. The Clerk explained that all of the signs will comply with the new regulations for High Intensity Prismatic Signs. Discussion followed.

Mr. James moved Council authorize the Clerk to proceed with the purchase of the signs; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

Mr. James asked if it would be possible to ask that Jennifer Rittenhouse could update the Borough Website with new Council information. The Clerk stated that she believes most of this was updated and then there was an issue which reverted some of this back to the old settings. She will follow up with Jennifer about the same.

Mr. James stated that he included a statement in the Newsletter explaining that the Main Street road work may cause partial street closures.

### **OLD BUSINESS**

#### **MILL REDEVELOPMENT**

The Clerk reported that she called Dave Rief, Construction Official who advised that permits had been issued months ago for work on the exterior of the building, and that a new batch of permits are ready for pick up today relating to interior work. Mr. Reif stated that the only thing they are waiting for is updated plans from Mr. Zaleski's Engineer relating to the fire sprinkler plans.

No written statement about the same has been received from Mr. Zaleski to date.

#### **5K Race**

Mrs. Henry stated that she has not been able to get in touch with the Fire Department to see if they will be available to assist with Street closures for the race. The Clerk will reach out to them. Mrs. Papics stated that as OEM, she can also request that the Hunterdon County C.E.R.T Team to assist with the same. Mrs. Henry stated that she spoken to Melissa Allen from the County Road Department and had explained that the Borough does not have adequate barricades and they may be able to lend us them for closing Church Street during the event. Council voiced support for the same.

The Clerk advised that because the PTO and Recreation are conducting the event together, that both the School and the Borough should provide certificated of insurance for the different locations which will used that day.

Mrs. Henry stated that Lisa Thomas, PTO Treasurer will handle all of the money. The PTO will also provide the start up money for advertising, etc. Discussion followed.

**RESOLUTION # 51 – 12 - RESOLUTION ENDORSING A 5K RUN TO BE HELD BY THE BLOOMSBURY ELEMENTARY SCHOOL PTO AND APPROVAL FOR BOROUGH STREET CLOSURES**

**WHEREAS**, the Bloomsbury Elementary School PTO in conjunction with the Bloomsbury Recreation Commission will be holding a 5K run on October 27, 2012; and

**WHEREAS**, partial street closures will be necessary to ensure the safety of all participants;

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury does hereby endorse the 5K run with further approval to be provided when the 5K route is finalized.

Mr. James moved Council adopt Resolution 51-12; seconded by Mr. Smith. All ayes. Motion carried.

**NEW BUSINESS**

**RESOLUTION # 50 – 12 - LIEN REDEMPTION**

**WHEREAS**, the Tax Collector of the Borough of Bloomsbury has advised the Committee that the following properties have been redeemed and the money due thereon paid to the Borough of Bloomsbury Tax Collector;

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury this 28th day of August 2012 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #	AMOUNT
US Bank Cust for Pro Capital I, LLC 2 Liberty Place 50 S. 16 <sup>th</sup> St. Suite 1950 Philadelphia, PA. 19102	16/2.02	2010-004	\$11,297.85

Mrs. Papics moved Council adopt Resolution # 50-12; seconded by Mr. Stiehler.  
ROLL CAL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

### **HIGHLANDS PLAN CONFIRMANCE AND APPROVAL OF ERI**

Mrs. Tersigni stated that she did not touch on the ERI portion of this in earlier discussion and explained that we must come up with a shortened version of the 2012 Master Plan Re-Exam Report and Amendment. She stated that part of that is the need for an updated ERI which was given to the Environmental Commission two months ago and no comments have been received. Mrs. Tersigni stated that part of that has been their difficulty in holding meetings. Mr. James stated that he understood that the Environmental Commission had been given the ERI and had a two week drop dead date for comments to be received and asked why it is still be commented on if that was the case.

Mrs. Tersigni stated that we are prepared to move ahead if we have not heard anything. Mr. James said that he would agree that they should go ahead with it, but that if something is needed in the future that things should go out in a more timely fashion. Mr. James stated that he understands there are some issues with membership on the Environmental Commission as well but he would say that if we have not received anything then just go ahead with it.

Mrs. Tersigni stated that she thought Ken Robbins was going to reach out one last time hoping that Christine Hall had an opportunity to review it. Mr. Smith asked why Christine would provide comments if she saw it after the due date. Mrs. Tersigni stated that they need to sign off on it and we need a copy of the meeting minutes where it was reviewed or addressed and we have none of that. She stated that Ken knows what is needed.

Mr. James stated that if moving forward he is the liaison to the Environmental Commission and he is responsible for this stuff he has to be aware of what goes on and asked if he can be included in emails so he can attempt to follow up.

The Clerk stated that she is not sure if the Planner may have been working on this directly with the Environmental Commission Chairperson as well. The Clerk stated that she believes that Joanna Slagle had advised Ken Robbins that a letter from the Environmental Commission may suffice.

### **2012 LEAGUE OF MUNICIPALITIES CONFERENCE ATTENDANCE**

Mrs. Papics moved Council approve the Clerk's attendance at the 2012 Conference for a cost not to exceed \$400; seconded by Mr. James.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

### **EAST STREET SINK HOLE**

The Clerk explained that per the recommendation of the Borough Engineer, she had requested that Brian Plushanski provide a quote for repairing the sink hole area, and also a second per linear foot price to replace the deteriorating drainage pipe. The repair can be made for \$2,950, and if Council decides to replace the entire run, it would be \$115 per linear foot plus an additional \$3,000 to tie into the catch basins. Mrs. Papics explained that the pipe runs from the corner of Main and East Street down to the corner of the Firehouse property and then diagonally

across the rear of the Fire House across Brunswick and down to the river between two homes on Brunswick to the river. Discussion followed.

The Clerk explained that the hole was created when a tractor parked on the street to attend Church services. Mr. Francisco confirmed that nothing else is needed as this is an emergency repair and it has already been authorized.

### **CORRESPONDENCE**

Council reviewed the letter from Mr. Roseberry to the Mr. Paull of the NJDEP dated August 2, 2012. Mr. Smith asked if this is a letter of response on behalf of the Borough. Mrs. Tersigni stated that this was a subject discussed at length at the last meeting and Mr. Smith may want to review the meeting tapes of the same.

Council reviewed a letter from Sharon Cooper dated August 12, 2012. The Clerk asked that if any Council member has strong feelings as to whether we should make a change or switch agents to please forward their comments about the same to assist her in making a decision.

It appears that there is not much room for cost savings either way, but the service we receive should be a factor in choosing. The Clerk asked that Council comments please be forwarded by the end of the week.

### **PUBLIC COMMENT**

No comment.

### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mrs. Papis; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:25 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
SEPTEMBER 25, 2012**

The regular meeting of the Mayor and Council was held on August 28, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics - excused	Eric Weger
	Chris Smith – excused	Al Stiehler
	William Edleston, Esq.	

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mr. James moved Council approve the Regular Meeting Minutes of August 28, 2012, seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. James moved Council approve the Executive Session Meeting Minutes of July 24, 2012, seconded by Mr. Weger. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mr. Stiehler moved Council accepts the Tax Collector's monthly report of August 31, 2012; seconded by Mr. Weger.

ROLL CALL VOTE: Tersigni-aye; James-aye; Stiehler-aye; Weger-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mr. James moved Council approve the Bill List of September 25, 2012; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni-aye; James-aye; Stiehler-aye; Weger-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Mr. Weger moved Council accept the Code Enforcement Officer's Report of September 2012; seconded by Mr. James. All ayes. Motion carried.

**COMMITTEE REPORTS**

***E. Weger:***

- Mr. Weger stated that he had no report other than the Main Street work which will be discussed later in the agenda.

***C. James:***

**Environmental Commission-**

- Mr. James stated that he had nothing to report, but noted that the ERI had been taken care of from the email correspondence he saw. The Clerk stated that she did not get a final response to the ERI status. Mr. James said that he thought that Mrs. Goshen had sent it in to the Clerk already. Mr. James will follow up about the same.

***L. Burd for Mrs. Papics:***

- The Clerk stated that Mrs. Papics asked that she report on her behalf stating she had nothing new for BCC, Fire or Rescue and that she has not received a response from the County C.E.R.T regarding her request for their assistance with the Spooky Sprint event to date.

***A. Stiehler:***

**Board of Education-**

- Mr. Stiehler stated that at the Board of Education meeting held on September 11, 2012, the Board tabled the Resolution severing the relationship with Phillipsburg High School. He explained there was 3.5 hours of public comment on the subject. He stated that last night there was a workshop held and that Board President announced that some of the Board Members had attended a meeting at Del Val together which was a violation of the Sunshine Law. She ordered the members to provide minutes and a memo explaining what happened at the meeting.

Mr. Stiehler stated there was also discussion about how the Board will handle communications moving forward stating that the President is required to present the majority opinion.

The Board also discussed putting out a referendum to the town but it sounded as if they are leaning toward a School Board vote about the issue instead, but it will not be on the October Agenda.

The Clerk stated that she received an email from Karyn Frey today asking if the Clerk could provide an estimated cost for a referendum of the voters. The Clerk contacted Mary Melfi, County Clerk about the same and she said she would have to look into the cost of a Special Election and get back to her.

Mr. James asked Mr. Stiehler to clarify what the President was required to do moving forward. Mr. Stiehler stated that the President must give the majority opinion of the School Board. He explained that apparently there were some articles or press releases where she had stated her opinion and not that of the majority of the Board members.

Mr. Edleston asked if this question could be on the ballot for the November Election. The Clerk stated that the timing would be an issue but that the County Clerk is looking into what could be done. Discussion followed.

- Mr. Stiehler stated that they are still accepting applications for Principal until the end of the week.

*M. Tersigni:*

### **Planning Board –**

- The September Planning Board was canceled and the Public Hearing we were expecting to hold will now be held at the October meeting and has been properly noticed for the same.

### **Recreation -**

- Mrs. Tersigni stated that she has received a copy of their financials which we have been waiting a long time for. She explained that they are waiting for the summer recreation numbers to come in. She explained that Rich Petri is officially on board as treasurer.
- The Recreation Commission has a sub-committee working on the Spooky Sprint and at the time of the meeting they had \$1,400 in sponsorships and they are hoping to have at least 40 runners.
- Soccer season began on September 15<sup>th</sup> and the Committee reviewed opening and close procedures for game days.
- The Golf outing will be held on Sunday October 7<sup>th</sup> at Morgan Hill and you can register online.

### **Finance -**

- Council reviewed an analysis of the Court revenue and expenditures for September. Mrs. Tersigni stated that we anticipated revenue of about \$8,000 and have received just over \$5,000 to date.
- Mrs. Tersigni stated that there are two lines in the budget report to keep an eye on, the engineering and fuel lines. Mr. Francisco stated that we increased the fuel line budget based on last year but then the cost of fuel went up again, so we may need a transfer at the end of the year. Mrs. Tersigni added that we only have \$338 left in that line.

**NJDOT GRANT -**

- Mrs. Tersigni stated that Mr. Roseberry has advised that the grant application window is again open and we are able to apply for funds for two additional projects. He will begin working on a Phase III and Phase IV project.

**CLERK/ADMINISTRATOR’S REPORT**

**DPW – Truck sandblasting**

- The Clerk reported that the three estimates she had received came in higher than what was originally expected. Council endorsed moving forward with the quote from Performance Collision for \$2,414 understanding that some additional cost could be incurred if other issues were found. The Clerk stated that she was surprised to see the bill came in for \$1,300 more than the quote. She explained that this billing included tax which she requested they remove and also that she believed another line item for \$231.00 was charged in error. The Clerk stated that given the extra items which needed to be replaced including brake lines, clamps, and body work, she believes the remaining additional balance of \$900 is reasonable. Discussion followed.

Mr. Weger moved Council authorize up to an additional \$1,300 for payment of repair bill from Performance Collision; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni-aye; James-aye; Stiehler-aye; Weger-aye. Motion carried.

**Security System-**

- The Clerk stated that she continues to try to obtain additional quotes for maintenance and service on the park security system. She reminded Council that the original cost was for \$129 per quarter for maintenance. She explained that of the two quotes she has obtained, they compare as follows:

	Integrated Systems:	A&M Security
Maintenance	\$420 per quarter	\$225 per quarter
Camera Replacement	\$440	\$200
Cabinet Installation	\$1,100	\$575

She explained that she had also requested an explanation of services provided for the maintenance contract for A & M. He stated that all of the connections which he examined were not well done. He said it is a possibility that the reason the camera is not working ay be because of a faulty connection. Discussion followed.

Mr. James stated that he feels that f we are unable to obtain another quote that we are ready to move forward with this agreement from A& M Security next month.

### **DPW Tractors –**

- The Clerk stated that she had provided Council with a spreadsheet comparison of the tractor quotes. She explained that the Ordinance for funding the purchase of the same will be up for consideration later on the agenda and she encouraged Council members to go look at the different options available. Mr. James thanked the Clerk for providing the information and stated that if the DPW plans to go out to look at the tractors he would be interested in going if available.

Mr. Weger stated that he feels that the Tractors are all comparable and that the biggest difference he sees is with the trade in values being offered. Discussion followed.

### **Disposal of Leaves –**

- The Clerk stated that several months before she had reported to Council that she located a farm in Kingwood Township called Fields without Fences, which would accept leaves from clean up, free of charge. She reminded Council that the cost for disposal at a nearby farm is about \$3,500 so this cost could be saved; however, the farm is about 30 minutes away, so there would be increased cost in both fuel and man hours to drop them off. The Clerk stated that she asked Mr. Heinrich to take a ride out to the new location to see where it is and how the ride is. Discussion followed. Mr. James stated that even considering the extra time and fuel, even if there was only \$1,000 saved, it would be worth it. Discussion followed. Mr. Weger stated that perhaps a second vehicle could be outfit for pick up so that when one was on the road to be dumped, the other could be loaded. He stated that he would like them to have both options, so that they can take them to the nearby farm when necessary but try to take some for free disposal.

### **Codification -**

- The Clerk stated that she provided each Council member with a copy of the new Code Book. She advised that each member must sign the certification of receipt and return it to her.

### **STATE POLICE REPORT**

No report.

### **OLD BUSINESS**

### **MAIN STREET PHASE I and II & SRTS UPDATE**

Mrs. Tersigni stated that no awards have been issued relating to the Safe Routes to Schools funding to date.

Mrs. Tersigni stated that the Contractor has been beginning work at about 7:30 am each day. She explained that Rick and the supervising engineer have been spending a lot of time on the roads talking to residents and answering their questions. The new curb has been pulled about two feet out toward the center of the road to allow for conflicts with trees and driveways. The new width of the road will still support parking on both sides and two-way traffic and new ADA compliant ramps will be installed as required.

### **MILL REDEVELOPMENT**

Mr. Edleston stated that he spoke to the Mayor and Clerk and there are several issues which need to be resolved before the deed can be signed and released. He stated that they have gotten all of their building permits and have supplied him with their Certificate of Liability Insurance showing the Borough as a named insured. Mr. Edleston stated that to date no one has received a copy of the approved architectural and he feels that Council would want to at least be sure that the design is in keeping with what we had hoped it would be.

Mr. Edleston stated that the Mayor and Clerk also have concerns about adjusting the timelines in the contract as so much time has passed since the agreement was signed, so those matters will need to be addressed. He explained that the issue of the tax abatement also needs to be resolved. He stated that currently there is supposed to be an abatement of the municipal portion of the taxes only for a period of five years and the question is when does that period begin? Discussion followed.

Mr. Edleston stated that the Borough Council will need to decide if they want the five year tax abatement to start when the CO is issued or when the project is complete. Mr. Weger voiced concern about the matter asking what would happen if he decided to just sit on the project for five years and not move forward. Mr. Edleston said that was good point and could be a concern. The Clerk stated that she did not think this was an issue as that is what the timeframes contained in the agreement prevent. They outline that he must have specific progress by certain dates. Discussion continued. Mr. Edleston stated that he left a voice message for Mr. Zaleski last week explaining that these are the issues which need to be resolved.

Mr. Edleston stated that he did receive the certificate of insurance and he spoke directly to his agent as well. He said he will send the certificate to the Clerk tomorrow.

### **NEW BUSINESS**

#### **Bloomsbury PTO 5K Run**

Mrs. Henry reported that they have raised about \$1,400 in sponsorship and hope to get about \$2,000 total. They stated that 25 walkers/ runners are registered for the race so far and they hope to get a lot more. They understand that it is typical for people to show up the day of the race and register. They will complete the temporary food permit application and submit that to the Clerk this week.

**Consent agenda for Introduction of the Codification Ordinances**

**ORDINANCE # 106 – 12 - AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

**§ 1-7. Adoption of Code.**

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Bloomsbury of a general and permanent nature adopted by the Mayor and Council of the Borough of Bloomsbury, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 270, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Borough of Bloomsbury," hereinafter known and referred to as the "Code."

**§ 1-8. Code supersedes prior ordinances.**

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

**§ 1-9. When effective.**

This ordinance shall take effect immediately upon passage and publication according to law.

**§ 1-10. Copy of Code on file.**

A copy of the Code has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance, and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Bloomsbury by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

**§ 1-11. Amendments to Code.**

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of

Bloomsbury" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be included in the Code as hereinafter provided as amendments and supplements thereto.

**§ 1-12. Publication; filing.**

The Clerk of the Borough of Bloomsbury, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-13. Code to be kept up-to-date.**

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are included as supplements to said Code.

**§ 1-14. Sale of Code.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

**§ 1-15. Altering or tampering with Code; penalties for violation.**

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of Bloomsbury to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a penalty as provided in Chapter 1, Article I, General Penalty, of the Code.

**§ 1-16. Severability of Code provisions.**

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-17. Severability of ordinance provisions.**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-18. Repealer.**

- A. Repeal of inconsistent ordinances. Except as provided in § 1-19 below, all ordinances or parts ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed as of the effective date of this ordinance; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Bloomsbury which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
  
- B. Repeal of specific ordinances. The Mayor and Council of the Borough of Bloomsbury have determined that the following ordinances are no longer in effect and hereby specifically repeal the following ordinances:
  - 1) An ordinance adopted September 9, 1969, amending an ordinance providing minimum requirements and specifications for acceptance of streets and roads.
  - 2) Ordinance No. 9-77, An Ordinance To Prevent Loitering.
  - 3) Ordinance No. 202-90, An Ordinance To Create the Position of Chief Financial Officer.
  - 4) Ordinance No. 309-91, An Ordinance Relating to Water-Saving Fixtures.
  - 5) Ordinance No. 310-91, An Ordinance Establishing the Local Violations Bureau Schedule.
  - 6) Ordinance No. 505-93, An Ordinance Amending an Ordinance Regulating the Provision of Potable Water Services and Setting Standards and Fees Therefor.
  - 7) Ordinance No. 109-04, An Ordinance Incorporating Certain Provisions of Title 39 Regarding Parking Offenses, as amended by Ordinance No. 109-04-A.
  - 8) Ordinance No. 110-05, An Ordinance Establishing the Bloomsbury Water Department.
  - 9) Ordinance No. 116-05, An Ordinance Creating Pedophile-Free Zones.
  - 10) Ordinance No. 107-07, An Ordinance Establishing a Water Service Rate for the Use of Fire Suppression Systems.

**§ 1-19. Ordinances saved from repeal.**

The adoption of this Code and the repeal of ordinances provided for in § 1-18 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to March 22, 2011.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- M. Any ordinance adopting or amending the Zoning Map.

**§ 1-20. Changes in previously adopted ordinances.**

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
  
- C. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

**ORDINANCE # 107-12 - AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 29, MEETING ATTENDANCE**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 29, Meeting Attendance, of the proposed Code of the Borough of Bloomsbury:

**§ 29-1. Positions deemed vacant.**

The office of any person appointed to a specified term, with or without compensation, by the governing body or chief executive of any local unit, including persons appointed to any board, committee, commission, authority or other agency of one or more local units, shall be deemed vacant:

- A. Upon its being declared by judicial determination.
- B. Upon the filing by such officer of his/her written resignation.
- C. Upon the refusal of a person designated for appointment to such office to qualify or serve.
- D. Upon the determination of the appointing authority that such officer shall be physically or mentally incapable of serving.
- E. Upon the death of such officer.
- F. Upon the determination of the appointing authority that, in violation of a lawful residency requirement, such officer no longer resides within the corporate limits of the local unit or other designated territorial area.
- G. In the case of a member of a board, committee, authority or other agency, whenever the member, without being excused by a majority of the authorized members of such body, fails to attend and participate at meetings of such body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of longer duration, at

the conclusion of such period, provided that such body shall notify the appointing authority in writing of such determination; provided, further, that such board, committee, commission, authority or other agency may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness.

- H. Upon the removal of such officer for cause in accordance with law, or for any other reason prescribed by law.

**§ 29-2. Filling of vacant position.**

Whenever any of the above shall occur, the appointing authority shall forthwith fill the office for the unexpired term in the manner prescribed by law; provided, however, that in the case of a person failing to qualify or refusing to serve pursuant to § 29-1C, such office shall not be deemed vacant if the incumbent officeholder is authorized by law to continue in such office until a successor is appointed and qualifies therefor.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 108-12 - AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF BLOOMSBURY BY ADDING A NEW ARTICLE IV, MUNICIPAL ATTORNEY, TO CHAPTER 31, OFFICERS AND EMPLOYEES**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Article IV, Municipal Attorney, of Chapter 31, Officers and Employees, of the proposed Code of the Borough of Bloomsbury:

**ARTICLE IV  
Municipal Attorney**

**§ 31-17. Office created.**

Pursuant to the authority of N.J.S.A. 40A:9-139, there is hereby created the office of Municipal Attorney, also known as "Borough Attorney."

**§ 31-18. Appointment; term of office.**

The Mayor shall appoint, with the advice and consent of the Council, the Municipal Attorney, also referred to as the "Borough Attorney," who shall be licensed to practice law in the State of New Jersey, for a term of one year commencing January 1 and terminating December 31 in each year.

**§ 31-19. Powers and duties.**

The Municipal Attorney shall serve as legal advisor to the Mayor and Council; represent the Borough in all legal matters; advise and assist the Mayor, Council, Borough Administrator and department heads as required in the administration of the Borough government; represent the Borough in all litigation, arbitration, administrative hearings and appeals and other such proceedings; attend Council meetings; draft ordinances and resolutions and such other legal instruments as relate to the business of the Borough; give opinions and rulings on questions of law; and render such other professional legal services as may be required by statute or as requested by the Mayor and Council from time to time, whether by ordinance, resolution or otherwise.

**§ 31-20. Compensation.**

The compensation to be paid the Municipal Attorney shall be by retainer set by contract. In addition to the retainer, for litigation, administrative proceedings, legal services related to labor matters, extraordinary proceedings and/or unforeseeable matters or services, the Municipal Attorney shall be paid such reasonable fees and costs as may be necessary and required in accordance with his or her professional services contract.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 109-12 - AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 34, PAY TO PLAY**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 34, Pay to Play, of the proposed Code of the Borough of Bloomsbury:

**§ 34-1. Awarding public contracts to certain contributors prohibited.**

- A. Any other provision of law to the contrary notwithstanding, the Borough or any of its departments or agencies or independent authorities, as the case may be, shall not enter into an agreement or otherwise contract with any professional business entity for professional, banking, or insurance coverage services or any other consulting services, including contracts and agreements awarded pursuant to a process permitted as a fair and open process under the New Jersey Local Pay-to-Play Law (N.J.S.A. 19:44A-20.4 et seq.), if within one calendar year immediately preceding the date of the contract or agreement that entity has solicited or made any contribution of money, or pledge of a contribution, including an in-kind contribution, in excess of the amounts specified in Subsection D, to any Borough municipal candidate for or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Borough or Hunterdon County party committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections and/or municipal parties.
- B. No professional business entity which enters into negotiations for or agrees to any contract or agreement with the Borough or any of its departments or agencies or independent authorities for the rendition of professional, banking or insurance coverage services or any other consulting services, including contracts and agreements awarded pursuant to a process permitted as a fair and open process under the New Jersey Local Pay-to-Play Law (N.J.S.A. 19:44A-20.4 et seq.), shall solicit or make any contribution of money, or pledge of a contribution, including an in-kind contribution, to any Borough municipal candidate for or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Borough or Hunterdon County party committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections and/or municipal parties, between the time of first communications between that business entity and the Borough regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.
- C. For purposes of this chapter, "professional business entity" means and includes any natural or legal person providing or offering to provide professional, banking, or insurance coverage services or other consulting services. A natural or legal person includes an

individual, firm, proprietorship, corporation, professional corporation, partnership, or any other organization or association. The definition of "business entity" includes in the aggregate all officers of the entity, all partners in the entity, all principals of the entity who own 10% or more of the profits or assets of the entity or 10% of the stock in the case of a business entity that is a for-profit corporation and all subsidiaries directly controlled by the entity. An individual included in the definition of "business entity" or "professional business entity" shall also include the individual's spouse, if any, and any child living in the same household as the individual or spouse.

- D. A professional business entity may in any calendar year contribute, without violating Subsection A of this section, a maximum of \$300 each for any purpose to any candidate for Mayor or Council, or \$300 each to any Borough party committee, or \$500 each to any Hunterdon County party committee or PAC referenced in this chapter. However, any individual or entity or group of individuals or entities constituting a professional business entity under this section, including in the aggregate all covered principals, partners, officers and subsidiaries of the entity, may not in any calendar year contribute more than \$2,500 to all Borough candidates and officeholders with ultimate responsibility for the award of the contract and all Borough and Hunterdon County party committees and all covered PACs combined.
- E. For purposes of this section, the office or offices considered to have ultimate responsibility for the award of a contract shall be the Mayor and the Borough Council.

#### **§ 34-2. Contributions made prior to effective date.**

No contribution of money or other thing of value, including an in-kind contribution, shall be deemed a violation of this chapter, nor shall the efficacy of any contract or agreement be thereby affected, if that contribution was made by the professional business entity prior to the effective date of this chapter.

#### **§ 34-3. Contribution statement.**

- A. Prior to entering into any contract or agreement with a professional business entity to procure its services, including professional, banking, insurance coverage or consulting services, the Borough or its departments, agencies or independent authorities, as appropriate, shall obtain from the professional business entity a sworn statement made under penalty of perjury that the professional business entity, including in the aggregate all covered principals, partners, officers and subsidiaries, has not made a contribution in violation of this chapter. The effectiveness of any award of a contract or agreement covered by this chapter shall be conditioned upon satisfactory compliance with this requirement.
- B. The professional business entity shall have a continuing duty to report any violation of this chapter that may occur during the negotiation or duration of a contract.

#### **§ 34-4. Return of excess contributions.**

A professional business entity, candidate, officeholder, candidate committee, party committee or PAC may cure a violation of this chapter if, within 30 days after the prohibited contribution, the Borough Council is notified of the violation in writing and the prohibited contribution is returned to the professional business entity.

**§ 34-5. Violations and penalties.**

- A. It shall be a violation of this chapter to:
- (1) Make or solicit a contribution in violation of this chapter;
  - (2) Knowingly conceal or misrepresent a contribution given or received;
  - (3) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;
  - (4) Make or solicit any contribution on the condition or with the agreement that it will be contributed to a candidate or campaign committee of any candidate for Borough office or any holder of Borough office;
  - (5) Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant will make or solicit any contribution which if made or solicited by the business entity itself would subject the entity to the restrictions of this chapter;
  - (6) Fund contributions made by third parties, including consultants, attorneys, family members and employees;
  - (7) Engage in any exchange of contributions to circumvent the intent of this chapter; or
  - (8) Directly or indirectly, through or by any other person or means, do any act which would subject the entity to the restrictions of this chapter.
- B. All professional services agreements and other contracts for covered services between a professional business entity and the Borough or its departments, agencies or independent authorities, as appropriate, shall provide by operation of law that it shall be a material breach of the agreement for the business entity to engage in conduct prohibited by this chapter.
- C. Any professional business entity which violates this chapter also shall be disqualified from eligibility for future Borough contracts for a period of four calendar years from the date of the violation.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

SECTION IV:

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 110-12 - AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 256, VEHICLES AND TRAFFIC**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 256, Vehicles and Traffic, of the proposed Code of the Borough of Bloomsbury:

**§ 256-1. Definitions and word usage.**

- A. Words and phrases. Whenever any words and phrases are used in this chapter, the meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey shall be deemed to apply to such words and phrases used herein.
- B. Official time standard. Whenever certain hours are named in this chapter, they shall mean either Eastern Standard Time or Eastern Daylight Saving Time as may be in current use.

**§ 256-2. Authorization for closing of any street.**

- A. The Mayor of this municipality is hereby authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health or welfare.
- B. Any regulations promulgated by the Mayor in accordance with Subsection A above shall provide for the posting of proper warning signs of such closing on any street or portion thereof during the time the same is closed in pursuance thereof.
- C. Any violation of a regulation promulgated hereunder shall be punishable as provided in Chapter 1, Article I, General Penalty, of this Code.
- D. Any regulation adopted that mandates the closing of any street for a period greater than 48 consecutive hours shall not become effective unless and until it has been submitted to and approved by the Commissioner of the Department of Transportation.

**§ 256-3. Tow-away.**

Any vehicle parked in violation of this chapter shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any peace officer may provide for the removal of such vehicle. The owner shall bear the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.

**§ 256-4. Violations and penalties.**

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty as provided in Chapter 1, Article I, General Penalty, of this Code.

**§ 256-5. Severability.**

If any part or parts of this chapter are, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.

**§ 256-6. Parking regulations not exclusive.**

The provisions of this chapter imposing a time limit on parking shall not relieve any person of the duty to observe other, more restrictive provisions prohibiting or limiting the stopping or standing or parking of vehicles as set forth in N.J.S.A. 39:4-138, any other New Jersey Statute or as hereinafter provided.

**§ 256-7. Parking prohibited during state of emergency.**

- A. Upon the declaration of an emergency, there shall be no parking upon the streets where temporary EMERGENCY NO PARKING signs are displayed. The Mayor or, in his/her absence, the ranking police officer is authorized to declare an emergency and to direct the posting of EMERGENCY NO PARKING signs when weather conditions, accidents, road construction, fire or public celebrations dictate or require avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that EMERGENCY NO PARKING signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.
- B. The effectiveness of this section is contingent upon the signs being erected as required by law.

**§ 256-8. Temporary parking prohibition for snowplowing and removal.**

- A. Whenever snow or frozen precipitation has fallen and the accumulation is such that it covers the streets and highways, an emergency shall exist and no vehicle shall be parked on the streets or highways or portions thereof indicated. The above parking prohibitions shall remain in effect after the snow or frozen precipitation has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic or the ability of public works personnel to completely clear and remove all snow or ice.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
All streets	Both	Entire length, no parking when such streets are covered by snow or frozen precipitation
Brunswick Avenue	South	From its intersection with East Street to its

		intersection with State Highway 173 from November 15 of each calendar year through March 31 of the succeeding year there shall be no parking during and following any period of frozen precipitation, i.e., snow, ice or sleet, for so long as the roadway is not entirely free of accumulations of frozen precipitation
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- B. Any unoccupied vehicle parked or standing in violation shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer or code enforcement officer of the Borough may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.
- C. Removal of vehicles in the event of frozen precipitation.
- (1) All motor vehicles shall be removed from all streets in the Borough of Bloomsbury when more than two inches of frozen precipitation fall and shall remain off the street until 12 hours after cessation of frozen precipitation events.
  - (2) In the event that a vehicle is not removed from the streets of the Borough of Bloomsbury as provided in this section, the Borough shall be empowered to tow said vehicle from the streets of the Borough of Bloomsbury and impound said vehicle, which vehicle shall be released only upon payment of all fees and charges incurred as a result of towing said vehicle.
  - (3) Any individual or corporation or partnership or other entity who or which violates this section shall be subject to a fine not to exceed \$500.

**§ 256-9. Stopping or standing prohibited during certain hours on certain streets.**

No person shall stop or stand a vehicle between the hours specified on any day upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
Church Street (County Route 579)	West	8:00 a.m. to 4:00 p.m. Monday through Friday or as	Beginning at the intersection with Main Street an

		required to be in concert with the elementary school schedule of activities	approximate distance of 135 feet across the County Route from the Bloomsbury Elementary School
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**§ 256-10. Parking time limited on certain streets.**

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Side	Limit	Hours	Location
County Route 579	East	15 minutes	10:00 a.m. to 10:00 p.m.	Starting from the intersection of Musconetcong Drive and Route 579 and extending 25 feet
County Route 579	West	15 minutes	7:00 a.m. to 10:00 p.m.	Starting 25 feet from the intersection of Willow Avenue and Route 579 for a distance of 50 feet

**§ 256-11. Parking prohibited at all times on certain streets.**

No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Side	Location
Brunswick Avenue	South	From its intersection with East Street to its intersection with State Highway 173 from November 15 of each calendar year through March 31 of the succeeding

		year there shall be no parking during and following any period of frozen precipitation, i.e., snow, ice or sleet, for so long as the roadway is not entirely free of accumulations of frozen precipitation
Center Street	West	Between Brunswick Avenue and Main Street
Willow Avenue	Both	From West Street to Milford Road
Willow Avenue	North	Entire length

**§ 256-12. Parking prohibited during certain hours on certain streets.**

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
Main Street	North	8:00 a.m. and 4:00 p.m. on school days	From Church Street to a point 200 feet east of Church Street

**§ 256-13. Parking of certain trucks, vehicles and trailers prohibited.**

No person shall park any truck or vehicle over four tons gross vehicle weight (GVW), a school bus, any other type of bus, recreational vehicle, camper, boat or trailer between the hours specified upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
All streets	Both	6:00 p.m. and 7:00 a.m.	Entire length

**§ 256-14. Residential permit parking.**

No person shall park a vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit as issued by the Borough of Bloomsbury is displayed on said vehicle for those streets or parts of streets as described or listed within the following sections.

Street	Side	Hours	Days	Location
(Reserved)				

**§ 256-15. Angle parking.**

The following streets or parts of streets are hereby established as angle parking at an angle so indicated below.

Name of Street	Side	Angle	Location
Center Street	East	45°	Between Brunswick Avenue and Main Street

**§ 256-16. Through streets.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as through streets. Stop signs shall be installed on the near-right side of each street intersecting the through street except where yield signs are provided for in the designation.

Name of Street	Limits
Brunswick Avenue	Entire length
Lehigh Avenue	Entire length
Main Street	Entire length
North Street	Entire length

**§ 256-17. Stop intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

<b>Intersection</b>	<b>Stop Sign(s) On:</b>
Deer Path and Woodland Terrace	Woodland Terrace
Fawn Run and Deer Path	Deer Path
Willow Avenue and Smith Street	Smith Street
Willow Avenue and West Street	West Street

**§ 256-18. Multi-way stop intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multi-way stop intersections. Stop signs shall be installed as provided herein.

<b>Intersection</b>	<b>Stop Sign(s) On:</b>
(Reserved)	

**§ 256-19. Yield intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as yield intersections. Yield signs shall be installed as provided herein.

<b>Intersection</b>	<b>Yield Sign(s) On:</b>
(Reserved)	

**§ 256-20. One-way streets.**

The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

<b>Name of Street</b>	<b>Direction</b>	<b>Limits</b>	<b>Parking Permitted</b>
Bethlehem Avenue	South	From State Highway 173 to Gardner Street	South side
Gardner Street	South	From Bethlehem Avenue to Brunswick Avenue	East side

**§ 256-21. Routes for trucks over four tons.**

Pursuant to N.J.S.A. 40:67-16.1, the streets or parts of streets as described are hereby designated as routes for vehicles over four tons. All trucks having a total combined gross vehicle weight (GVW) of vehicle plus load in excess of four tons shall be excluded from all municipal streets, except from those municipal streets listed, state highways and county roadways, which form a part of the truck route system. Vehicles will be permitted on all streets for the purpose of the pickup and delivery of materials.

Name of Street	Location
(Reserved)	

**§ 256-22. Vehicles over designated weight excluded from certain streets.**

Vehicles over the gross vehicle weight (GVW) are hereby excluded from the streets or parts of streets described except for the pickup and delivery of materials on such streets.

Name of Street	Tons	Location
All municipal streets, except County Route 579	4	Entire length

**§ 256-23. Turn prohibitions.**

No person shall turn at the below described location as indicated.

Intersection	Turn Prohibited	Movement Prohibited
(Reserved)		

**§ 256-24. Right turn only.**

No person shall make a turn at the below listed location other than a right turning movement.

Intersection	Movement Permitted
(Reserved)	

**§ 256-25. No turn on red.**

No person shall make a right turn on the red signal at any location listed:

Intersection	Movement Prohibited
(Reserved)	

**§ 256-26. Mid-block crosswalks.**

The following locations are hereby established as mid-block crosswalks.

Name of Street	Location
(Reserved)	

**§ 256-27. Lane use reservations.**

The lane locations described are designated as lane use reservations and traffic shall move as indicated.

Intersection or Location	Movement
(Reserved)	

**§ 256-28. Exclusive lane use.**

The lane locations described are hereby designated as exclusive lanes for use by certain vehicles as indicated.

Name of Street	Type of Vehicle	Direction	Limits
(Reserved)			

**§ 256-29. Bicycle routes/lanes.**

The lane locations described are hereby designated as bicycle lanes. Bicycle lanes shall be a minimum of four feet in width, pursuant to the Manual on Uniform Traffic Control Devices for Streets and Highways.

Name of Street	Side	Lane Width	Limits
(Reserved)			

**§ 256-30. Speed limits.**

- A. The speed limits for both directions of traffic along the streets or parts thereof described below and made a part of this chapter are hereby established at the rate of speed indicated.

Name of Street	Speed Limit (mph)	Limits	Approval Date
Church Street (County Route 579)	25	Between Lehigh Avenue and the Musconetcong River, except 15 miles per hour when passing through the Bloomsbury Elementary School Zone during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school, during opening or closing hours	
Main Street	25	Between State Highway 173 and Church Street (County Route 579), except 15 miles per hour when passing through the Bloomsbury Elementary School Zone during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school, during opening or closing hours	

B. Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits.

**§ 256-31. No-passing zones.**

No-passing zones are hereby established and shall be maintained upon the following described streets or parts thereof:

Name of Street	Sketch #	Sketch Date	Approval Date
(Reserved)			

**§ 256-32. Bus stops.**

The locations described are hereby designated as bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

Name of Street	Hours
(Reserved)	

**§ 256-33. Articulated bus stops.**

The locations described are hereby designated as articulated bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

Name of Street	Hours
(Reserved)	

**§ 256-34. Loading zones.**

The locations described are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials. (Note: Minimum length for all loading zones is 50 feet. No loading zone may be established in any area where it is prohibited to stand or park by statute. N.J.S.A. 39:4-138.)

Name of Street	Time	Side	Location
(Reserved)			

**§ 256-35. Taxi stands.**

The locations described are hereby designated as taxi stands. No vehicle other than a taxi shall be permitted to occupy said locations during the times indicated.

<b>Street</b>	<b>Location</b>	<b>Hours</b>
(Reserved)		

**§ 256-36. Handicapped parking.**

- A. Handicapped parking on streets. In accordance with the provisions of N.J.S.A. 39:4-197.5, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<b>Street</b>	<b>Location</b>
(Reserved)	

- B. Handicapped parking on streets for private residences. In accordance with the provisions of N.J.S.A. 39:4-197.6, the following on-street locations are designated as handicapped parking spaces in front of private residences occupied by handicapped persons. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted in these spaces.

<b>Street</b>	<b>Permit Number</b>	<b>Location</b>
(Reserved)		

**§ 256-37. Control of movement and parking of traffic on public and private property.**

- A. Regulation for the movement and the parking of traffic on municipal property and Board of Education property. In accordance with the provisions N.J.S.A. 39:4-197, the following municipal and Board of Education property shall have the movement of traffic controlled by the type of regulation indicated. No person shall operate or park a vehicle in violation of the regulations indicated.

<b>Property</b>	<b>Regulation</b>
(Reserved)	

B. Regulation for the movement and the parking of traffic on private property open to the public and to which the public is invited (retail business).

- (1) In accordance with the provisions of N.J.S.A. 40:48-2.46, on the following private property that is open to the public and to which the public is invited, the movement of traffic shall be controlled by the regulations listed herein. No person shall operate or park a vehicle in violation of the following regulations.

<b>Property</b>	<b>Regulation</b>
(Reserved)	

- (2) The owners of the premises referred to in this section shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the current Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD). The cost of signs and installations shall be the responsibility of the owner of said property. The owner shall, subsequent to the initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Bloomsbury.
- (3) The penalty for a violation and conviction of this section shall be as provided in Title 39 of the Revised Statutes.

C. Regulation for the movement and the parking of traffic on all other private property. In accordance with the provisions of N.J.S.A. 39:5A-1, the regulations of Subtitle 1, Title 39, of the Revised Statutes are hereby made applicable to the properties listed below.

<b>Property</b>
(Reserved)

D. Regulation for the movement and the parking of traffic on municipal park property. In accordance with the provisions of N.J.S.A. 39:5A-4, the regulations of Subtitle 1, Title 39, of the Revised Statutes are hereby made applicable to the properties listed below.

<b>Property</b>	<b>Regulation</b>
(Reserved)	

E. Regulation for the movement and the parking of traffic on United States Post Office

property. In accordance with a written request from the Postmaster, the following various traffic regulations are hereby made applicable to the properties listed below as follows. No person shall operate or park a vehicle in violation of the regulations listed below.

Property	Regulation
(Reserved)	

- F. Signs, pavement markings, installation and maintenance. The owners of the premises referred to in Subsections B and E shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways. The cost for the procurement and installation of signs and pavement markings shall be the responsibility of the owner of said property. The owner shall, subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Bloomsbury. The owner shall be responsible for the repair and restoration or replacement of the same.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

Council discussed ordinances relating to the introduction of the new code. Mr. Edleston stated this would be ordinances adopting the codification of the revised general ordinances of the Borough of Bloomsbury and supplementing those by the following ordinances, one to amend the code to add a new chapter concerning meeting attendance, the second to amend the code by adding a chapter defining the responsibilities and duties of the municipal attorney, a third to add a chapter regarding pay to play rules, and a fourth to amend the code by adding a chapter entitled vehicles and traffic.

Mr. Weger moved Council Introduce ordinance 106-12, 107-12, 108-12, 109-12 and 110-12; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni aye; James-aye; Stiehler-aye; Weger-aye. Motion carried.

**ORDINANCE # 111-12 - AN ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS AND THE APPROPRIATION OF \$15,000 FROM THE BOROUGH OF BLOOMSBURY**

**GENERAL CAPITAL FUND**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NJ AS FOLLOWS:**

Section 1: The capital improvements described in Section 2 of this Ordinance are hereby authorized as General Improvements to be made by the Borough of Bloomsbury. There is hereby appropriated \$15,000 from the Capital Improvement Fund for the said purpose stated in Section 2.

Section 2: The improvements hereby authorized and the proposed authorizations are for the following purposes:

Purchase of a Public Works Tractor	\$15,000
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The maximum amount of money to be appropriated is \$15,000, no part of which is to be borrowed.

Section 3: The said purchase described in Section 2 is not a current expense and is for the purchases stated above.

Section 4: This appropriation is made as a result of the need to replace Borough equipment.

Section 5: This Ordinance shall be published in the manner provided by law. Final passage is scheduled for Tuesday, October 23, 2012 at 7:00 PM in the Borough Hall, 91 Brunswick Avenue, Bloomsbury, NJ or at such other date and time to which it may be adjourned.

Section 6: This Ordinance shall take effect upon final passage as provided herein.

Mr. Stiehler moved Council Introduce Ordinance # 111-12; seconded by Mr. Weger.  
ROLL CALL VOTE: Tersigni aye; James-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 52-12 - BLOOMSBURY HOSE COMPANY # 1 INC.  
OFF-PREMISE 50/50 RAFFLE**

**WHEREAS**, the Bloomsbury Hose Company #1 Inc. is the licensee on the application to conduct an Off-Premise 50/50 Raffle on November 16, 2012 to be held at the Bloomsbury Hose Company, 91 Brunswick Avenue, from 6:30 - 10:30 PM.

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid off-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The off-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mr. Stiehler moved Council adopt Resolution # 52-12; seconded by Mr. James. All ayes. Motion carried.

### **2012 BEST PRACTICES**

The Clerk explained that she and the CFO, Mr. Francisco have worked together to complete the worksheet. Mr. Francisco stated that every town must complete the best practices worksheet and depending upon how well you do, you could lose some state aid, but the Borough will not based on our score. Mrs. Tersigni stated that the Borough got a 94% out a perfect 100%. Mr. Francisco stated that some of the questions do not apply to us, so the answer is not applicable and those do not count against us.

Mrs. Tersigni stated that out of 50 questions, we have responded yes to 31, no to 3, not applicable to 10 and perspective to 6 which means we are working on them.

Mr. Stiehler moved Council authorize the Clerk to certify the Worksheet and the CFO to submit the same to the State; seconded by Mr. Weger. All ayes. Motion carried.

### **CORRESPONDENCE**

No additional correspondence was discussed.

### **PUBLIC COMMENT**

No comment.

### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:12 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
OCTOBER 23, 2012**

The regular meeting of the Mayor and Council was held on October 23, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:02 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James	Martha Tersigni
	Vicky Papics	Eric Weger
	Chris Smith	Al Stiehler - arrived 7:25
		William Edleston, Esq.

**FLAG SALUTE**

**MAIN STREET PHASE I AND PHASE II PROJECT UPDATE**

Mr. Roseberry appeared before Council to provide an update to the status of the Main Street project. He explained that the Mayor provided him with a list of concerns compiled after she and the Clerk conducted a walk through last week. Mr. Roseberry stated that many of the items on the list have already been taken care of this week and that he will be meeting with the contractor this week to go over all outstanding items.

He stated that the contractor will be putting mailboxes back in, and cleaning up the site. He explained that the job is bid as a per unit price, so changes may result in add-ons which would cost more money.

Mr. Weger asked if the contractor can be billed for damages explaining that he believes they have damaged several trees in the Borough. He stated that they used a backhoe to tear the branches off the new trees planted in front of the Thomas' house. Discussion followed. Mr. Roseberry will look into this matter.

Mr. Roseberry will follow up with the contractor to be sure that the damaged catch basin is property secured for trick or treat. Mr. Weger stated that the workers left a broken windshield from one of their machines on the grass at the school which is dangerous. Discussion followed. Mr. Roseberry will go over all concerns with the contractor including what should be done with the roof leaders.

Cathy Foulk 83 Main Street, asked if there is going to be a Halloween Parade and if the road work will affect it. The Clerk stated that the BCC members had adjusted the route several

months ago in anticipation of the project and it will just be held on the Fire House block to avoid the area.

Mrs. Foulk asked when Trick or Treating would be held. The Clerk stated that it is on Halloween from 6 - 8 PM.

### **APPROVAL OF MINUTES**

Mr. James moved Council approve the Regular Meeting Minutes of September 25, 2012, seconded by Mr. Weger. All ayes. Motion carried.

### **TAX COLLECTOR'S REPORTS**

Mr. Weger moved Council accept the Tax Collector's monthly report of September 30th and quarterly report dated September 2012; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

### **APPROVAL OF BILL LIST**

Mr. Weger moved Council approve the Bill List of October 23, 2012; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

### **CODE ENFORCEMENT OFFICER'S REPORT**

Council reviewed the zoning officer's report dated October 11, 2012.

### **COMMITTEE REPORTS**

*V. Papics:*

#### **BCC -**

- Mrs. Papics reported that the Halloween Parade will be held this Sunday from 2 - 4 PM. Participants will begin at the Fire House, go up East Street to a left on Main Street, then left on Gardner, left on Brunswick and back to the Fire House.

#### **OEM-**

- Mrs. Papics stated that she will be handing out the First Responder forms for everyone to complete again as this is required each year.

#### **Bloomsbury Hose Company-**

- Mrs. Papics stated the Fire Company is still looking for their insurance reimbursement from the Borough. The Clerk stated that she is still working on it. She explained that she has been in touch with Sean McNulty at the Hose Company as she continues to work with three people at Brown and Brown to clear up this issue.

*E. Weger:*

- Mr. Weger stated that he went to PowerCo to look at the Kubota tractor and then spoke to Bob about the same. He said that Bob did not have a specific reason why he did not like the machine. Mr. Weger stated that he was impressed with it and felt it would more than

suit our needs explaining it is heavier than what we have and has a better footprint and bigger frame than what we have.

Mr. Weger stated that they also discussed the approaching storm and Mr. Heinrich assured him they are ready to handle any issue that ay arise.

***C. James:***

**Environmental Commission-**

- Mr. James stated that he spoke to the Mayor and there are a lot of vacancies on the Commission and he will send emails out to the remaining members to see who is on board now and for next year.

**Newsletter-**

- Mr. James said he received one submission tonight and the newsletter will be ready on time.

The Clerk stated that she received the copy of the Environmental Commission meeting minutes and she forwarded the same to Joanna Slagle who will be submitting everything to the Highlands Council.

***C. Smith:***

**Recreation-**

- Mr. Smith stated that they had a successful golf outing on October 7, 2012. He said they believe the profit from the event will be under \$1,000 and that next year they may look in to holding the event earlier in the year to hope for warmer weather.
- Mr. Smith stated there are about three weeks remaining in the soccer season and all games which were to be held at the Bloomsbury fields this Saturday have been relocated to the Greenwich School due to the 5K event being held in town.
- Luminary sales will be the next fundraising event for the Recreation Commission.
- Mr. Smith stated that the recycling was removed at the park and liners have been installed. He said he believes that for the most part, recycling and garbage are going in appropriate bins.

***A. Stiehler:***

**Board of Education-**

- Mr. Stiehler stated that the last School Board meeting was another marathon session and at the end the decision about severing the relationship with Phillipsburg High School was tabled again. The School Board agreed to send out a survey to all registered voters in town and this has gone out and is due back by November 1, 2012. Mr. Stiehler stated that at the end of the meeting, Karyn Frey resigned as School Board President. The

Board has been presented with a petition which has been signed by what he understands is more than half of all the registered voters in town requesting this go to referendum.

### CLERK/ADMINISTRATOR'S REPORT

#### **Security System-**

- The Clerk stated that she has not received an additional quote for the repairs and maintenance contract for the park security system. Discussion followed.

Mr. James stated that he thinks it appropriate to move forward with this matter to get the system up and running particularly because of all the vandalism recently in the borough.

Mr. Smith moved that Council authorize the Clerk to execute the agreement for replacement of the broken camera and the installation of a cabinet for a cost of \$775.00 and to enter into a maintenance contract if the terms are satisfactory to the Clerk; seconded by Mrs. Papics.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-nay.  
Motion carried.

#### **DPW Tractors -**

- The Clerk stated that the salesman at PowerPlace brought the John Deere Tractor to the Borough Garage for the DPW to see. When she later spoke to Mr. Heinrich he said he preferred the John Deer over the Kubota but stated he had not been out to see the Kubota. The Clerk explained that the John Deer salesman told Mr. Heinrich that their machine is heavier and therefore more stable than the Kubota but after looking into it further the numbers seemed comparable but that actually the Kubota was heavier and had slightly more horsepower. The Clerk stated that the salesman also said that the wheels on the John Deer can be adjusted adding stability but when she spoke to the Kubota dealer he indicated that although the Kubota wheels can also be moved, this is typically done on tractors which are used for agricultural purposes to avoid driving on rows of crops and therefore would not be necessary at all for Borough use. Discussion followed.

The Clerk stated that although new trade-in values were received from Power Place, the John Deere is still about \$7,000 more than the comparable Kubota.

### SECOND READING ORDINANCE # 111-12 - AN ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS AND THE APPROPRIATION OF \$15,000 FROM THE BOROUGH OF BLOOMSBURY GENERAL CAPITAL FUND

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NJ AS FOLLOWS:**

Section 1: The capital improvements described in Section 2 of this Ordinance are hereby authorized as General Improvements to be made by the Borough of Bloomsbury. There is hereby appropriated \$15,000 from the Capital Improvement Fund for the said purpose stated in Section 2.

Section 2: The improvements hereby authorized and the proposed authorizations are for the following purposes:

Purchase of a Public Works Tractor	\$15,000
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The maximum amount of money to be appropriated is \$15,000, no part of which is to be borrowed.

Section 3: The said purchase described in Section 2 is not a current expense and is for the purchases stated above.

Section 4: This appropriation is made as a result of the need to replace Borough equipment.

Section 5: This Ordinance shall be published in the manner provided by law. Final passage is scheduled for Tuesday, October 23, 2012 at 7:00 PM in the Borough Hall, 91 Brunswick Avenue, Bloomsbury, NJ or at such other date and time to which it may be adjourned.

Section 6: This Ordinance shall take effect upon final passage as provided herein.

Mrs. Papics moved the Public hearing of Ordinance # 111-12 be opened to the public; seconded by Mr. James. All ayes. Motion carried.

No comment.

Mr. James moved Council close the public hearing; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Papics moved Council adopt Ordinance # 111-12; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

Mr. Weger moved Council authorize the Clerk to purchase the Kubota 5100HST tractor, and Cab with heater from Powerco for a cost not to exceed \$15,000; including the trade in of Ford tractor for \$9,500, the Case tractor for \$6,000, a rear mower for \$ 500 and a sickle bar mower for \$750; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye.

*M. Tersigni:*

## **Planning Board –**

- The October meeting of the Planning Board was canceled and the public hearing will be rescheduled for November. By State Statute, the Planning Board needs to have 9 members and 2 alternates.

Mrs. Tersigni outlined the following updates to the Planning Board membership

- Class I - Martha Tersigni, Mayor
- Class II - Ken Robbins (moved from Class IV)
- Class III - Vicky Papis (moved from Mayor's Designee)
- Class IIII - Thomas Reilly, Jennifer Rittenhouse, Rob Waterson, Anne Ferrero and a new appointment of Bill Fitzpatrick.

Mrs. Tersigni stated that she also needs a Council member to appoint as Mayor's Designee through the end of 2012.

Mr. Weger stated that he will fill the position for the rest of 2012.

Mrs. Tersigni stated that if there is anyone in the public interested in serving on a Board or Commission to please complete a Citizen Leadership form and give it to the Clerk.

## **Recreation -**

- Mrs. Tersigni stated that Mr. Smith has a final membership list for Recreation Appointments and he will be getting the necessary paperwork completed and will provide the same to the Clerk.

## **Environmental Commission -**

- Mrs. Tersigni stated that Mr. James will be working on the Environmental Commission membership and noted that at the last meeting, Ilse Goshen resigned. Mrs. Tersigni accepted her resignation, and thanked her for her time, noting her involvement in the Commission since it was established.

## **Finance -**

- The Budget report was distributed to Council.
- Mrs. Tersigni stated that she and Mrs. Papis will be attending OEM training on November 1st and 8th.
- Mrs. Tersigni stated that the list of on-call employees for plowing is in good shape.

The trucks should be operational as we have spent money on repairs. Mrs. Tersigni asked if any Council member had ideas on where alternate parking can be arranged or if anyone wanted to reach out about the same to let her know.

### **NOVEMBER/DECEMBER MEETING DATES**

Council discussed their availability to meet for the scheduled meeting dates in November and December noting that both fall very close to the Holidays. Council will meet for the regular meeting on November 27th, but the December 25th meeting will be re-scheduled to 6:30 PM on Tuesday, December 18th. The Clerk will advertise the same.

### **STATE POLICE REPORT**

No report. Mr. James stated that there has been a lot signs knocked over, kids in the parking lot damaging trees, windows broken, and graffiti all over the place. He said that he knows the State Police have been contacted by residents and that their patrols have been increased, but there is a lot going on up there.

Mr. James stated that kids have been trying to grab onto vehicles as they travel down the road while they are on their skateboards and bikes and it would be great to see the Police in town a little more. He added that there is a young girl near the rescue squad building who lies in the street and sunbathes while she is waiting for the bus in the morning.

Megan Henry stated that when she was out running in the early morning she noticed that the cones which were marking a damaged catch basin in the street were moved into the center of the street so cars were swerving around them toward the basin.

The Clerk will contact the State Police to let them know this is an ongoing issue.

Mr. James stated that he has been noticing food vendors and lawn care companies soliciting door to door without permits as well. If any residents get business cards for these vendors, the Clerk will pass on the information to the Code Enforcement Officer so that he can follow up.

### **OLD BUSINESS**

### **MILL REDEVELOPMENT**

Mr. Edleston stated that he has the deed ready and as soon as Mr. Zaleski indicates that he is ready to proceed that he will give him the deed and title and he will be ready to go. Mr. Edleston stated we have not heard from him and that the last time we did we got the insurance policy. Mrs. Tersigni asked for an updated version of the deed. The Clerk stated that she has received the final sealed plans.

### **Bloomsbury PTO 5K Run**

**RESOLUTION ## 55 - 12 - STREET CLOSURE FOR THE SPOOKY SPRINT**

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury did previously endorse a 5K Run hosted by the Bloomsbury Elementary School PTO to be held on October 27, 2012; and

**WHEREAS**, the Mayor and Council adopted Resolution # 51-12 at a meeting held on August 28, 2012; and,

**WHEREAS**, Resolution 51-12 required that a finalized route be submitted to Council for approval prior to the 5K Run; and

**WHEREAS** said Route has been approved by the New Jersey State Police and the Hunterdon County Freeholders

**WHEREAS**, the 5K Route and a Family Fun Walk as follows:

**5K RUN & WALK COURSE:**

The route starts at Tuxhorn Park and then crosses Church Street (579) over to High Street.

At the end of High Street, it makes a right down Lehigh Street.

At the end of Lehigh Street, it crosses over Church Street (579) again to North Street.

It continues almost the full length of North Street before making a left on to Wilson Street.

It follows Wilson Street as it crosses over Main Street before turning left onto Brunswick Avenue.

It follows Brunswick Avenue to the end and then crosses over Church Street (579) again to Willow Avenue.

From Willow Avenue it makes a left on to West Street and then a quick left on to Lance Road.

At the end of Lance Road, it turns left onto Church Street (579) before making a quick right onto Main Street.

It continues almost the full the length of Main Street before making a right on to Wilson Street.

It follows Wilson Street to the end and then makes a right onto North Street.

It continues down North Street before crosses over Church Street (579) again to Lehigh Avenue.

Finally, the course makes a left onto High Street before crosses over Church Street (579) to finish at the park.

**FAMILY FUN COURSE:**

The route starts at Tuxhorn Park and then crosses Church Street (579) over to High Street.

At the end of High Street, it makes a right down Lehigh Street.

At the end of Lehigh Street, it crosses over Church Street (579) again to North Street.

It continues almost the full length of North Street before making a left on to Wilson Street.

From Wilson Street it makes a left onto Main Street.

It continues almost the full the length of Main Street before making a left on to East Street.

At the end East Street, it makes a right onto North Street.

It continues down North Street before crosses over Church Street (579) again to Lehigh Avenue.

Finally, the course makes a left onto High Street before crosses over Church Street (579) to finish at the park.

**WHEREAS**, partial street closures will be necessary to ensure the safety of all participants;

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury does hereby approve the partial closure of all streets outlined in aforementioned Route to ensure safety of the participants in the 5K run.

Mrs. Papics moved Council adopt Resolution # 55-12; seconded by Mr. Stiehler. All ayes. Motion carried.

**Consent agenda for Public Hearing of the Codification Ordinances**

Mr. Weger moved Council Open the Public hearing on Ordinances # 106-12, 107-12, 108-12, 109-12 & 110-12; seconded by Mrs. Papics. All ayes. Motion carried.

**ORDINANCE # 106 – 12 - AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY; PROVIDING FOR THE**

**MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL  
CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY  
FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN  
CHANGES IN PREVIOUSLY ADOPTED ORDINANCES**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

**§ 1-7. Adoption of Code.**

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Bloomsbury of a general and permanent nature adopted by the Mayor and Council of the Borough of Bloomsbury, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 270, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Borough of Bloomsbury," hereinafter known and referred to as the "Code."

**§ 1-8. Code supersedes prior ordinances.**

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

**§ 1-9. When effective.**

This ordinance shall take effect immediately upon passage and publication according to law.

**§ 1-10. Copy of Code on file.**

A copy of the Code has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance, and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Bloomsbury by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

**§ 1-11. Amendments to Code.**

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Bloomsbury" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be included in the Code as hereinafter provided as amendments and supplements thereto.

**§ 1-12. Publication; filing.**

The Clerk of the Borough of Bloomsbury, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-13. Code to be kept up-to-date.**

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are included as supplements to said Code.

**§ 1-14. Sale of Code.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

**§ 1-15. Altering or tampering with Code; penalties for violation.**

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of Bloomsbury to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a penalty as provided in Chapter 1, Article I, General Penalty, of the Code.

**§ 1-16. Severability of Code provisions.**

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-17. Severability of ordinance provisions.**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-18. Repealer.**

- A. Repeal of inconsistent ordinances. Except as provided in § 1-19 below, all ordinances or parts ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed as of the effective date of this ordinance; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Bloomsbury which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances. The Mayor and Council of the Borough of Bloomsbury have determined that the following ordinances are no longer in effect and hereby specifically repeal the following ordinances:
- 1) An ordinance adopted September 9, 1969, amending an ordinance providing minimum requirements and specifications for acceptance of streets and roads.
  - 2) Ordinance No. 9-77, An Ordinance To Prevent Loitering.
  - 3) Ordinance No. 202-90, An Ordinance To Create the Position of Chief Financial Officer.
  - 4) Ordinance No. 309-91, An Ordinance Relating to Water-Saving Fixtures.
  - 5) Ordinance No. 310-91, An Ordinance Establishing the Local Violations Bureau Schedule.
  - 6) Ordinance No. 505-93, An Ordinance Amending an Ordinance Regulating the Provision of Potable Water Services and Setting Standards and Fees Therefor.
  - 7) Ordinance No. 109-04, An Ordinance Incorporating Certain Provisions of Title 39 Regarding Parking Offenses, as amended by Ordinance No. 109-04-A.
  - 8) Ordinance No. 110-05, An Ordinance Establishing the Bloomsbury Water Department.
  - 9) Ordinance No. 116-05, An Ordinance Creating Pedophile-Free Zones.
  - 10) Ordinance No. 107-07, An Ordinance Establishing a Water Service Rate for the Use of Fire Suppression Systems.

**§ 1-19. Ordinances saved from repeal.**

The adoption of this Code and the repeal of ordinances provided for in § 1-18 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to March 22, 2011.

- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- M. Any ordinance adopting or amending the Zoning Map.

**§ 1-20. Changes in previously adopted ordinances.**

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

- C. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

**ORDINANCE # 107-12 - AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 29, MEETING  
ATTENDANCE**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 29, Meeting Attendance, of the proposed Code of the Borough of Bloomsbury:

**§ 29-1. Positions deemed vacant.**

The office of any person appointed to a specified term, with or without compensation, by the governing body or chief executive of any local unit, including persons appointed to any board, committee, commission, authority or other agency of one or more local units, shall be deemed vacant:

- A. Upon its being declared by judicial determination.
- B. Upon the filing by such officer of his/her written resignation.
- C. Upon the refusal of a person designated for appointment to such office to qualify or serve.
- D. Upon the determination of the appointing authority that such officer shall be physically or mentally incapable of serving.
- E. Upon the death of such officer.
- F. Upon the determination of the appointing authority that, in violation of a lawful residency requirement, such officer no longer resides within the corporate limits of the local unit or other designated territorial area.
- G. In the case of a member of a board, committee, authority or other agency, whenever the member, without being excused by a majority of the authorized members of such body, fails to attend and participate at meetings of such body for a period of eight consecutive weeks, or for four consecutive regular meetings, whichever shall be of longer duration, at the conclusion of such period, provided that such body shall notify the appointing authority in writing of such determination; provided, further, that such board, committee, commission, authority or other agency may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness.
- H. Upon the removal of such officer for cause in accordance with law, or for any other reason prescribed by law.

**§ 29-2. Filling of vacant position.**

Whenever any of the above shall occur, the appointing authority shall forthwith fill the office for the unexpired term in the manner prescribed by law; provided, however, that in the case of a person failing to qualify or refusing to serve pursuant to § 29-1C, such office shall not be deemed vacant if the incumbent officeholder is authorized by law to continue in such office until a successor is appointed and qualifies therefor.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 108-12 - AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF BLOOMSBURY BY ADDING A NEW ARTICLE IV, MUNICIPAL ATTORNEY, TO CHAPTER 31, OFFICERS AND EMPLOYEES**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Article IV, Municipal Attorney, of Chapter 31, Officers and Employees, of the proposed Code of the Borough of Bloomsbury:

**ARTICLE IV  
Municipal Attorney**

**§ 31-17. Office created.**

Pursuant to the authority of N.J.S.A. 40A:9-139, there is hereby created the office of Municipal Attorney, also known as "Borough Attorney."

**§ 31-18. Appointment; term of office.**

The Mayor shall appoint, with the advice and consent of the Council, the Municipal Attorney, also referred to as the "Borough Attorney," who shall be licensed to practice law in the State of New Jersey, for a term of one year commencing January 1 and terminating December 31 in each year.

**§ 31-19. Powers and duties.**

The Municipal Attorney shall serve as legal advisor to the Mayor and Council; represent the Borough in all legal matters; advise and assist the Mayor, Council, Borough Administrator and department heads as required in the administration of the Borough government; represent the Borough in all litigation, arbitration, administrative hearings and appeals and other such proceedings; attend Council meetings; draft ordinances and resolutions and such other legal instruments as relate to the business of the Borough; give opinions and rulings on questions of law; and render such other professional legal services as may be required by statute or as requested by the Mayor and Council from time to time, whether by ordinance, resolution or otherwise.

**§ 31-20. Compensation.**

The compensation to be paid the Municipal Attorney shall be by retainer set by contract. In addition to the retainer, for litigation, administrative proceedings, legal services related to labor matters, extraordinary proceedings and/or unforeseeable matters or services, the Municipal Attorney shall be paid such reasonable fees and costs as may be necessary and required in accordance with his or her professional services contract.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 109-12 - AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 34, PAY TO PLAY**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of

Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 34, Pay to Play, of the proposed Code of the Borough of Bloomsbury:

**§ 34-1. Awarding public contracts to certain contributors prohibited.**

- A. Any other provision of law to the contrary notwithstanding, the Borough or any of its departments or agencies or independent authorities, as the case may be, shall not enter into an agreement or otherwise contract with any professional business entity for professional, banking, or insurance coverage services or any other consulting services, including contracts and agreements awarded pursuant to a process permitted as a fair and open process under the New Jersey Local Pay-to-Play Law (N.J.S.A. 19:44A-20.4 et seq.), if within one calendar year immediately preceding the date of the contract or agreement that entity has solicited or made any contribution of money, or pledge of a contribution, including an in-kind contribution, in excess of the amounts specified in Subsection D, to any Borough municipal candidate for or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Borough or Hunterdon County party committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections and/or municipal parties.
- B. No professional business entity which enters into negotiations for or agrees to any contract or agreement with the Borough or any of its departments or agencies or independent authorities for the rendition of professional, banking or insurance coverage services or any other consulting services, including contracts and agreements awarded pursuant to a process permitted as a fair and open process under the New Jersey Local Pay-to-Play Law (N.J.S.A. 19:44A-20.4 et seq.), shall solicit or make any contribution of money, or pledge of a contribution, including an in-kind contribution, to any Borough municipal candidate for or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Borough or Hunterdon County party committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections and/or municipal parties, between the time of first communications between that business entity and the Borough regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.
- C. For purposes of this chapter, "professional business entity" means and includes any natural or legal person providing or offering to provide professional, banking, or insurance coverage services or other consulting services. A natural or legal person includes an individual, firm, proprietorship, corporation, professional corporation, partnership, or any other organization or association. The definition of "business entity" includes in the aggregate all officers of the entity, all partners in the entity, all principals of the entity who own 10% or more of the profits or assets of the entity or 10% of the stock in the case of a business entity that is a for-profit corporation and all subsidiaries directly controlled by the entity. An individual included in the definition of "business entity" or "professional business entity" shall also include the individual's spouse, if any, and any child living in the

same household as the individual or spouse.

- D. A professional business entity may in any calendar year contribute, without violating Subsection A of this section, a maximum of \$300 each for any purpose to any candidate for Mayor or Council, or \$300 each to any Borough party committee, or \$500 each to any Hunterdon County party committee or PAC referenced in this chapter. However, any individual or entity or group of individuals or entities constituting a professional business entity under this section, including in the aggregate all covered principals, partners, officers and subsidiaries of the entity, may not in any calendar year contribute more than \$2,500 to all Borough candidates and officeholders with ultimate responsibility for the award of the contract and all Borough and Hunterdon County party committees and all covered PACs combined.
- E. For purposes of this section, the office or offices considered to have ultimate responsibility for the award of a contract shall be the Mayor and the Borough Council.

**§ 34-2. Contributions made prior to effective date.**

No contribution of money or other thing of value, including an in-kind contribution, shall be deemed a violation of this chapter, nor shall the efficacy of any contract or agreement be thereby affected, if that contribution was made by the professional business entity prior to the effective date of this chapter.

**§ 34-3. Contribution statement.**

- A. Prior to entering into any contract or agreement with a professional business entity to procure its services, including professional, banking, insurance coverage or consulting services, the Borough or its departments, agencies or independent authorities, as appropriate, shall obtain from the professional business entity a sworn statement made under penalty of perjury that the professional business entity, including in the aggregate all covered principals, partners, officers and subsidiaries, has not made a contribution in violation of this chapter. The effectiveness of any award of a contract or agreement covered by this chapter shall be conditioned upon satisfactory compliance with this requirement.
- B. The professional business entity shall have a continuing duty to report any violation of this chapter that may occur during the negotiation or duration of a contract.

**§ 34-4. Return of excess contributions.**

A professional business entity, candidate, officeholder, candidate committee, party committee or PAC may cure a violation of this chapter if, within 30 days after the prohibited contribution, the Borough Council is notified of the violation in writing and the prohibited contribution is returned to the professional business entity.

**§ 34-5. Violations and penalties.**

- A. It shall be a violation of this chapter to:
- (1) Make or solicit a contribution in violation of this chapter;
  - (2) Knowingly conceal or misrepresent a contribution given or received;
  - (3) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;
  - (4) Make or solicit any contribution on the condition or with the agreement that it will be contributed to a candidate or campaign committee of any candidate for Borough office or any holder of Borough office;
  - (5) Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant will make or solicit any contribution which if made or solicited by the business entity itself would subject the entity to the restrictions of this chapter;
  - (6) Fund contributions made by third parties, including consultants, attorneys, family members and employees;
  - (7) Engage in any exchange of contributions to circumvent the intent of this chapter; or
  - (8) Directly or indirectly, through or by any other person or means, do any act which would subject the entity to the restrictions of this chapter.
- B. All professional services agreements and other contracts for covered services between a professional business entity and the Borough or its departments, agencies or independent authorities, as appropriate, shall provide by operation of law that it shall be a material breach of the agreement for the business entity to engage in conduct prohibited by this chapter.
- C. Any professional business entity which violates this chapter also shall be disqualified from eligibility for future Borough contracts for a period of four calendar years from the date of the violation.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

**ORDINANCE # 110-12 - AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF BLOOMSBURY BY ADDING A NEW CHAPTER 256, VEHICLES AND  
TRAFFIC**

Be it ordained by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and the State of New Jersey as follows:

SECTION I: The following shall be adopted as Chapter 256, Vehicles and Traffic, of the proposed Code of the Borough of Bloomsbury:

**§ 256-1. Definitions and word usage.**

- A. Words and phrases. Whenever any words and phrases are used in this chapter, the meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey shall be deemed to apply to such words and phrases used herein.
- B. Official time standard. Whenever certain hours are named in this chapter, they shall mean either Eastern Standard Time or Eastern Daylight Saving Time as may be in current use.

**§ 256-2. Authorization for closing of any street.**

- A. The Mayor of this municipality is hereby authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health or welfare.
- B. Any regulations promulgated by the Mayor in accordance with Subsection A above shall provide for the posting of proper warning signs of such closing on any street or portion thereof during the time the same is closed in pursuance thereof.
- C. Any violation of a regulation promulgated hereunder shall be punishable as provided in Chapter 1, Article I, General Penalty, of this Code.
- D. Any regulation adopted that mandates the closing of any street for a period greater than 48 consecutive hours shall not become effective unless and until it has been submitted to and approved by the Commissioner of the Department of Transportation.

**§ 256-3. Tow-away.**

Any vehicle parked in violation of this chapter shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any peace officer may provide for the removal of such vehicle. The owner shall bear the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.

**§ 256-4. Violations and penalties.**

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty as provided in Chapter 1, Article I, General Penalty, of this Code.

**§ 256-5. Severability.**

If any part or parts of this chapter are, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.

**§ 256-6. Parking regulations not exclusive.**

The provisions of this chapter imposing a time limit on parking shall not relieve any person of the duty to observe other, more restrictive provisions prohibiting or limiting the stopping or standing or parking of vehicles as set forth in N.J.S.A. 39:4-138, any other New Jersey Statute or as hereinafter provided.

**§ 256-7. Parking prohibited during state of emergency.**

- A. Upon the declaration of an emergency, there shall be no parking upon the streets where temporary EMERGENCY NO PARKING signs are displayed. The Mayor or, in his/her absence, the ranking police officer is authorized to declare an emergency and to direct the posting of EMERGENCY NO PARKING signs when weather conditions, accidents, road construction, fire or public celebrations dictate or require avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that EMERGENCY NO PARKING signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.
- B. The effectiveness of this section is contingent upon the signs being erected as required by law.

**§ 256-8. Temporary parking prohibition for snowplowing and removal.**

- A. Whenever snow or frozen precipitation has fallen and the accumulation is such that it covers the streets and highways, an emergency shall exist and no vehicle shall be parked on the streets or highways or portions thereof indicated. The above parking prohibitions shall remain in effect after the snow or frozen precipitation has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic or the ability of public works personnel to completely clear and remove all snow or ice.

Name of Street	Side	Location
All streets	Both	Entire length, no parking when such streets are covered by snow or frozen precipitation
Brunswick Avenue	South	From its intersection with East Street to its intersection with State Highway 173 from November 15 of each calendar year through March 31 of the succeeding

		year there shall be no parking during and following any period of frozen precipitation, i.e., snow, ice or sleet, for so long as the roadway is not entirely free of accumulations of frozen precipitation
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- B. Any unoccupied vehicle parked or standing in violation shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer or code enforcement officer of the Borough may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.
- C. Removal of vehicles in the event of frozen precipitation.
- (1) All motor vehicles shall be removed from all streets in the Borough of Bloomsbury when more than two inches of frozen precipitation fall and shall remain off the street until 12 hours after cessation of frozen precipitation events.
  - (2) In the event that a vehicle is not removed from the streets of the Borough of Bloomsbury as provided in this section, the Borough shall be empowered to tow said vehicle from the streets of the Borough of Bloomsbury and impound said vehicle, which vehicle shall be released only upon payment of all fees and charges incurred as a result of towing said vehicle.
  - (3) Any individual or corporation or partnership or other entity who or which violates this section shall be subject to a fine not to exceed \$500.

**§ 256-9. Stopping or standing prohibited during certain hours on certain streets.**

No person shall stop or stand a vehicle between the hours specified on any day upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
Church Street (County Route 579)	West	8:00 a.m. to 4:00 p.m. Monday through Friday or as required to be in concert with the elementary school schedule of	Beginning at the intersection with Main Street an approximate distance of 135 feet across the County Route from the Bloomsbury

		activities	Elementary School
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**§ 256-10. Parking time limited on certain streets.**

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Side	Limit	Hours	Location
County Route 579	East	15 minutes	10:00 a.m. to 10:00 p.m.	Starting from the intersection of Musconetcong Drive and Route 579 and extending 25 feet
County Route 579	West	15 minutes	7:00 a.m. to 10:00 p.m.	Starting 25 feet from the intersection of Willow Avenue and Route 579 for a distance of 50 feet

**§ 256-11. Parking prohibited at all times on certain streets.**

No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Side	Location
Brunswick Avenue	South	From its intersection with East Street to its intersection with State Highway 173 from November 15 of each calendar year through March 31 of the succeeding year there shall be no parking during and following any period of frozen precipitation, i.e., snow, ice or sleet, for so

		long as the roadway is not entirely free of accumulations of frozen precipitation
Center Street	West	Between Brunswick Avenue and Main Street
Willow Avenue	Both	From West Street to Milford Road
Willow Avenue	North	Entire length

**§ 256-12. Parking prohibited during certain hours on certain streets.**

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
Main Street	North	8:00 a.m. and 4:00 p.m. on school days	From Church Street to a point 200 feet east of Church Street

**§ 256-13. Parking of certain trucks, vehicles and trailers prohibited.**

No person shall park any truck or vehicle over four tons gross vehicle weight (GVW), a school bus, any other type of bus, recreational vehicle, camper, boat or trailer between the hours specified upon any of the streets or parts of streets described.

Name of Street	Side	Hours	Location
All streets	Both	6:00 p.m. and 7:00 a.m.	Entire length

**§ 256-14. Residential permit parking.**

No person shall park a vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit as issued by the Borough of Bloomsbury is displayed on said vehicle for those streets or parts of streets as described or listed within the following sections.

Street	Side	Hours	Days	Location
(Reserved)				

**§ 256-15. Angle parking.**

The following streets or parts of streets are hereby established as angle parking at an angle so indicated below.

Name of Street	Side	Angle	Location
Center Street	East	45°	Between Brunswick Avenue and Main Street

**§ 256-16. Through streets.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as through streets. Stop signs shall be installed on the near-right side of each street intersecting the through street except where yield signs are provided for in the designation.

Name of Street	Limits
Brunswick Avenue	Entire length
Lehigh Avenue	Entire length
Main Street	Entire length
North Street	Entire length

**§ 256-17. Stop intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Intersection	Stop Sign(s) On:
Deer Path and Woodland Terrace	Woodland Terrace
Fawn Run and Deer Path	Deer Path

Willow Avenue and Smith Street	Smith Street
Willow Avenue and West Street	West Street

**§ 256-18. Multi-way stop intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multi-way stop intersections. Stop signs shall be installed as provided herein.

<b>Intersection</b>	<b>Stop Sign(s) On:</b>
(Reserved)	

**§ 256-19. Yield intersections.**

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as yield intersections. Yield signs shall be installed as provided herein.

<b>Intersection</b>	<b>Yield Sign(s) On:</b>
(Reserved)	

**§ 256-20. One-way streets.**

The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

<b>Name of Street</b>	<b>Direction</b>	<b>Limits</b>	<b>Parking Permitted</b>
Bethlehem Avenue	South	From State Highway 173 to Gardner Street	South side
Gardner Street	South	From Bethlehem Avenue to Brunswick Avenue	East side

**§ 256-21. Routes for trucks over four tons.**

Pursuant to N.J.S.A. 40:67-16.1, the streets or parts of streets as described are hereby designated as routes for vehicles over four tons. All trucks having a total combined gross vehicle weight

(GVW) of vehicle plus load in excess of four tons shall be excluded from all municipal streets, except from those municipal streets listed, state highways and county roadways, which form a part of the truck route system. Vehicles will be permitted on all streets for the purpose of the pickup and delivery of materials.

Name of Street	Location
(Reserved)	

**§ 256-22. Vehicles over designated weight excluded from certain streets.**

Vehicles over the gross vehicle weight (GVW) are hereby excluded from the streets or parts of streets described except for the pickup and delivery of materials on such streets.

Name of Street	Tons	Location
All municipal streets, except County Route 579	4	Entire length.

**§ 256-23. Turn prohibitions.**

No person shall turn at the below described location as indicated.

Intersection	Turn Prohibited	Movement Prohibited
(Reserved)		

**§ 256-24. Right turn only.**

No person shall make a turn at the below listed location other than a right turning movement.

Intersection	Movement Permitted
(Reserved)	

**§ 256-25. No turn on red.**

No person shall make a right turn on the red signal at any location listed:

Intersection	Movement Prohibited
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(Reserved)

**§ 256-26. Mid-block crosswalks.**

The following locations are hereby established as mid-block crosswalks.

Name of Street	Location
(Reserved)	

**§ 256-27. Lane use reservations.**

The lane locations described are designated as lane use reservations and traffic shall move as indicated.

Intersection or Location	Movement
(Reserved)	

**§ 256-28. Exclusive lane use.**

The lane locations described are hereby designated as exclusive lanes for use by certain vehicles as indicated.

Name of Street	Type of Vehicle	Direction	Limits
(Reserved)			

**§ 256-29. Bicycle routes/lanes.**

The lane locations described are hereby designated as bicycle lanes. Bicycle lanes shall be a minimum of four feet in width, pursuant to the Manual on Uniform Traffic Control Devices for Streets and Highways.

Name of Street	Side	Lane Width	Limits
(Reserved)			

**§ 256-30. Speed limits.**

A. The speed limits for both directions of traffic along the streets or parts thereof described

below and made a part of this chapter are hereby established at the rate of speed indicated.

Name of Street	Speed Limit (mph)	Limits	Approval Date
Church Street (County Route 579)	25	Between Lehigh Avenue and the Musconetcong River, except 15 miles per hour when passing through the Bloomsbury Elementary School Zone during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school, during opening or closing hours	
Main Street	25	Between State Highway 173 and Church Street (County Route 579), except 15 miles per hour when passing through the Bloomsbury Elementary School Zone during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school, during opening or closing hours	

B. Regulatory and warning signs shall be erected and maintained to affect the above-designated speed limits.

§ 256-31. No-passing zones.

No-passing zones are hereby established and shall be maintained upon the following described streets or parts thereof:

Name of Street	Sketch #	Sketch Date	Approval Date
(Reserved)			

**§ 256-32. Bus stops.**

The locations described are hereby designated as bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

Name of Street	Hours
(Reserved)	

**§ 256-33. Articulated bus stops.**

The locations described are hereby designated as articulated bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

Name of Street	Hours
(Reserved)	

**§ 256-34. Loading zones.**

The locations described are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials. (Note: Minimum length for all loading zones is 50 feet. No loading zone may be established in any area where it is prohibited to stand or park by statute. N.J.S.A. 39:4-138.)

Name of Street	Time	Side	Location
(Reserved)			

**§ 256-35. Taxi stands.**

The locations described are hereby designated as taxi stands. No vehicle other than a taxi shall be

permitted to occupy said locations during the times indicated.

Street	Location	Hours
(Reserved)		

**§ 256-36. Handicapped parking.**

- A. Handicapped parking on streets. In accordance with the provisions of N.J.S.A. 39:4-197.5, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Street	Location
(Reserved)	

- B. Handicapped parking on streets for private residences. In accordance with the provisions of N.J.S.A. 39:4-197.6, the following on-street locations are designated as handicapped parking spaces in front of private residences occupied by handicapped persons. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted in these spaces.

Street	Permit Number	Location
(Reserved)		

**§ 256-37. Control of movement and parking of traffic on public and private property.**

- A. Regulation for the movement and the parking of traffic on municipal property and Board of Education property. In accordance with the provisions N.J.S.A. 39:4-197, the following municipal and Board of Education property shall have the movement of traffic controlled by the type of regulation indicated. No person shall operate or park a vehicle in violation of the regulations indicated.

Property	Regulation
(Reserved)	

B. Regulation for the movement and the parking of traffic on private property open to the public and to which the public is invited (retail business).

- (1) In accordance with the provisions of N.J.S.A. 40:48-2.46, on the following private property that is open to the public and to which the public is invited, the movement of traffic shall be controlled by the regulations listed herein. No person shall operate or park a vehicle in violation of the following regulations.

Property	Regulation
(Reserved)	

- (2) The owners of the premises referred to in this section shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the current Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD). The cost of signs and installations shall be the responsibility of the owner of said property. The owner shall, subsequent to the initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Bloomsbury.

- (3) The penalty for a violation and conviction of this section shall be as provided in Title 39 of the Revised Statutes.

C. Regulation for the movement and the parking of traffic on all other private property. In accordance with the provisions of N.J.S.A. 39:5A-1, the regulations of Subtitle 1, Title 39, of the Revised Statutes are hereby made applicable to the properties listed below.

Property
(Reserved)

D. Regulation for the movement and the parking of traffic on municipal park property. In accordance with the provisions of N.J.S.A. 39:5A-4, the regulations of Subtitle 1, Title 39, of the Revised Statutes are hereby made applicable to the properties listed below.

Property	Regulation
(Reserved)	

E. Regulation for the movement and the parking of traffic on United States Post Office property. In accordance with a written request from the Postmaster, the following various traffic regulations are hereby made applicable to the properties listed below as follows. No person shall operate or park a vehicle in violation of the regulations listed below.

<b>Property</b>	<b>Regulation</b>
(Reserved)	

F. Signs, pavement markings, installation and maintenance. The owners of the premises referred to in Subsections B and E shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways. The cost for the procurement and installation of signs and pavement markings shall be the responsibility of the owner of said property. The owner shall, subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Bloomsbury. The owner shall be responsible for the repair and restoration or replacement of the same.

**SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

**SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

**SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law.

Cathy Foulk, Main Street asked what the Vehicles and Traffic Ordinance pertained to. The Mayor and Clerk explained the same. Discussion followed.

Mr. James moved Council close the public hearing on 106-12, 107-12, 108-12, 109-12 and 110-12; seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. Weger moved Council adopt Ordinances 106-12, 107-12, 108-12, 109-12 and 110-12; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-abstain; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**NEW BUSINESS**

**RESOLUTION # 53-12 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET PHASE III IMPROVEMENTS PROJECT**

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the Borough of Bloomsbury, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Bloomsbury Borough 00184 to the New Jersey Department of Transportation on behalf of Bloomsbury Borough.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Bloomsbury and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Weger moved Council adopt Resolution # 53-12; seconded by Mr. Stiehler.  
ROLL CALL VOTE: James-aye; Papis-ayes; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 54 - 12 - A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED "Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)"**

**WHEREAS**, the Board of Chosen Freeholders of Hunterdon County desires to provide for the orderly development of wastewater facilities within Hunterdon County; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

**WHEREAS**, the Borough of Bloomsbury is entirely in the Highlands Preservation Area; and

**WHEREAS**, the Borough Municipal Sewer Service plan is developed by the Highlands Council; and

**WHEREAS**, a proposed WQM plan amendment noticed in the New Jersey Register on September 4<sup>th</sup>, 2012 for the above Amendment has been prepared by the Hunterdon County Planning Department;

**NOW, THEREFORE, BE IT RESOLVED** on this 23<sup>rd</sup> day of October, 2012, by the Common Council of the Borough of Bloomsbury:

1. The Mayor and Council of the Borough of Bloomsbury hereby consents to the amendment entitled "Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)", and publicly noticed on September 4, 2012, prepared by the Hunterdon County Planning Department, for the purpose of its incorporation into the applicable WQM plan(s).

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

Mr. Weger moved Council adopt Resolution # 54-12; seconded by Mrs. Papics. All ayes. Motion carried.

### CORRESPONDENCE

No additional correspondence was discussed.

### PUBLIC COMMENT

Cathy Foulk, 84 Main Street stated that her term on Environmental Commission expired and no one reached out to her to see if she wanted to stay on so she stopped going. Mr. James stated he would be reaching out to everyone. Mrs. Tersigni stated that he will have the forms that are required.

Mrs. Foulk said she had a question directed toward Rec stating that they have a lot of things for kids and guys but she doesn't think there is anything for a certain population like a square dance or karaoke or something for people like her explaining that nothing appeals to her.

Mrs. Foulk stated that she has a complaint and had left a wordy message for the Mayor earlier. She said that the garbage truck makes two trips down her street, which she thinks is horrible because it is double noise pollution, double diesel fuel pollution and she was wondering if they do this just on Main because of the road work or if they do it all over. She said she has a problem with this at 7:00 in the morning.

The Clerk stated that it is likely an OSHA compliance issue and that is for the safety of the workers. Discussion followed. The Clerk will reach out to Premier and ask about the same.

Karen Murray, Willow Avenue asked about the status of the Mill. Brief discussion followed.

Mr. James moved Council close public comment; seconded by Mr. Weger.

### RESOLUTION FOR AN EXECUTIVE SESSION

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss contract matters and employment matters.

Mr. Weger moved Council enter executive session at 8:25 PM; seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. Weger moved Council Re-enter Regular Session at 9:13; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Edleston stated that the Council has discussed receipt of a letter of resignation from the Tax Collector; however, she has indicated that she would continue to serve at the Tax Collector if the Council would agree to a change in her hours from six hours per week to two hours per week. Additionally, the Clerk agrees to work in tandem with her to assist with duties during the day.

Mr. Weger moved Council authorize the Tax Collector to change her hours from Wednesday from 9 am to 3 pm to Monday evening from 5 - 7 pm and such additional hours as may be necessary including working Wednesday evening 5 - 7 pm following a Monday Holiday; seconded by Mr. Smith.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. Edleston stated that Council would now need to make a motion authorizing that the Clerk will work with the Tax Collector as needed, accepting payments, making deposits and providing tax payment information as needed to the public for \$200 per month. The position of Tax Clerk will be created in the 2013 Salary Ordinance and the Clerk will receive retroactive payment for the months of November and December next year. Council review the arrangement in January to see if it is working and make a decision at that point if this should continue or if the Tax Collector's position should be advertised. Mrs. Papics moved the same; seconded by Mr. Stiehler.

ROLL CALL VOTE: James-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

### ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Smith; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:25 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
NOVEMBER 27, 2012**

The regular meeting of the Mayor and Council was held on November 27, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James - excused	Martha Tersigni
	Vicky Papics	Eric Weger - excused
	Chris Smith	Al Stiehler
		William Edleston, Esq.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the Regular Meeting Minutes of October 23, 2012, seconded by Mr. Stiehler. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mr. Smith moved Council accept the Tax Collector's report of October 31, 2012; seconded by Mrs. Papics.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mr. Stiehler moved Council approve the Bill List of November 27, 2012; seconded by Mr. Smith.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Mrs. Papics moved Council accept the Zoning Officers Report of November 15, 2012; seconded by Mr. Smith. All ayes. Motion carried.

**COMMITTEE REPORTS**

*A. Stiehler:*

**Board of Education-**

- Mr. Stiehler stated that Board received 319 surveys, 284 of which were deemed to be legitimate, and of them about 70% preferred to stay with Phillipsburg High School. At last night's meeting, the Board decided that they will not pursue separation from Phillipsburg.
- Mr. Stiehler reported that the Board discussed how and when to make up the 8 school days missed due to Hurricane Sandy.
- Mr. Stiehler stated that Kevin Kerfoot was appointed to an open position on the Board.

***C. Smith:***

**Recreation-**

- Mr. Smith stated that Recreation members assisted the PTO with the recent Spooky Sprint and \$3,500 was raised and the money will go to benefit PTO and the cultural arts program.
- Soccer season was wrapped up with the last weeks being cancelled due to the Hurricane, but some games were made up at the Greenwich fields.
- Mr. Smith reported that the November meeting was cancelled due to the Hurricane but he is hoping a subcommittee will be able to meet this Thursday to plan for luminary sales and they hope to put them together at the Borough garage on December 19th.
- Mr. Smith reported that basketball season has begun.

Mr. Smith noted that when walking at the park he found several trees and limbs down in the woods behind the pavilion. He wondered if this may also be cleaned up when the Borough picks up storm debris. Brief discussion followed.

***V. Papics:***

**BCC -**

- Mrs. Papics reported that the Halloween Parade was cancelled due to the Hurricane and power outage. They will be hosting an event with Santa at the Banquet Hall on December 19, 2012.

**Bloomsbury Hose Company-**

- Mrs. Papics stated the Fire Company had asked about the insurance payment which was approved for payment tonight.

**OEM-**

- Mrs. Papics stated that on October 29th the Borough lost power due to Hurricane Sandy and a shelter was opened to the public. She reported that cots, blankets, food and water were brought in and that everyone tried to make the best of a difficult situation.

Mrs. Papics stated that internet and cell services were down so communications were difficult. She explained that the Rescue Squad relocated to the Fire House Banquet Hall because they were without power. Fuel was purchased by the Borough to keep the generator going and keep the heat and lights on at the Fire House, Borough Hall and the shelter.

Mrs. Papics thanked one member of the Rescue Squad to staying at the Shelter so that it could remain open 24 hours a day during the outage.

***Martha Tersigni for E. Weger:***

- Mrs. Tersigni stated that Mr. Weger was called to work out of town in Staten Island for the next two weeks and could not attend the meeting. She explained that Eric is in favor of making needed repairs on the DPW truck and to reassess all the vehicles in the spring.

***Martha Tersigni for C. James:***

Mrs. Tersigni stated that Mr. James had a work conflict and could not attend the meeting. He asked that she report the following on his behalf:

**Environmental Commission-**

- Mr. James will schedule a meeting with the current members of the Environmental Commission in December to address membership and take care any other unresolved business.

**Newsletter-**

- Mr. James will prepare the newsletter for early December and Mrs. Tersigni plans to include a wrap up about Hurricane Sandy.

***M. Tersigni:***

**Planning Board-**

- Mrs. Tersigni reported the Planning Board met on November 20th and held the Public Hearing on the Master Plan Reexamination and Master Plan amendment and the next step is the Master Plan and checklist ordinance.
- Badway Karam presented the minor site plan application for, Block 8, Lot 1, commonly 55 North Street. The Planning Board deemed the application complete and conditional minor site approval was given. Mrs. Tersigni stated that this parcel is zoned ROM and is now approved for storage of scientific laboratory supplies which is a permitted use in our zoning code. She explained there will be no structural changes to the building and no exterior lighting changes and the hours of operation will be from 8:00 AM to 5:00 PM. The prospective tenant is Jade Scientific and one of the conditions is that the taxes be

paid off before they can proceed. As of yesterday the lien payoff amount is \$91,698.62 and the Borough is the lien holder. Discussion followed.

- Mrs. Tersigni reported that the Clerk had received a call from Bob Schwartz, realtor for Grace Culbertson who wanted to know how the Borough may feel about having an 800,000 sq. ft. distribution center on one her large parcels at the end of town.
- Mrs. Tersigni stated that Mr. Reilly reported about his attendance at a railway meeting. He had explained that they are trying to get goods off the roads and onto the rails by expanding service.

#### **Finance-**

- Mr. Francisco provided Council with an updated budget report and a report about Court revenues and expenses.

#### **OEM-**

- Mrs. Tersigni stated that much of what she did with OEM was at the shelter, keeping everything open, making sure that things were charged and that calls were made. She added that the entire town was basically working through her cell phone so if people were unable to get through or get the kind of response they wanted it was because our communications were limited. She stated that we owe a big thank you to everyone who helped out, just saw a need and filled it and that really made everything run smoothly.

#### **CLERK/ADMINISTRATOR'S REPORT**

##### **General Election -**

- The Clerk reported that Mary Melfi, County Clerk advised that Emily Russell of Church Street received two write in votes via mail in ballot and qualifies for a full term Council seat with a term from January 1, 2013 - December 31, 2015. The Clerk was unable to find a phone number for Ms. Russell, but she did mail a letter to her advising of the same and requesting she contact her if interested in accepting the seat.

##### **Tax Office-**

- The Clerk reported that she and the Tax Collector have been working together to cover the Tax Office and that they communicate several times a week about the same. She advised that she has received training on the tax system and has been assisting residents, banks and mortgage companies several times week, providing general tax information. The Clerk reported that she has also been able to set up a link on the Borough website where people can go to get the information themselves which has been helpful as well.

##### **DPW Tractors –**

- The Clerk reported that the new Kubota tractor will be delivered sometime this week and that the equipment which will be traded in will also be picked up.

### **General Code -**

- The Clerk reported that General Code did receive the Ordinances which she forwarded to them after their adoption at the October meeting and they will be working to incorporate them into the code.

### **Security System-**

- The Clerk reported that she has contacted A& M security to complete the work on the Park Security System and they are currently backed up with repairs to systems which were damaged during the hurricane. She stated that they expect to be out in the next few weeks.

### **DPW - Truck Repairs-**

- The Clerk stated that the DPW Supervisor has reported that the steering on the truck is locking up. Mr. Heinrich got a quote from Flemings Garage for a total of about \$1,100.00 to replace the upper and lower ball joints and the u joints. The Clerk explained that she tried to get two additional quotes. Performance Collision would not provide an estimate without looking at the truck themselves and Louis' Garage quoted a total of \$1,700.00. Discussion followed.

### **STATE POLICE REPORT**

No report.

### **OLD BUSINESS**

#### **MAIN STREET PHASE I & PHASE II PROJECT**

Mrs. Tersigni stated that as part of the bill list tonight, the second payment to Arnold's Roads was approved which covers the asphalt work primarily. The Clerk stated that we are holding the full bond amount of \$276,231.00 and cash remaining is about \$34,000. Mrs. Tersigni stated that Mr. Roseberry was very comfortable that that amount remaining would be enough to cover completion of items on the punch list.

Mrs. Tersigni stated that she and the Clerk conducted a walk through and developed the original list. She explained that after the paving was complete, she, Eric and Rick conducted another site walk through and added to the list. Discussion followed.

Mrs. Tersigni will follow up with Mr. Roseberry with regard to the inspection schedule for the Main Street work. She will also ask for an anticipated date of when construction corrections will be made.

#### **MILL REDEVELOPMENT**

Mr. Edleston stated that he had sent Mr. Zaleski a copy of the deed and asked for comments or any corrections. Having received none, he mailed Mr. Zaleski the original which was then returned to his office, so Mr. Edleston sent it to the Clerk's Office for recording. Mr. Zaleski called Mr. Edleston this morning and said that within the next 2-3 weeks we will see a dumpster

on the site and they also plan to power wash the building as well. Mr. Zaleski stated his only concern about the deed was the provision that at least on component of the property must always be commercial. Mr. Edleston advised Mr. Zaleski that if they ever wanted relief for that they would have to appear before Council about the same. Mr. Edleston will contact Mrs. Hagaman tomorrow to advise that the deed has been filed.

**NEW BUSINESS**

**STORM DEBRIS**

Mrs. Tersigni stated that information about how to handle the storm debris has varied. We have estimates that range from \$6,800 per day to renting a chipper at a rate of about \$265/day.

The Clerk stated that on some of the conference calls with the Governor's office they had made it clear that Tax payer dollars should not go to pay for storm related debris from private property. She advised that she has also received calls from contractor's who say that that is incorrect and it can be used for that type of debris. Mrs. Papics stated that she understand many other towns are allowing their residents to drag their vegetative debris curbside and once it is placed in the right of way, it can be picked up.

The Clerk stated that Council needs to decide if they want to hold another town wide clean up for storm debris or do they want residents to handle it on their own. Discussion followed.

Mr. Smith moved Council authorize an additional brush clean up not to exceed \$5,000 including the rental of a chipper for one week for approximately \$1,400 and hiring additional help as needed from the on call list; seconded by Mrs. Papics.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**RESOLUTION 56-12 - TRANSFER IN THE 2012 BUDGET APPROPRIATIONS**

**WHEREAS**, NJSA 40A:4-59 states that transfers can be made to budget appropriations during November and December, and

**WHEREAS**, by unforeseen demand there has arisen the necessity for expenditures in excess of the following budget appropriations, and

**WHEREAS**, there is an excess in the following budget appropriation;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Bloomsbury that the following 2012 budget transfers be made:

TO: Engineering	\$1,500
Gasoline/Diesel	\$4,000

FROM: Garbage – Other Expenses                      \$5,500

Mrs. Papics moved Council adopt Resolution # 56-12; seconded by Mr. Smith.  
ROLL CALL VOTE: Tersigni-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**2013 - REORGANIZATION MEETING**

The annual reorganization meeting will be held on January 1, 2013 at Noon. The Clerk will advertise the same in accordance with law.

**NORTH HUNTERDON COURT DISSOLUTION**

Mr. Edleston stated that the Borough of Bloomsbury used to be a member of the Joint Court back in the 1980's and therefore has been included in discussions of how the records can and should be maintained moving forward. Clinton Township has agreed to take over the Court and this will not result in any cost to Bloomsbury. Mr. Edleston stated that the Borough Council will have to deal with this matter in the new year as there have been ongoing changes to the agreement and we will need two meetings to introduce and adopt the required Ordinance.

**BLOOMSBURY BETHLEHEM JOINT COURT**

Mr. Edleston stated that Bethlehem Township had previously taken Lebanon Borough into the Court and now they are taking Glen Gardner as well and there are several issues regarding the financial impact of that that should be discussed in executive session. He explained he feels there are some troubling discrepancies which need to be addressed and also our agreement expires at the end of next year and he will certainly recommend that a subcommittee be formed to discuss different aspects of our agreement with Bethlehem Township before any renewal of our agreement.

**TAX ASSESSOR'S REPORT**

Mr. Edleston stated that he understands Mrs. Hagaman may have decided to reassess a portion of the town. Mrs. Hagaman stated that the trouble is that there are very few actual sales so it is difficult to ascertain if a change is warranted. Mr. Edleston asked if this was being forced by the County Tax Board, she stated it was not, that she was considering this as a way to protect the town. Mr. Edleston stated that this would result in shifted some of the tax burden to other residents in other areas of town. Mrs. Hagaman stated that the issue is when there is a successful tax appeal; the Borough has to absorb the entire school portion. She explained that the school tax rate is 1.394 and ours in .449. Discussion followed.

Mrs. Hagaman stated that there was a recent ruling by the County Tax Board in the past few weeks which requires them to determine what the value of the property is and is it within the ratio range and they can't just make a decision without considering this. Discussion followed.

**SNOW PARKING**

Mrs. Tersigni stated that the Borough has been unable to obtain permission from any private property owner for additional snow parking for residents.

## **CORRESPONDENCE**

No additional correspondence was discussed.

## **PUBLIC COMMENT**

Mike Galuppo, 26 Main Street wanted to thank the Mayor, Council, Clerk and other people for the work they did during Hurricane Sandy, stating that they made a bad a situation a lot easier for a lot of people. He stated that he brought up the issue about Troopers speeding down Main Street years ago and that the matter was not followed up on. He asked that the Council follow up with the NJSP about then responding at a high rate of speed down Main Street and noted that they are not using lights and siren when doing so.

Mr. Galuppo asked what materials may be stored at the medical supply distribution warehouse which is proposed for the 55 North Street lot. The Mayor reported that they will methanol and acetonitrile and that they will not store more than 50 -100 cases, with each case containing 16 liters. Discussion followed.

Mr. Galuppo asked if the no parking area which has been posted across from the school has been codified. He said that the original plans only had no parking right across from the school where the wall is. Discussion followed.

Mr. Galuppo asked if the email he had sent to the Mayor about his concerns about the Main Street project had become part of the punch list. The Mayor stated that she forwarded all emails and inquiries to the Engineer. Discussion followed.

Mr. Galuppo asked the Borough had considered possibly leasing a chipper. Mr. Francisco stated that the Borough must follow the Municipal Bond Law, and that we could consider buying one, but at a cost of \$30,000 when we use it only twice a year, Council has never endorsed doing so. Discussion followed.

Karen Murray, 120 Willow Avenue thanked everyone for all they did during the Hurricane and power outage. She also thanked the TA for the food they donated and for allowing residents to use their shower facilities free of charge. Discussion followed.

## **RESOLUTION FOR AN EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss potential litigation.

Mrs. Papics moved Council enter executive session at 8:43 PM; seconded by Mr. Smith. All ayes. Motion carried.

Mrs. Papics moved Council Re-enter Regular Session at 9:24; seconded by Mr. Smith All ayes. Motion carried.

Mr. Edleston stated that the Council discussed several matters regarding potential tax sale and the Tax Assessor has been given direction to look into the matters that were discussed.

Mr. Edleston stated the Council also discussed the Joint Municipal Court Contract with Bethlehem Township and a subcommittee was formed to look into contract negotiations regarding a new contract at the end of 2014 and get some information regarding the finances of under the current agreement. Mrs. Tersigni stated that the subcommittee members shall be Al Stiehler, Chris Smith, Lisa Burd Reindel and herself.

### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Smith; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 9:25 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
DECEMBER 18, 2012**

The regular meeting of the Mayor and Council was held on December 18, 2012 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 6:30 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 12, 2012 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James - excused	Martha Tersigni
	Vicky Papics	Eric Weger
	Chris Smith - excused	Al Stiehler
		William Edleston, Esq.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the Regular Meeting Minutes of November 27, 2012, seconded by Mr. Stiehler. All ayes. Motion carried.

**TAX COLLECTOR'S REPORTS**

Mr. Weger moved Council accept the Tax Collector's report of November 30, 2012 and the Report of Tax Sale; seconded by Mrs. Papics.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger. Motion carried.

**APPROVAL OF BILL LIST**

Mr. Weger moved Council approve the Bill List of December 18, 2012; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger - aye. Motion carried.

**CODE ENFORCEMENT OFFICER'S REPORT**

Mrs. Papics moved Council accept the Zoning Officer's Report of December 13, 2012; seconded by Mr. Stiehler. All ayes. Motion carried.

Zoning permit fees will be waived for anyone who is applying to make repairs due to Hurricane Sandy damage.

**COMMITTEE REPORTS**

*A. Stiehler:*

**Board of Education-**

- Mr. Stiehler reported that the Board revised the school schedule to make up days missed due to Hurricane Sandy. They have also made a small adjustment to the marking period and are starting to interview for the Principal position.

*Eric Weger –*

**Public Works-**

- Mr. Weger stated that he had nothing new to report, as he has been out of town of business for the past few weeks.

*V. Papics:*

**Bloomsbury Hose Company-**

- Mrs. Papics reported that the Fire Company has applied to FEMA to be reimbursed for the fuel used to run the generator during the power outage and they are working on completion of their First Responder forms.

**Rescue –**

- The Rescue Squad members are completing their First Responder forms and have expressed an interest in getting on the email blast list so that they can get information regarding Borough events.

**OEM-**

- Mrs. Papics stated she will need to be re-appointed as OEM Coordinator for the 1<sup>st</sup> of the year.

**BCC –**

- The Santa at the Fire House event went well and they hope to have an even better turn out next year.

*M. Tersigni:*

**Mayor's Report –**

- Mrs. Tersigni stated that vehicle repair expenses have exceeded what we anticipated for the year. Hopefully no additional repairs will be needed.
- Mrs. Tersigni stated that she is starting to review contracts and invoices again and Council should expect changes in 2013 to assist the Administration with oversight over spending.

- Leaf and Brush pick up expenses were high this year. We still have two days of the rental chipper owed to us which we will use in January to get some debris removed from Borough property and to get some Christmas trees chipped up as well.
- Mrs. Tersigni reported that FEMA announced last night that they will reimburse 75% of the cost of private property debris clean up.
- Mrs. Tersigni stated that Mr. Francisco reminded us that we received a \$4,000 Clean Communities Grant for 2012 which has not been used. It must be used by June. Mr. Francisco did not believe that the money could be used for Christmas tree recycling. The Clerk volunteered to call Clean Communities Council to confirm.
- Borough Offices will be closed Monday, December 24<sup>th</sup> and Monday December 31<sup>st</sup> in observance of the Holidays.
- Mrs. Tersigni thanked everyone for their service this year. She added that she wanted to make a statement in lieu of some things which have happened recently, that none of our employees or elected officials should have to endure any threatening behavior by any member of the public. She asked that if anything occurs to anyone, to please contact her or the Clerk to let them know because it will not be tolerated.
- Luminary assembly will be Friday at 6:00 PM.
- Mrs. Tersigni stated that she would like a policy for email blasts. She explained that she gets a lot of last minute requests for information to be sent out, sometimes from churches or from the school. Mrs. Tersigni stated she has always felt that it should just be used for Borough business or Borough events. Recently she received a request about a 5<sup>th</sup> and 6<sup>th</sup> grade dance and they wanted people to donate gift cards. Discussion followed.

The Clerk stated that she had emailed all the Hunterdon County Clerks asking if they had similar issue or if they had policies about the same. Everyone who responded stated that their website and email blast were limited to municipal information only.

- Mrs. Tersigni stated that she would like Council to look at the possible foreclosure of properties we hold liens on and she will have a map to present to everyone in January.
- Mrs. Tersigni stated that we need some work on the Commissions, that regulatory compliance has slipped with them and they need to provide forms and Oath of Office for members and we can be audited for the same. She explained that the Clerk has been requesting this information since November of 2011. The Clerk stated that she needs the info for 2012 and will be asking this week for the 2013 information as well.

Mrs. Tersigni stated that anyone interested in serving on the Environmental Commission or the Recreation Commission please let her know. She explained that they require a certain membership in order to survive as a commission and if they can not then maybe they can survive as a committee instead. Mrs. Tersigni reminded everyone that if you are

a member of one of the commissions, that the sunshine laws do still apply, that it does not matter where a meeting is held.

- Mrs. Tersigni stated that the Court subcommittee is having difficulty meeting and that members may have to meet in smaller groups and then relay information via emails and phone to keep everyone in the loop.

## **CLERK/ADMINISTRATOR'S REPORT**

### **Dates to Remember**

- The Clerk provided Council with a draft list of dates to remember and asked that if anyone has anything to add, to please get the details to her as soon as possible so she can have a final version ready to hand out at reorganization.
- The Rabies Clinic has been scheduled for January 19 from 12:30 – 1:30 pm.
- The Clerk has scheduled the annual Clean Up Day for July 20 from 8 – 11 am.

### **DPW - Truck Repairs-**

- The Clerk stated that at the November Meeting, Council had approved repairs to the 2003 Ford truck including replacement of the ball joints and u- joints for a cost not to exceed \$1,100. She stated that the actual cost was \$847.98. She explained that while these repairs were being completed, the mechanic found that the front brakes were also in need of replacement. The Clerk reported the additional work including brake replacement, rotor turning and hub replacement cost an additional \$569.91.

### **Security System-**

- The Clerk stated that they are still waiting for the heater to come in and she hopes the repairs and install will take place next week.

### **Tax Office-**

- The Clerk explained there is a Resolution which will up for consideration later in the agenda regarding the 55 North Street property. Additionally, the Clerk provided copies of a letter from Dominikija Prostack to the Tax Collector expressing interest in acquiring the liens for two parcels in the Borough including Block 19; Lot 18 and Block 20; Lot 18.

### **Administration-**

- The Clerk will be sending out letters to EC, Recreation, Rescue and the Fire Company requesting they appear at the January 22, 2013 meeting with Budget information and donation requests for 2013 for Council consideration.
- The Clerk has requested that all Professionals respond with letters of interest for continuing their service in the Borough of Bloomsbury for 2013 and to date she has received the same the same from everyone. If they are re-appointed she will then request

they submit their proposed 2013 contracts, pay to play documents, business registration certificates and certificates of employee information as is required by law.

- The Clerk advised that she has submitted all of the Ordinances which were adopted in 2012 to General Code. She explained that the cost for inclusion of the ordinances which adopted the code is covered in the original cost, but the additional Ordinances are not. She requested General Code provide a cost estimate for including these additional Ordinances so that Council could consider the same prior to authorizing the work. The Clerk stated the cost estimate is \$1,200 - \$1,600. Discussion followed. The Clerk will contact General Code and verify that this amount will be due in 2013.
- The Clerk reiterated that she is in need of the required Citizen Leadership forms and Oaths of Office for the Environmental Commission and the Recreation Commission. She advised that both of these files are incomplete in the Directory which she is required to maintain and that the same is auditable. She needs the information for 2012 and will be sending out letters of request for 2013 this week.

*The Clerk for Chris James:*

#### **Newsletter-**

- The Next Newsletter will go out on March 1, 2013 and submissions should be sent in to Mr. James as soon as they are available.

#### **Environmental Commission -**

- Mr. James met with current EC members last week and he had members in attendance complete the required Citizen Leadership forms. He knows who is interested in continuing for 2013 and has some idea of which residents he can reach out to see if they have an interest in joining the Commission.

The Clerk asked Mr. Edleston to verify if the Commissions are required to publish their meeting schedule. Mr. Edleston confirmed the same.

#### **STATE POLICE REPORT**

No report.

#### **OLD BUSINESS**

#### **MAIN STREET PHASE I & PHASE II PROJECT**

Mrs. Tersigni stated that Arnold's Roads did take care of some of the punch list items. She stated that she still needs to go over the remaining items with Mr. Roseberry to see when they will be taken care of. She stated that signage is Arnold's responsibility and should be done now.

The Clerk reported that the initial core samples which were taken came back light and they are taking new core samples to verify the findings. She explained that if verified, that Arnold's Roads would be fined based on a percentage for the same. This fine would not be payable to the Borough – rather this amount would not be paid for by the Grant. Discussion followed.

**SAFE ROUTES TO SCHOOLS**

Mrs. Tersigni stated that we are finally supposed to hear in the first quarter of 2013. She explained that this application was submitted a year ago.

**MILL REDEVELOPMENT**

Mr. Edleston stated he has no update to the status of the start of the project.

**NEW BUSINESS**

**CONSENT AGENDA**

**RESOLUTION 57-12 - OVERPAYMENT OF TAXES**

**WHEREAS**, the following property has an overpayment of 2012 property taxes;

**WHEREAS**, any overpayment in excess of \$5.00 must be refunded;

**NOW THEREFORE BE IT RESOLVED**, by the Town Council of the Borough of Bloomsbury this 18th day of December 2012 that the Tax Collector and Finance Officer are hereby authorized to refund the following overpayment:

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Amount</u>
9.01	9	Tonello, Herbert	\$250.00

**RESOLUTION # 58-12 - RESOLUTION REQUESTING THE HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS TO BANK AND RESERVE FUNDS ALLOCATED FOR THE BOROUGH OF BLOOMSBURY IN THE OPEN SPACE TRUST FUND**

**WHEREAS**, the Hunterdon County Board of Chosen Freeholders has approved an open space trust fund and established a municipal grant program to provide program funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal master plan, and restoration of county owned or municipal owned historic properties, buildings, structures or facilities, etc.; and

**WHEREAS**, the Borough of Bloomsbury Common Council is requesting the Hunterdon County Board of Chosen Freeholders to Bank and Reserve the Open Space Trust Fund amount of \$3,534.11 for Calendar Year 2012 allocated for the Borough of Bloomsbury for further consideration.

**WHEREAS**, the Mayor and Council of the Borough of Bloomsbury desire to obtain Open Space Trust Funds in the amount of \$43,537.11 to fund the following projects in the future:

1. Acquisition of easements and/or fee property interest in lots adjacent to the Musconetcong River;
2. Acquisition of open lot adjacent to Main /Gardner/North Streets.

**RESOLUTION # 59-12 - CHURCH OF THE ANNUNCIATION MONTHLY 50/50 RAFFLE**

**WHEREAS**, the Church of the Annunciation is the licensee on the application to conduct an On-Premise 50/50 Raffle on the last Sunday of every month, to be held at the 80 Main Street, Bloomsbury, New Jersey at 12:30 pm; and

**WHEREAS**, the appropriate application forms and fees have been submitted to the Borough Clerk; and

**WHEREAS**, there appear to be no reasons to deny the aforesaid on-premise 50/50 raffle,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The on-premise 50/50 raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

**RESOLUTION # 60-12 - ASSIGNMENT OF STREET ADDRESS FOR MAYOR TUXHORN PARK**

**WHEREAS**, it is a requirement that improved properties have a numbered street address which is also used as a 9-1-1 address in order to assist the general public and emergency services in identifying the property in case of emergency and otherwise,

**WHEREAS**, the parcel known in the tax records for the Borough of Bloomsbury as Block 5; Lot 2 in the Borough, commonly known as Mayor Ed Tuxhorn Park does not have a numbered street address, and

**WHEREAS**, Lisa Burd Reindel is the 9-1-1 Coordinator for the Borough of Bloomsbury and therefore authorized to assign a numbered address when needed, and

**NOW THEREFORE BE IT RESOLVED**, that the 9-1-1 Coordinator does hereby affirm that parcel known as Block 5; Lot 2, also known as Mayor Ed Tuxhorn Park be assigned the street address of 100 Church Street.

**BE IT FURTHER RESOLVED**, that the building number shall be displayed in accordance with Borough Ordinances at Mayor Ed Tuxhorn Park, and

**BE IT FURTHER RESOLVED**, a copy of this Resolution shall be forwarded to the Hunterdon County Communications Center, the Borough Office of Emergency Management Coordinator, The Bloomsbury Hose Company #1, The Bloomsbury Rescue Squad and the New Jersey State Police

**RESOLUTION 61-12 - A RESOLUTION CANCELLING THE UNEXPENDED BALANCE OF \$3,555.00 FROM CAPITAL ORDINANCE 105-12**

**WHEREAS**, The Council of the Borough of Bloomsbury previously adopted Capital Ordinance 105-12 for \$30,000 for improvements to Borough Streets and the purchase of Public Works mowing equipment, and

**WHEREAS**, The street improvements were completed and the mowing equipment purchased at a total cost of \$26,445.00 leaving an unexpended balance of \$3,555.00, and

**WHEREAS**, it is necessary to formally cancel the unexpended balance by resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the following unexpended balance is cancelled:

Ordinance 105-12	\$3,555.00
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**RESOLUTION 62-12 - A RESOLUTION CANCELLING THE UNEXPENDED BALANCE OF \$1,987 FROM CAPITAL ORDINANCE 111-12**

**WHEREAS**, The Council of the Borough of Bloomsbury previously adopted Capital Ordinance 111-12 for \$15,000 for the purchase of a Public Works tractor, and

**WHEREAS**, The tractor was purchased at a total cost of \$8,675.00 and the cost of the cab was \$4,338, leaving an unexpended balance of \$1,987.00, and

**WHEREAS**, it is necessary to formally cancel the unexpended balance by resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the following unexpended balance is cancelled:

Ordinance 111-12

\$1,987.00

Mrs. Papics moved Council adopt Resolutions 57-12, 58-12, 59-12, 60-12, 61-12 & 62-12 as outlined in the consent agenda; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 63-12 - LIEN REDEMPTION**

**WHEREAS**, the Tax Collector of the Borough of Bloomsbury has advised the Committee that the following properties have been redeemed and the money due thereon paid to the Borough of Bloomsbury Tax Collector;

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the Borough of Bloomsbury this 18th day of December 2012 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #	AMOUNT
Borough of Bloomsbury	8/1	20010-001	\$92,475.14

The Clerk stated that Resolution # 63-12 is for a lien redemption for 55 North Street and includes the total owed including the interest which has been calculated through the date of tonight's meeting as required by law. She explained that she was due to meet with Mr. Karam today to receive a cashier's check for in the amount of \$92,475.14 but due to an issue at the bank, the payment was not received. The Clerk stated that she has discussed the same with the Tax Collector and Mr. Karam will be bringing the payment in tomorrow. She asked that Council adopt Resolution # 63-12 contingent upon her receiving the same tomorrow by Noon.

Mr. Weger moved Council adopt Resolution # 63-12 with the previously stated condition; seconded by Mr. Stiehler.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**CORRESPONDENCE**

Council reviewed the revised final assessment bill from PAIC. She advised Council that she had met with Mr. Gemmell from Brown and Brown on Monday to conduct the annual insurance review. She stated that minor changes were made to the 2013 policy including the removal of the Mill and radio equipment which actually belongs to the Fire Company and is insured by them. She stated that we will likely not see a big reduction on the premium with these changes but that any reduction would be great.

Mrs. Tersigni reported that she received a letter from Don Lynch, President JCP&L thanking everyone at the table for everything we did to help in the aftermath of Hurricane Sandy.

**COUNCIL VANCANCY**

The Clerk explained that at the General Election, several write in votes were received for the Unexpired Term Council seat which Mr. Stiehler had previously been appointed to for 2012. She explained that each person only received one vote, and therefore a tie vote creates a vacancy. Mr. Edleston verified that Mr. Stiehler remains in his seat through the end of the year and that Council fills the seat for 2013 in accordance with law. The Clerk provided Council with a list of three names which were given by, the Bloomsbury Republican Committee, Martha and John Tersigni, including Al Stiehler, Glenn Pickel & Kathleen Jordan. Discussion followed.

Mr. Weger moved Council appoint Al Stiehler to fill the unexpired term through 12/31/13; Seconded by Mrs. Papics. No additional nominations were made. Mr. Weger moved Council close the nominations, seconded by Mrs. Papics.

ROLL CALL VOTE: Tersigni-aye; Papics-aye; Weger-aye. Motion carried.

**PUBLIC COMMENT**

No Comment.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 7:15 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC  
Borough Clerk/Administrator