BOROUGH OF BLOOMSBURY COUNCIL MEETING MINUTES JULY 22, 2014

The regular meeting of the Mayor and Council was held on July 22, 2014 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:08 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 16, 2014 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 - excused Al Stiehler

Kathleen Jordan – arrived 7:09 Chris Smith Vicky Papics Eric Weger

Martha Tersigni, Mayor - excused William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mr. Smith moved Council adopt the Regular Meeting Minutes of June 24, 2014; seconded by Mr. Weger. All ayes. Papics-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly and Quarterly Reports dated June 30, 2014; seconded by Mr. Smith

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

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the amended Bill List of June 24, 2014; seconded by Mr. Stiehler.

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

CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Code Enforcement Report; seconded by Mr. Weger. All ayes. Motion carried.

COMMITTEE REPORTS

V. Papics:

Safe Routes to Schools-

• Mrs. Papics stated that she reached out to Mr. Roseberry regarding the new information we had obtained but she has not received a response yet.

OEM -

• The next meeting is scheduled for August 26, 2014, so she will miss the Council meeting if it is held.

Bloomsbury Hose Company –

- Mrs. Papics reported attending their meeting on July 14, 2014.
- There were 64 calls to date.
- She advised that they can not access the water at the end of Bethlehem Avenue due to a curb of dirt which has been installed.
- They are concerned that there are still many encroachments on Musconetcong Drive.
- Travis Beatty has resigned as Captain and Michael Pflugfelder has taken the position.
- Mrs. Papics stated that they are not happy with the dumpster not getting picked up as part of the Borough contract and it may reflect on next year's rental agreement. The Clerk stated that their dumpster pick up has not been included in the last two bids. She explained that she personally spoke to Premier and they eventually agreed not to charge the Fire Department, and she again spoke to RVD on their behalf prior to the start of this contract. The Clerk stated that she then spoke to the Fire Department and provided them with a contact number to try to request that RVD also consider taking their trash for no cost. She stated that they are permitted to place out 2 cans each week, like all residential properties. Discussion followed.

Bloomsbury Rescue Squad -

- Mrs. Papics stated that she attended the meeting yesterday. They are operational in their new location. The Rescue Squad is not sure what towns want from them now to receive their donations and reported they have gotten nothing from Alexandria, Bethlehem or Bloomsbury.
- They stated that the dual alert is not working for Bethlehem Township and has been dangerous with Pattenburg racing to calls to pass and beat the Bloomsbury Squad which is already in route.

E. Weger:

Streets & Roads-

• Mr. Weger stated that he had nothing new to report.

K. Jordan:

Board of Education-

Mrs. Jordan advised that the High School attended the last Board of Education meeting
and reported that they are on track to open in 2016. She explained there is a website link
that you can go to in order to track progress. She apologized that she did not have the
link available at tonight's meeting, but she listened to Mr. James who said this meeting
was next week.

• Mrs. Jordan can not attend next month's meeting and asked if anyone was available to cover the meeting this week. Mr. Smith will try to attend in her absence.

C. Smith:

Recreation -

Mr. Smith stated that summer recreation is underway and despite the low count, the
program is going well. He advised they are still anticipating a short fall and to that end
they would like permission to host a few movie nights in the park. He explained that they
do not have the dates firmed up but would like to hold them in August and September.
Discussion followed.

RESOLUTION # 44-14 - A RESOLUTION AUTHORIZING THE BLOOMSBURY RECREATION COMMISSION TO HOST MOVIE NIGHT AT THE BOROUGH PARK

WHEREAS, the Bloomsbury Recreation Commission would like to host Movie Night at Mayor Tuxhorn Park; and

WHEREAS, this events will be held four nights in August and September, 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 until 11:00 PM each Movie Night.

Mr. Weger moved Council adopt Resolution # 44-14 permitting the Recreation Commission to hold four movie nights at the Borough Park; seconded by Mrs. Jordan. All ayes. Motion carried.

Mr. Stiehler asked how many children are enrolled. Mr. Smith stated they have about 20 and some drop ins. He stated they will get the information out earlier next year. Mrs. Jordan stated that people start planning in March. Mr. Smith said that there were a lot of changes this year, but next year they will get everything pulled together earlier.

A. Stiehler:

Bethlehem/Bloomsbury Court-

Mr. Stiehler advised that he spoke to Donna Surdich, court administrator and they have a
new CFO in Bethlehem Township but they will have the final number for our end of year
credit ready soon. Mr. Francisco stated that we just received a check for \$2,000 from the
court.

Clerk/Administrator's Report-

DPW-

- The Clerk advised they are still trying to get additional quotes for replacing the oil pan on the 2003 Ford.
- They are working on emptying the salt box on the pick up and had an issue with the auger so they are reaching out to Smith Motors about the same.
- They are working on plans to build a new box for leaf pick up.
- We are having a lot of issues with illegal dumping at the Borough Park. The Clerk advised that Mr. Heinrich opened bags and found reports cards and w-2's so she has contacted the State Police and they will be handing it.
- The Clerk signed and returned the agreement with Pip's but she has not be notified as to when work will begin.
- The Clerk stated she emailed Scott Mitchell at Aqua again to let them know about the upcoming road work, both by Pip's and the Main Street Phase III Project but has not heard anything back.

General Matters-

- The signs have been ordered but not yet received.
- The Clerk stated that at the June meeting she offered to reach out to Mr. Zaleski regarding the Mill and she did so via email and left a voice mail for him but to date has not heard back.

Tax Office-

- The Tax Assessor has mailed out noticed about the upcoming reassessment.
- The Tax Bills have been mailed out by the Tax Collector who mentioned that the Homestead rebates may be delayed until May 2015.

Alleys/Obstructions

• The Clerk reiterated her concern for the obstructions and issues with the alleys and she asked that this be addressed as soon as possible.

Clerk's Conference Attendance-

• The Clerk requested Council authorize her attendance at the League of Municipalities Conference in November again this year. She advised the costs include hotel stay for 2 nights, registration fees for attendance to the conference, the Clerk's meeting and the Registrar's meeting for approximately \$450.00.

Mrs. Jordan moved Council authorize the Clerk attend the annual conference for a cost not to exceed \$500.00; seconded by Mrs. Papics.

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

The Clerk stated that she is organizing a fundraising event to benefit the wounded warrior project and wanted to let Council know so that they can plan to participate again.

STATE POLICE – PERRYVILLE

No report. The Clerk will reach out to Trooper McGourty to ask that he attend an upcoming Council meeting.

OLD BUSINESS

MAIN STREET PHASE III - Vektor Agreement/Notice of Award

Mr. Edleston stated that this is the actual contract and the notice of award which he will send to to Vektor.

Mr. Weger moved Council authorize the execution of the agreement; seconded by Mrs. Papics. ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

SAFE ROUTES TO SCHOOLS

Nothing new to report.

MILL REDEVELOPMENT

Mr. Edleston and the Clerk left messages for Mr. Zaleski, but have not heard back to date. Mr. Edleston stated that he will send a letter advising that he must respond and let us know if he intends to proceed or not in advance of our August meeting.

NORTH STREET/PICKEL LANE UPDATE

Nothing new to report.

MUNICIPAL REASSESSMENT

The Clerk provided an update in her report.

AGREEMENT FOR ASSESSOR'S SERVICES RELATED TO THE REASSESSMENT

Mr. Edleston stated that he is still waiting to hear back from Eloise on that.

FORECLOSED PROPERTY UPDATE

Mr. Edleston stated there is nothing new on this, but the 90 days is almost up.

The Clerk asked if he had prepared the road map as requested. Mr. Edleston stated that he knows he owes us an analysis on this and will get it out to us this week just letting Council know what we need to do now when the 90 days is up.

STONE WALK AGREEMENT

Mr. Edlston stated that he sent out a draft simple contract and they are ready to close on the property, he just needs Council to authorize the signing of the contract.

Mr. Weger moved Council authorize the Mayor to sign the agreement; second by Mrs. Papics. ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

SERVICE ELECTRIC FRANCHISE AGREEMENT RENEWAL

Mr. Edleston stated that he sent them a letter and received a response. Mr. Stiehler questioned if they answered both of his questions – discussion followed. Mr. Edleston stated that he will follow up with them again but added that we want them to start the process.

The Clerk reminded Mr. Edleston that Council had requested that he provide a road map as to how the process works. She explained that Mrs. Tersigni read something online that said it was a three year process with different requirements and publications. Mr. Edleston stated that he will prepare the same and he will follow up with them. Mr. Edleston added that they did it before and they should do it again. Discussion followed.

NEW BUSINESS-

JAMES WESKE- SEPTIC SYSTEM ALTERATION

Council reviewed a memo from Mr. Roseberry dated July 7, 2014.

RESOLUTION #43-14 - RESOLUTION ENDORSING SEPTIC SYSTEM WAIVER REQUEST JAMES WESKE, 122 BRUNSWICK AVENUE, LOT 28, BLOCK 28

WHEREAS, application has been received for a septic system alteration design for Lot 28 in Block 28 (122 Brunswick Avenue) by James Weske; and

WHEREAS, certain waivers are required in connection with same, all of which are detailed in a letter prepared by the Borough Engineer, C. Richard Roseberry, PE, dated July 7, 2014; and

WHEREAS, the Borough Engineer's letter concludes that the existing system is a malfunctioning system with no expansion capability and that following alteration and granting of the requested waivers, the system will be closer to being in conformance with code requirements than the original components; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the septic system alteration is hereby endorsed and the requested waiver requests are hereby granted as follows:

- 1. The proposed seepage pit will be only 25 feet from the existing dwelling, which does not met the 50 foot offset requirement.
- 2. The seepage pit will be only 10 feet from the side and rear property lines, which does not met the 20 foot setback requirement.
- 3. The minimum square footage for the disposal area has not been met. The seepage pit is utilizing an area of 272 sq. ft., whereas 720 sq. ft. is required; and

WHEREAS, in conjunction with the foregoing waiver requests, the following conditions are hereby imposed in connection with same:

- A) The site investigation has revealed poor soils in the upper horizon and passing soils at a depth of 10 feet below grade. Given the reduced square footage of the seepage pits, the Borough Engineer is concerned about the ability of the site to infiltrate long term since the loading ratio is much higher than a conventional septic system. The applicant's engineer has indicated that he would go deeper with the excavation if possible during construction to increase the square footage. The Borough Engineer recommends increasing the size of the bed and granting a waiver of the minimum distance to the house since the elevation of infiltration appears to be below the elevation of the basement. If this is done, we would recommend an impervious liner be installed along the house-side of the seepage pits above the basement floor elevation, if applicable.
- B) The applicant's engineer shall explain how the infiltration rate of 35.6 was calculated. Any changes to the elevation of the excavation will require re-testing.
- C) The applicant shall install low-flow water fixtures in the house, including faucets, shower heads and toilets.

- D) Due to the close proximity of the septic system to the property line, all components shall be staked out by a professional land surveyor.
- E) The plan shows a very small area (5' x 5') for contaminated soil disposal. This area is too small to dispose of the soil from the existing system. The contractor shall provide certification of the actual disposal site and licensed facility that accepts soil.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the approval hereby granted is subject to the applicant holding the Borough of Bloomsbury and the Hunterdon County Division of Public Health Services harmless subject to the applicant executing the attached Hold Harmless Agreement.

Mr. Weger moved Council adopt Resolution # 43-14; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Weske signed the hold harmless agreement.

CORRESPONDENCE

No additional correspondence were received.

PUBLIC COMMENT

Mr. Weger moved Council open public comment; seconded by Mrs. Jordan. All ayes. Motion carried.

Mr. Stiehler reminded the Public that public comment will be limited to five minutes each and he asked that everyone stand and provide their name and address for the record.

Linda Modale Schubert, 52 Brunswick Avenue stated that she doesn't know what we are going to do but they want their town back. She said there has been a lot of vandalism and stuff going on, on Brunswick Avenue. She added that there were cars broken into right in front of her house. She said it was not like this when they moved in, and she doesn't know if it is because of the rental properties or what.

Eileen Linenberg, 56 Brunswick Avenue stated that she just recently moved to the Borough and she is distressed. She said we need to know what is going on Brunswick Avenue. She filed a police report with the NJSP last week because money was stolen from her car and a GPS from another car. She said she lives alone, doesn't have a dog or a gun. She said the people who own their homes are good people but these landlords just rent to anyone. She said there was a drug ring at the corner. Ms. Linenberg said their neighborhood will do what they have to do to take

their neighborhood back but she questioned what the town will do. She added that she is having motion lights installed on her home now.

Mr. Stiehler stated that we will discuss this matter with the State Police and he encouraged residents to call 911 to report any incident.

Mr. Weger asked if these were actual break ins, and if they did actual property damage to get into the cars. Discussion followed. Residents confirmed that vehicles were left unlocked. Mr. Weger stated that the first thing the police would likely recommend would be for everyone to lock their vehicles. Mrs. Lindenberg stated that the bottom line is that she doesn't want to live somewhere with neighbors would steal from her. Mr. Stiehler stated he understood, but Council would like to help her to be less of a victim.

David Hintenach, 55 Brunswick stated that he has had approximately \$3,500 in property damage so far. He reported that he has had damage to his garage doors, beer bottles thrown at his home and observed cars parking illegally and coming and going. He asked if a neighborhood watch could be organized. Mr. Weger questioned when the Borough had last tried to organize a neighborhood watch. The Clerk advised that it was about 5 years ago and that the State Police were very supportive and we started with about 40 people at the first meeting, then 20 people attended the second, and quickly it was down to just herself, Sergeant Sofhauser, and Linda and her husband. She explained there were not enough members to actually support the group.

Discussion followed. Mr. Stiehler asked that they tell all of their neighbors to please report anything suspicious, and he stated that we will speak to Trooper McGourty and also ask what it would take to start a neighborhood watch. Mr. Smith thanked residents from Brunswick Avenue for attending the meeting and letting Council know that there is a problem.

Mrs. Papics moved Council close public comment; seconded by Mrs. Jordan. 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 litigation.

Mr. Smith moved Council to go into closed session, seconded by Mr. Weger at 7:50 pm. All ayes, motion carried.

Discussion followed.

Mr. Smith moved Council close executive and return to regular session; seconded by Mr. Weger. All ayes. Motion carried.

Council returned from executive session at approximately 7:56 PM.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Weger; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 7:57 PM.

Respectfully Submitted,

Lisa A. Burd Reindel, RMC, CMR Borough Clerk/Administrator