

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
SEPTEMBER 22, 2015**

The regular meeting of the Mayor and Council was held on September 22, 2015 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 Kim Francisco.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 8, 2015 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 - excused	Chris Smith - excused
	Vicky Papics	Eric Weger
	Martha Tersigni, Mayor	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the August 25, 2015 meeting minutes; seconded by Mr. Stiehler. All ayes. Weger-abstain. Motion carried.

TAX COLLECTOR'S REPORT

The Report will be held for the October meeting a mathematical error was noted.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the Bill List of September 22, 2015; seconded by Mrs. Papics. ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

CODE ENFORCEMENT REPORT

Mrs. Tersigni stated that the outstanding shed violation came up again at the planning board meeting this month. She explained this is the Pasculli shed and the property has been sold and the new owners have been tagged with this. Council members agreed enforcement on this matter was not handled properly with the previous owners and they do not want fines levied against the new owners. The shed is on Borough property and may need to be moved in the future. Mr. Stiehler will advise Mr. Creveling not to issue any fines on this matter at this time.

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

COMMITTEE REPORTS

V. Papics:

BCC-

- The BCC will host their annual Halloween parade on Sunday, October 25, 2015.

E. Weger:

Nothing new to report.

A. Stiehler:

- Mr. Stiehler contacted Donna and they are still working on their numbers for 2014 which he hopes to have the reconciliation numbers from them by end of October.

Mrs. Tersigni stated that the Clerk did not provide a written report this month as most of what she has done is covered under the rest of the agenda. No report was provided by Chris James.

M. Tersigni for C. Smith:

Recreation –

- Mr. Smith reported that we finally got the schedule from Greenwich and there three soccer games to be held at Bloomsbury Park. Mrs. Tersigni reminded Council that this follows their request for two soccer fields this year.
- Mr. Smith has not heard anything about the shared services agreement they wanted us to sign.
- There has been action on the line painting machine that we approved a few hundred dollars for and now we are down to two games.

No report was received from Kathleen. Mrs. Tersigni asked if an email blast went out to the public about brush pick up. She explained that Jessica McNulty offered to pull together an announcement but did not know how to send it out. Discussion followed.

M. Tersigni:

Planning Board-

- Mrs. Tersigni stated that Mr. Roseberry attended and provided an update about the Wastewater Management Plan. It is being developed for us by the Highlands Council and second round plan is forthcoming. It will require review, comment period and public hearing before it goes to DEP.
- Chuck McGroarty lead discussion on Modules 2, 3 & 7 of the Highlands Grant process which have to be updated. We can get a grant for \$25,000 by submitting a request for it which was done last week. Mrs. Tersigni stated that she has a packet with blank CD's prepared by the Highlands Council which have to be completed and she will get them to the Planner.

Catch Basin Repairs-

- Mrs. Tersigni stated that she believes the repairs have been made and the DPW will be completing black top repairs in those areas.

Tax Office-

- Homestead rebates are to be issued by the State this year.
- Tax sale is tentatively scheduled for Friday, December 11, 2015.
- Mr. Francisco prepared a tax increase worksheet. The 2015 tax levy was \$541,835 which was a \$10,632 increase over the 2014 tax levy representing a 2% increase Borough wide.

PERRYVILLE STATE POLICE-

- Mrs. Tersigni spoke to Trooper Walsh and he had nothing new to report. He is aware of a neighborhood tension and those involved have been advised it is not an issue for the Clerk or the Mayor, it's between them.

OLD BUSINESS-

Mrs. Tersigni stated there is nothing new to report on Old Business items 8A – 8D.

4-Ton Weight Limit Designation-

- Mrs. Tersigni stated that the last update she has regarding this matter is a memo from the DOT recommending the 4 ton weight limit on Willow, Main and Milford Road which is not far enough and Mr. Roseberry is working on that.

COAH –

- Mr. Edleston reminded Council they appropriated \$2,000 to participate in hiring Dr. Burchell from Rutgers to provide a report in connection with a number the Borough may have to come up with for low to moderate housing. Dr. Burchell had a stroke and it has affected his ability to perform work for the almost 70 municipalities that are involved. Rutgers sent a letter stating they were terminating the agreement with the coalition because of his disability and as a result the coalition is looking for someone to take over his responsibilities and they are meeting tomorrow to possibly hire a firm called Econsult who they feel will be able to continue Dr. Burchell's work. Discussion followed. This firm cannot complete their work until December and have requested they be granted additional time.

RESCUE SERVICES-

- Mrs. Tersigni stated that the Fire Department would like Council to write another letter to Rescue stating that it is not an appropriate division of equipment. Pattenburg has stated that they have no use what for is being offered to them. The Fire Department is being offered the two oldest pieces of equipment which is useless to the Fire Department and they wanted the Trash Crush because that is what they do. She explained that Rescue intends to give that truck to the new satellite office of Phillipsburg Rescue and they do not do this type of response. Mr. Stielher stated it may be appropriate to contact the other municipalities and stand united to ensure we get the right equipment where it belongs.

Discussion followed. Mrs. Tersigni will draft a letter to the other Mayors and send it to Mr. Stiehler for his review.

BOROUGH OWNED PROPERTY-

- Mrs. Tersigni stated Mr. Edleston was to present Council with an update as to how properties could be disposed of. Mr. Edleston stated that the most typical way is to hold a public auction which requires advertising. The Borough can set a minimum value and then reserve the right to reject any bids if the highest bid is not acceptable. The Borough would need to have an idea of the value of each parcel.

Mrs. Tersigni asked about substandard size piece. Mr. Edleston stated that it can be sold without auction to an adjoining property owner, but it must be unimproved and undersized. Mr. Weger asked if any type of tax abatement could be offered as incentive. Discussion followed.

PLAY EQUIPMENT-

- Mrs. Tersigni stated that Council appropriated \$6,000 for a new piece of playground equipment this year and usually the office receives several catalogs for the same, but none have been received. Discussion followed. Mr. Francisco stated that we could order it this year and have it installed in the spring.

NEW BUSINESS-

RESOLUTION # 47-15 - RESOLUTION ENDORSING SEPTIC ALTERATION APPLICATION SEPTIC SYSTEM WAIVER REQUEST BLOCK 15; LOT 5; 64 CENTER STREET

WHEREAS, application has been received for a septic system alteration design for Block 15, Lot 5 (64 Center Street) to allow a proposed septic system, 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 September 14, 2015 as follows:

1. The disposal bed will be 19 feet from the existing dwelling where 25 foot offset is required.
2. The disposal bed will be only 5 feet from the property line where 10 foot setback is required.

WHEREAS, the Borough Engineer's letter concludes that the existing system is malfunctioning and that following the alteration and granting of the requested waivers, the system will be closer to being in conformance with code requirements than the original components;

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 in accordance with Code Standards subject to the applicant's compliance with the following conditions:

- (a) Low-flow water fixtures will be installed in the house, including faucets, shower heads and toilets.
- (b) Due to the close proximity of the septic system to the property line, all components shall be staked out by a professional land surveyor.

BE IT FURTHER RESOLVED that a copy of this Resolution be placed on file in the Office of the Borough Clerk for public inspection.

Mr. Weger moved Council adopt Resolution #47-15; seconded by Mrs. Papics.
ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

**RESOLUTION # 48-15 - RESOLUTION ENDORSING SEPTIC ALTERATION
APPLICATION SEPTIC SYSTEM WAIVER REQUEST BLOCK 14; LOT 27; 32 WEST
STREET**

WHEREAS, application has been received for a septic system alteration design for Block 14, Lot 27 (32 West Street) to allow a proposed septic system, 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 September 14, 2015 as follows:

3. The seepage pit will be only 40 feet from the existing dwelling on Lots 26 and 28, which does not meet the minimum 50 foot offset required.
4. The seepage pit will be only 10 feet from the side property line, which does not meet the minimum 20 foot setback required.
5. The use of a seepage pit must be approved by the Board.
6. The seepage pit will be only 32 feet from the neighboring septic system, which does not meet the minimum 50 foot setback.
7. The seepage pit will be only 19 feet from the neighboring septic system on Lot 26, which does not meet the minimum 50 foot setback.
8. Percolation tests were not performed for the seepage pits. Soil permeability class rating tests were done.

WHEREAS, the Borough Engineer's letter concludes that the existing system is malfunctioning and that following the alteration and granting of the requested waivers, the system will be closer to being in conformance with code requirements than the original components;

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 in accordance with Code Standards subject to the applicant's compliance with the following conditions:

- (c) Low-flow water fixtures will be installed in both units of 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.

BE IT FURTHER RESOLVED that a copy of this Resolution be placed on file in the Office of the Borough Clerk for public inspection.

Mr. Weger moved Council adopt Resolution #48–15; seconded by Mr. Stiehler.
ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION # 49-15 - RESOLUTION APPOINTING CROSSING GUARDS FOR 2015/2016 SCHOOL YEAR

The Mayor and Council of the Borough of Bloomsbury do hereby appoint Donna Vanya as AM Crossing Guard; Beth Roles as PM Crossing Guard and Jessica McNulty will be the substitute Crossing Guard.

Mr. Stiehler moved Council adopt Resolution #49–15; seconded by Mr. Weger.
ROLL CALL VOTE: Tersigni-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION # 50-15 - BLOOMSBURY HOSE COMPANY # 1 INC. OFF-PREMISE 50/50 RAFFLE

WHEREAS, the Bloomsbury Hose Company No. 1 Inc. is the licensee on the application to conduct an Off-Premise 50/50 Raffle on November 20, 2015 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. Weger moved Council adopt Resolution # 50-15; seconded by Mr. Stiehler. All ayes. Motion carried.

TAX LIEN PAYOFF –

Mrs. Tersigni stated that she had expected the owner of 55 North to appear tonight because he wants to pay off the lien and move forward with an application before the Planning Board at the

October meeting but he said it is not necessary. She explained that he plans to appear before the Planning Board in October with his application without paying the tax lien or any of the taxes owned.

GARAGE REPAIRS-

Two of the three heaters do not work and need to be replaced.

Mr. Stiehler moved Council approve the purchase and installation of two heaters for a cost not to exceed \$2,500; seconded by Mrs. Papics.

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

The 65' front gutter needs to be replaced and two quotes were received. Discussion followed.

Mr. Weger moved Council approve replacement of the front gutter and cleaning of the rear gutter by DNC Gutters for a cost not to exceed \$1,000; seconded by Mrs. Papics.

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

CORRESPONDENCE-

Telecommunications Policy-

Council reviewed the telecommunications policy drafted by Steve Gruenberg, Planning Board Attorney.

Brown's Hunterdon Mack-

Mrs. Tersigni stated that there is a property owner who is upset about a large jump in his businesses property taxes as a result of the new assessment. Many properties stayed the same or went down in value while his went up and his piece of the pie increased drastically. He sent a letter to many residents in town and there was a follow up letter written by Carol Staten. Phone calls were made to the office and there is now a misunderstanding that there was a 30 % tax increase. This was not the case but the Brown Truck Group was affected with these kind of numbers after the assessment. Mr. Stiehler stated that he received the letter from Mr. Brown indicating his taxes went up 29% or over \$27,800. Mr. Stiehler met with him so they could speak face to face and he found he was most upset that no one ever got back to him, and he understands that. Mr. Stiehler explained that Mr. Brown received a response from the Governor's office and elsewhere but a month went by and he did not hear from us. Mrs. Tersigni stated that Eloise did respond. Mrs. Tersigni stated it made it through Eloise's email system but did not make it through hers. Mr. Weger stated that the Clerk forwarded the first letter to all Council and he received it and was surprised by the number. He felt that he didn't have any expertise to feel comfortable to respond to him, but next time, he will call Eloise, or reach out in some way to prevent this. Mr. Edleston reported that Eloise asked him to get an independent appraisal that she can then review. Mr. Stiehler will call Mr. Brown tomorrow to let him know that Council has discussed the matter and to remind him to get the appraisal in by end of October. He reiterated that Mr. Brown was most upset that he did not receive any response from Council. Mr. Stiehler stated that Mr. Brown was holding his payment in lieu of a response from Council and was then hit with an interest charge. Mr. Stiehler asked if there was any way that this charge could be waived. Mr. Francisco stated that he did not believe there was anything that Council could do as this is all governed by state statute. Mrs. Tersigni stated that her notes show that Mrs. Hagaman spoke to Mr. Brown at length on July 20, 2015 and explained the process to him. At that time, Mrs. Hagaman told him that if he believed the appraised value was incorrect, he should have an appraisal done by an

experienced commercial industrial appraiser and submit the report to her this fall to reevaluate the property for 2016. Mr. Brown has not contested the assessment but is upset with the resulting tax implications. Council discussed the need for a member of Council to respond to tax payers in the future. Mr. Stiehler cautioned that the result of how this has been handled could result in Mr. Brown taking his business somewhere else and turning the property back into a farm and the Borough would collect \$1,200 a year for it and all other tax payers would then have to make up the difference. Mr. Stiehler stated he feels a little good faith could go a long way in this case. Council will continue to look into the matter of the interest charges.

Social Media-

Mr. Stiehler stated that he saw an email about a woman trying to get onto the community page and she kept getting blocked or not accepted so she wrote an email saying that because Mrs. Jordan is a member of town Council that is the official page of the Borough. Mrs. Jordan responded and said that she would add her, but that there are a lot of advertisements going on the page and that is not what it is for. Mr. Stiehler asked if Council may be at risk because Kathi is a member of Council and questioned if someone else should be in charge of the page, or should a disclaimer should be added to the page. Mrs. Tersigni stated that she set up the page as a private citizen, not as a member of Council. Discussion followed. Mrs. Tersigni stated that she will discuss this matter with the Borough Attorney.

Park Bleachers-

Mrs. Tersigni stated that the wood on the bleachers is broken and they are dangerous. She explained that the last time we made a similar repair by replacing the wood, it cost around \$700 - \$800. Discussion followed. Mrs. Tersigni will direct the DPW to remove the wood and relocate the bleacher frames so they are out of use for now.

Planning Board Members-

Mrs. Tersigni stated we are in dire need of Planning Board members. There is a pending application for a change of use and she and Mrs. Papics will have to recuse themselves and as such there will not be enough members to vote on the same. Discussion followed.

PUBLIC COMMENT

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Stiehler; seconded by Mr. Weger. All ayes, motion carried. Meeting adjourned at 8:37 PM.

Respectfully Submitted,

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