

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
OCTOBER 27, 2015**

The regular meeting of the Mayor and Council was held on October 27, 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 Lisa Burd Reindel.

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.

<b>ROLL CALL:</b>	Chris James-absent	Al Stiehler
	Kathleen Jordan – arrived 7:04	Chris Smith
	Vicky Papics	Eric Weger - absent
	Martha Tersigni, Mayor	William Edleston, Esq.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Papics moved Council approve the September 22, 2015 meeting minutes; seconded by Mr. Stiehler. All ayes. Smith-abstain. Motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Smith moved Council approve the Tax Collector's Monthly Reports dated August 31st & September 30<sup>th</sup> and Quarterly Report dated September 30<sup>th</sup>; seconded by Mr. Stiehler.  
ROLL CALL VOTE: Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**APPROVAL OF BILL LIST**

Mrs. Papics moved Council approve the Bill List of October 27, 2015; seconded by Mr. Smith.  
ROLL CALL VOTE: Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**CODE ENFORCEMENT REPORT**

The Code Enforcement Report of September was reviewed by Council and accepted into the record.

**COMMITTEE REPORTS**

*V. Papics:*

**BCC-**

- The BCC Halloween parade was held on Sunday, October 25, 2015 and the next event will be held in December with Santa coming to the Firehouse. The date will be announced.

*K. Jordan:*

### **Newsletter-**

- Mrs. Jordan asked that all submissions for the December Newsletter be submitted by Thanksgiving so it can be distributed by December 1<sup>st</sup>. Mrs. Papics stated that she has received public comments that they miss the Mayor's letter being included in the newsletter.

### ***C. Smith:***

#### **Recreation –**

- Mr. Smith stated that the Recreation Committee will hold their annual luminary sale and he will forward information about the same for inclusion in the newsletter.
- Mr. Smith reported that there were only 3 games held 2 weeks apart at the park. He did not move forward with the purchase of the striper and he would like to get some advice on a shared service agreement for the same.

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

#### **Bethlehem/Bloomsbury Joint Court-**

- Mr. Stiehler reported that he and Mr. Francisco again met with Bethlehem Township regarding the joint court last Thursday. They reviewed the numbers and it appeared the Borough over paid by about \$3,800.00. Most expenses were the same except the breakdown of the building expenses almost doubled. He explained last year they threw out a number but this year looked at the wear and tear on the building and Mr. Stiehler and Mr. Francisco feel the new number is equitable and fair.
- Mr. Stiehler stated they asked if the Borough be willing to share in the expense of a major repair if needed such as a recording system. He stated that as a Joint Court he felt we would be partially responsible.
- The current agreement for the Joint Court runs through the end of 2016, so Mr. Stiehler and Mr. Francisco plan to meet with them again in the spring to begin discussions for a new contract. He added that they feel it is better for the Borough to remain as a joint court, and not become a share court member.

#### **Nixel Service-**

- Mr. Stiehler reported obtaining a quote for the Nixel System for \$1,500 per year. He explained it would be for two administrators and unlimited users for an unlimited number of texts, emails & calls. Discussion followed. Mrs. Tersigni stated that she received correspondence about municipal involvement with these systems and the failure rate and she would need to review the same and see if the Borough has adequate staff to manage a system like this.

#### **Clerk/Administrator Report:**

### ***L. Burd:***

The Clerk thanked everyone who helped to cover her office for her when she was out.

Tax Office-

- There are four properties eligible for tax sale and Mrs. Brown is hopeful these will be paid off prior to the sale date as most amounts are small.

Public Works-

- Two heaters were installed in the garage and now all three are functioning.

Code Updates-

- The Clerk is still working with General Code on the needed code updates. She explained she has received an estimate for incorporating Ordinances from 2012 – 2015 for a cost range of \$1,265 - \$1,505. She explained that they had a question regarding placement of the Highlands Checklist and she is waiting for the Planning Board Attorney to provide guidance on that matter.
- The Clerk explained she has requested their input regarding an ordinance amending sections of the code and making mostly minor changes. Once it is confirmed that this ordinance is written properly, she will send it out for Council review.

Hunterdon County Clerk's Association Meeting-

- The Clerk advised that during an election update, Mary Melfi, County Clerk advised all municipalities should consider and increase to their 2016 Election Budget as it is a Presidential election year.
- The Clerk explained that the remainder of the meeting was regarding shared services in Hunterdon County. She advised that county employees from the print shop, human services, and engineer's office spoke about shared services opportunities and their willingness to assist municipalities in any way they can. She added that unfortunately they also announced that they will not continue with county wide shared service for animal control in 2016, which is one service the Borough opted into. Discussion followed.

***M. Tersigni:***

Planning Board-

- Mrs. Tersigni stated that Karen Murray was sworn in as an alternate member and Matt Korbobo accepted an unexpired term seat as well. This allowed the Board to hear a Use Variance application at the September meeting. Additional seats are still available.
- The Board adopted a Resolution allowing routine and pre-approved expenditures be paid without approval by the Board.
- 55 North was before the Board for completeness determination and a public hearing for a Use Variance and Minor Site Plan approval. They had been approved previously for storage of scientific laboratory supplies and wanted to allow a cheerleading training facility. Numerous waivers were approved including a waiver from certification that municipal taxes are current which will be up on the agenda later this evening. Mrs. Tersigni stated that the proposed tenant is Valley Elite.

Borough Park-

- Mrs. Tersigni reported that she gave a playground equipment brochure to the Clerk who will look into finding an item which will satisfy both the insurance and ADA requirements. The Clerk will also look into this matter at the League Conference in November.

Mrs. Tersigni asked all Council members to provide her with the contact phone number and or email address they prefer she use to reach them.

Mr. Francisco asked Council to start thinking about the 2016 Budget.

### **OLD BUSINESS-**

#### **MAIN STREET PHASE III-**

- Mr. Francisco stated that no payment has been received to date but the Borough received notification that it is being processed.

#### **4-Ton Weight Limit Designation-**

- Nothing new to report.

#### **COAH –**

- Mr. Edleston stated that the big news now is that most courts are not granting an extension of time to get the reports in and still want them submitted by December. They did hire E-consult and they are taking on Dr. Burchell's responsibilities for all municipalities who opted in. Mr. Edleston stated that Dr. Burchell's analysis contains a formula that is very difficult to understand. He stated that it will be interesting to see how they submit this to the Courts because the Courts typically don't have patience in trying to decipher abstract formulas.

Mr. Smith moved Council authorize the Clerk to execute a contract with E-consult; seconded by Mrs. Jordan.

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

#### **PERRYVILLE STATE POLICE-**

- Trooper Walsh stated that he and his squad will be working on Halloween and during the Spooky Sprint.
- Trooper Walsh was contacted by a resident a few weeks ago who reported that residents were screaming on the Facebook page about the trucks near the truck stops. He stated that he asked her to give out his cell phone number and encourage anyone who has a solution to the problem to contact him directly and he will make an effort to implement their solution. He received no phone calls. Discussion followed.

Trooper Walsh attended a safety meeting at TA about a month ago and offered

suggestions as to how they can make the flow of traffic safer and asked that they consider having an employee in the parking lot with a safety vest to try to direct traffic. He also plans to reach out to Pilot to have a similar discussion as the Pilot appears to be more of a problem than the TA. He stated that the Borough could also consider hiring Police for four hour details to help in the area of the truck stop and near the school. Trooper Walsh stated the Borough could hire them once a week or once a month for a four hour detail for about \$87/hour.

### **RESCUE SERVICES-**

- Mrs. Tersigni stated that she understands that vehicles have already been dispersed and Bloomsbury Rescue has given all equipment to other people and the Bloomsbury Hose Company said to just let it go. The Fire Department will accept title to one vehicle and may be able to obtain a clear title for a second vehicle. They are working with Pattenburg Rescue and Bethlehem Township to find the best use for these vehicles and there is CERT Team interest.

### **BOROUGH OWNED PROPERTY-**

- Council received information provided by Mr. Edleston regarding Borough Property. Mr. Edleston stated that it's something to start thinking about. Mrs. Tersigni stated that the Borough should create a list of real property to be sold. The Clerk explained that Clinton Guild expressed interest in buying the Borough's bridge baskets. Discussion followed.

Mr. Smith asked if a sale could be handled through a realtor, and was advised that it must be sold by public auction. Mr. Smith asked if the Borough could lease property and Mr. Edleston confirmed this could be done. Discussion followed. Mrs. Tersigni stated that she doesn't know that there will be time to get anything off of our list this year. Mr. Edleston stated it doesn't look like it. The Clerk stated that because someone made one call to one business about the Mill and they were not interested in it, doesn't mean we should throw in the towel and assume no one would be interested. She stated that the Borough cannot afford to do that. The Clerk suggested that maybe what is needed is to brainstorm, hold an open meeting, create posters of what is available and allow people to express interest in them. The Clerk stated that initially the Borough was happy to obtain the parking lots to allow for public use, but she stated that at the end of the day, we need tax revenue more. She expressed her concern that if this is pushed back another month it will be January and the Borough still will not have a plan. The Clerk asked Mr. Edleston what needs to be done now. Mr. Edleston stated that he needs a list of the properties. The Clerk stated she had already previously provided a list and a map to everyone several months ago.

Mrs. Tersigni asked what can be done with unaccepted paper streets. Mr. Edleston stated that it can be sold to the highest bidder or the adjoining property owners. The Clerk stated that she thought that if it was offered or sold to the adjoining property owners it did not have to be auctioned off. Mr. Edleston confirmed that lots can be offered for sale to the adjoining property owners. Mrs. Tersigni stated that an appraisal would be need and that would be an expense. The Clerk asked if the Assessor could just provide a fair value for them and Mr. Edleston confirmed she could. The Clerk asked if parcels like the extension

of Wilson Street that lies between North Street and the Railroad tracks could just be offered for sale to the adjoining property owners and if those would be easy enough to be handled by the end of the year. Mr. Edleston stated that they could be. Discussion followed.

**Brown's Hunterdon Mack-**

- Mr. Stiehler stated that although he understands that all opinions are that there is nothing we can do about the interest charge, he wants to express his opinion that \$400 toward some good will goes a long way. He stated that we dropped the ball by not getting back to Mr. Brown's emails right away. Mr. Stiehler stated we have to tell him that he has to pay it and asked if Mrs. Tersigni wants to call him about the same. Mr. Edleston stated that Mr. Brown was told to have an appraisal done and he did but it had the value as of 2014 and not October 2015 as directed. He explained that nothing can be done this year, but as long as this appraisal is corrected it can be looked at for 2015. The Clerk asked if Mrs. Hagaman had spoken to Mr. Brown's appraiser about the same and he responded that she had. Mrs. Jordan asked why Council can't waive the interest. Mr. Edleston stated no Municipality can waive an interest charge. Mr. Stiehler stated that he has heard of tax amnesty and if there is nothing that Council can do he understands, but reiterated that no one responded to his email for 30 days. Mrs. Tersigni stated that Mrs. Hagaman, the tax authority did reply to him immediately. Discussion followed. Mr. Stiehler stated that someone needs to let him know that he needs to pay up or the interest will continue to accrue.

**Threat of Litigation-**

- Mr. Stiehler stated that he received a copy of a letter sent from a resident to Mr. Creveling threatening litigation. Mr. Edleston stated that due to the threat, no Borough employee or official should have any future discussion with the resident about anything relating to matter which is the subject of her threat of litigation. He advised that if anyone is contacted they should advise the resident that she needs to have her attorney contact Mr. Edleston.

**Community Facebook page Complaint-**

- Mr. Edleston will draft a disclaimer for Mrs. Jordan to include on her private community page stating that it is not a Borough page.

**NEW BUSINESS-**

**RESOLUTION # 51-15 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2016 BRUNSWICK AVENUE PHASE I 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-2016 –Brunswick Avenue Phase I 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.

Mrs. Papics moved Council adopt Resolution # 51-15; seconded by Mrs. Jordan.

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

**RESOLUTION # 53-15 - 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 2014) 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 Lisa A. Burd Reindel, Recycling Grant 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. Jordan moved Council adopt Resolution # 52-15; seconded by Mr. Stiehler.  
All ayes. Motion carried.

**RESOLUTION # 53-15 - URGING GOVERNOR CHRISTIE TO PROTECT LOCAL PROPERTY TAXPAYERS BY RESPECTING THE STRUCTURE AND PRESERVING THE INTEGRITY OF LOCAL PENSION SYSTEMS**

**WHEREAS**, the local pension systems funded by county and municipal property tax dollars and employee contributions are actuarially sound as counties and municipalities and their employees and retirees have prudently made their contributions to the pension funds; and

**WHEREAS**, the local pension systems include the local Public Employees Retirement System (PERS), funded at 73.9%, and the local Police and Fire Retirement System (PFRS), funded at 76.9%, according to the latest valuation reports; and

**WHEREAS**, the local pension systems are close to or have exceeded the target funded ratio of 75% by fiscal year 2012 pursuant to the pension and health benefits reform law enacted in 2011, and have combined actuarial valued assets of \$42 billion with estimated retirement allowances due of \$3 billion; and

**WHEREAS**, while local pension funds are financially healthy, the State Employee Pension Funds controlled by the State of New Jersey are not, due to well documented decades of mismanagement; and

**WHEREAS**, the New Jersey Pension and Health Benefit Study Commission in its report entitled "A Roadmap to Resolution" recommends, in part, moving toward a merger of all local pension funds with the underfunded State Employee Funds, an ill-advised change that would only bail out the State Pension Funds at the expense of taxpayers, local governments, and county and municipal state employees who responsibly contributed to those funds; and

**WHEREAS**, the Borough of Bloomsbury recognizes that the State must take meaningful steps to make the State government funded pension systems more affordable for taxpayers and sustainable members, but objects to any reforms that would merge the local pensions systems with those of the State's systems, shifting the financial burden of fixing the underfunded State Pension Funds to local taxpayers; and

**WHEREAS**, it is in the best interest of county and municipal taxpayers and governing bodies across the State that the State of New Jersey reform its pension systems with viable, meaningful and long term solutions that pay off existing State pension deficits without affecting, diluting, or diverting valuable local pension system assets;

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

1. That the Borough of Bloomsbury does in fact hereby urge State leaders to protect local property taxpayers, governing bodies and employees and retirees by preserving the structure of integrity of the fiscally solvent local pension systems.
2. That certified copies of this Resolution be forwarded to the Governor of the State of New Jersey, President of the New Jersey State Senate, Speaker of the General Assembly and Clerks of Hunterdon County Municipalities.

Mrs. Papics moved Council adopt Resolution # 53-15; seconded by Mr. Smith.  
ROLL CALL VOTE: Jordan-abstain; Papics-aye; Smith-aye; Stiehler-abstain; Tersigni-aye.  
Motion carried.

**RESOLUTION # 54-15 - RESOLUTION SETTING ANNUAL STIPEND FOR MUNICIPAL RECYCLING TONNAGE GRANT COORDINATOR FOR 2015**

**BE IT RESOLVED;** The Mayor and Council of the Borough of Bloomsbury do hereby appoint Lisa A. Burd Reindel Tonnage Grant Coordinator for a stipend of \$528 for the year 2015.

Mrs. Papics moved Council adopt Resolution # 54-15; seconded by Mr. Smith.  
ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**RESOLUTION # 55-15 - LIEN REDEMPTION**

**WHEREAS,** the Tax Collector of the Borough of Bloomsbury has advised the Council that the following property has been redeemed and the money due thereon paid to the Borough of Bloomsbury Tax Collector on October 27, 2015;

**NOW THEREFORE BE IT RESOLVED,** by the Common Council of the Borough of Bloomsbury this 27<sup>th</sup> day of October 2015 that a payment has been made to the Borough of Bloomsbury as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #	AMOUNT
Borough of Bloomsbury	8/1	2014-001	\$63,553.19

Mrs. Jordan moved Council adopt Resolution # 55-15; seconded by Mrs. Papics.  
ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

**BEST PRACTICES- 2015**

Mr. Francisco stated that the Borough did well again this year. He explained that a lot of the 50 questions do not apply to small towns. He reported that there were a few questions to which we had to answer no. They ask if we have the same audit comment year after year and we do have the comment about the segregation of duties due to our size. They asked if we require our elected officials to attend training each year and we don't but we encourage it and were able to save \$1,500 on our insurance premium because we asked everyone to attend. We were able to answer enough yes and will still get our full state aid.

**WMP/SAMPLE SEPTIC ORDINANCE**

Mr. Edleston explained that ordinance would require that all septic systems be pumped every three years which would require administration over sight at a cost to the Borough. He explained that the information for each property would need to be maintained, letters sent and property owners taken to court eventually if they did not comply. Discussion followed. Council will hold off on consideration of this Ordinance unless and until it is mandated by the State in which case Mr. Edleston stated he feels if it is state mandated it should be state pay.

The Clerk stated that the Borough has received the draft WMP and a copy has given to Mr. Roseberry for his review. He will then provide comments for the Borough Council and Planning Board to review and also comment. Everything will then be sent on to the DEP and a public hearing will be held in the future.

**CORRESPONDENCE-**

No additional correspondence were received.

**PUBLIC COMMENT**

No comment.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mr. Smith; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 8:43 PM.

Respectfully Submitted,

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