

**BOROUGH OF BLOOMSBURY
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

Reorganization Meeting – January 1, 2016

The Reorganization meeting was held in the Municipal Building on January 1, 2016. Meeting was called to order by Martha Tersigni, Mayor at 10:00 AM. The Sunshine Law was read by the Lisa Burd Reindel, Clerk.

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 at the Municipal Building on same date.

ROLL CALL:	Kathleen Jordan	Martha Tersigni, Mayor
	Vicky Papics	Eric Weger
	Chris Smith	William Edleston, Esq.
	Al Stiehler	

Flag Salute

OATHS OF OFFICE:

Mr. Edleston administered the following oaths of office:

Martha Tersigni – Mayor – Full Term – expires December 31, 2019
Kathleen Jordan – Common Council – Full Term – expires December 31, 2018
Chris Smith – Common Council – Full Term – expires December 31, 2018

NOMINATIONS FOR COUNCIL PRESIDENT:

A motion was made by Mr. Weger, seconded by Mrs. Jordan, to nominate Al Stiehler as Council President. No other nominations were heard. Mrs. Papics moved nominations be closed; seconded by Mrs. Jordan. All ayes.

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

Mrs. Tersigni outlined the following Council Appointments for 2016.

Martha Tersigni – Finance, Planning Board, Deputy OEM
Kathleen Jordan – Board of Education, Newsletter
Vicky Papics - Public Safety, Planning Board, OEM, BCC
Chris Smith – Recreation, Personnel
Al Stiehler – Court Liaison, Code Enforcement

Eric Weger - Public Works, Environmental Committee, Mayor's Designee to the Planning Board

PLANNING BOARD MEMBERS:

Review 2016 Membership

- Martha Tersigni – CLASS I – 4 Year Term - Expires 12/31/19
- Vacant - CLASS II - 1 Year Term - Expires 12/31/16
- Vicky Papics - CLASS III - 1 Year Term - Expires 12/31/16
- Thomas Reilly – CLASS IV – 4 Year Term – Expires 12/31/17
- Michele Stiehler - Class IV - 4 Year Term - Expires 12/31/19
- Matt Korbobo - Class IV - 4 Year Term - Expires 12/31/17
- Rob Waterson - Class IV - 4 Year Term - Expires 12/31/19
- Vacancy – Class IV – 4 Year Term – Expires 12/31/16
- Ann Ferrero – Class IV – 4 Year Term – Expires 12/31/18
- Eric Weger – Mayor's Designee - 1 Year Term - Expires 12/31/16
- Karen Murray – Alternate Seat – 4 Year Term – Expires 12/31/16

CONSENT AGENDA

RESOLUTION # 1-16 - MEETING DATES

WHEREAS, the Senate and General Assembly of the State of New Jersey have enacted an Act concerning meeting of certain public bodies known as the Open Public Meetings act, approved, October 21, 1975, as Chapter 231, P.L. 1975, effective 90 days after enactment, to wit, on or about January 19, 1976,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomsbury as follows:

1. The regular meetings of the Borough of Bloomsbury shall be held on the fourth Tuesday of every month during the calendar year of 2016. Meetings shall be held in the Municipal Building, 91 Brunswick Ave., Bloomsbury, NJ at 7:00 PM.
2. Notice of such annual schedule of regular meeting of the Mayor and Council or any revised schedule thereof, as well as advance written notice of any regular, special or rescheduled meeting of the Council shall be prominently posted at the Municipal Building, published in the Hunterdon County Democrat and shall be on file with the Borough Clerk.

REGULAR MEETING SCHEDULE

January 26, 2016
February 23, 2016
March 22, 2016
April 26, 2016
May 24, 2016
June 28, 2016
July 26, 2016

August 23, 2016
September 27, 2016
October 25, 2016
November 22, 2016
December 27, 2016
2017 Re-organization - January 1, 2017 – 10AM

RESOLUTION # 2-16 - OFFICIAL DEPOSITORIES FOR BOROUGH FUNDS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bloomsbury the that Official Depositories for all Borough funds, Bond Anticipation Notes, Certificates of Deposit shall be as follows:

PNC Bank, Bloomsbury, NJ
Bank of America, Pohatcong, NJ
Provident Bank, Phillipsburg, NJ

RESOLUTION # 3-16 - PERSONS AUTHORIZED TO SIGN BOROUGH CHECKS

BE IT HEREBY RESOLVED by the Council that the following persons are authorized on behalf of the Borough to sign any and all checks drawn on any accounts in the name of Bloomsbury Borough and that any two of the four authorized signatures are required, the following persons are authorized for admittance to the safe deposit box, such entry shall require the signatures of not less than two of the following persons, the following persons are authorized on behalf of the Borough to deposit cash and checks in the appropriate accounts:

Martha J. Tersigni, Mayor
Lisa A. Burd Reindel, Borough Clerk
Kim Francisco, Chief Financial Officer
Al Stiehler, Council President

BE IT FURTHER RESOLVED that the following additional persons are authorized on behalf of the Borough of Bloomsbury to deposit cash and checks belonging to the Borough to appropriate depositories for the municipal accounts:

Sharon Brown, Tax Collector

RESOLUTION # 4-16 - TEMPORARY BUDGET FOR 2016

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bloomsbury that the temporary budget for the year of 2016 is hereby adopted. Said budget shall be 25% of the regular budget for the year of 2015.

RESOLUTION # 5-16 - OFFICIAL NEWSPAPERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bloomsbury that the Hunterdon County Democrat shall be designated as the official newspaper of the Borough, wherein all legal advertising of the Borough shall be placed. The Express Times shall be designated as the first alternative and the Courier News shall be designated as the second alternative.

RESOLUTION # 6-16 - RESOLUTION AUTHORIZING SERVICECHARGE ON RETURNED CHECK FOR INSUFFICIENT FUNDS

WHEREAS, NJSA 40:5-19 has been enacted to allow a municipality the authority to impose a service charge to be added on an account where payment by check or written instrument was returned for insufficient funds: and

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey, hereby authorizes the Tax Collector to charge the aforementioned fee at a rate of \$20.00 per check or other written instrument for all checks returned for insufficient funds during the current fiscal year, and

BE IT FURTHER RESOLVED, that the Tax Collector may require future payments to be tendered in certified check, cashier's check, or cash, and,

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer, the Tax Collector and the Municipal Auditor.

RESOLUTION # 7-16 - RATE OF INTEREST FOR NON-PAYMENT OF TAXES

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 and allows 18% per annum on any amount in excess of \$1,500.00 and allows additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year;

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum of the first \$1,500.00 of taxes becoming delinquent after due date and 18% annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.
2. Effective January 1, 2016 there will be a ten- (10) day grace period of quarterly tax payments made by cash, check or money order.
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from due date as set forth in paragraph one of this resolution.

RESOLUTION # 8-16 - TAX APPEALS

WHEREAS, The Borough Council of the Borough of Bloomsbury has been informed that from time to time errors are made in computing tax assessments, and

WHEREAS, the Municipal Tax Assessor of the Borough of Bloomsbury requested the Borough to authorize the filing of corrective appeals of such errors with the Hunterdon County Board of Taxation, and,

WHEREAS, the Municipal Tax Assessor is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and agree to stipulation of appeals, and

WHEREAS, the Municipal Tax Assessor of the Borough of Bloomsbury is authorized by the Borough Council to file rollback petitions with the Hunterdon County Board of Taxation for the Borough of Bloomsbury and,

WHEREAS, the Municipal Attorney is authorized to appear on behalf of the Borough of Bloomsbury before the Hunterdon County Board of Taxation, and execute such documents as are necessary to resolve corrective appeals of errors and stipulation of appeals as may be recommended by the Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bloomsbury that the Municipal Tax Assessor and Municipal Attorney be and hereby are authorized to file corrective appeals with the Hunterdon County Board of Taxation, to sign stipulations in matters of appeals with Hunterdon County Board of Taxation and to file rollback petitions with the Hunterdon County Board of Taxation, are proper and in the best interests of the municipality.

RESOLUTION # 9-16 - ANNUAL SALE OF DELINQUENT TAXES

BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Bloomsbury that the Collector of Taxes for Bloomsbury Borough is hereby authorized to conduct the annual sale of delinquent taxes of the calendar year of 2015.

RESOLUTION # 10-16 - TAX COLLECTOR'S RESOLUTION

WHEREAS, the Tax Collector has overpayments and underpayments of taxes for 2015 in the amount of \$5.00, and that they be cancelled; and

NOW, THEREFORE LET IT BE RESOLVED, by a majority of the members of the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey that these overpayments of \$5.00 and under be cancelled to surplus and balances of \$5.00 and under be cancelled.

RESOLUTION # 11-16 - RESOLUTION AUTHORIZING PAYMENT OF PREVIOUSLY APPROVED EXPENDITURES OR ROUTINE RECURRING EXPENSES PRIOR TO FORMAL COUNCIL APPROVAL

WHEREAS, payment of previously approved expenditures and bills of a routine or recurring nature such as the payment of routine recurring expenses such as utility bills or petty cash reimbursement is at times required prior to their formal inclusion on the bill list or Treasurer's report for formal approval for payment by Council; and

WHEREAS, it is necessary to establish policy whereby these bills may be paid prior to that form of approval in order to assure the orderly continuation of municipal functions;

NOW, THEREFORE, BE IT RESOLVED on this 1st day of January, 2016, that the Borough of Bloomsbury does hereby implement a policy and procedure whereby routine or recurrent bills or previously approved expenditures may be paid and checks issued therefor executed by the appropriate municipal officials prior their formal inclusion on the monthly bill list for formal approval by Council.

RESOLUTION # 12-16 - RESOLUTION DESIGNATING THE COMMON COUNCIL OF THE BOROUGH OF BLOOMSBURY TO ACT AS THE LOCAL BOARD OF HEALTH

WHEREAS, the Borough of Bloomsbury does not have a Local of Board of Health, and

WHEREAS, from time to time there is a need to have a local Board of Health to make decisions under the advisement of the Borough Engineer relating to septic system waivers and other health department related matters,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomsbury that the Common Council shall act as the Local Board of Health, considering Board of Health matters, rendering decisions, and authorizing approvals for the same, as needed, under the advisement of the Borough Engineer.

RESOLUTION # 13-16 - RESOLUTION APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2016

BE IT RESOLVED, by the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey, that Lisa A. Burd Reindel, is hereby designated Public Agency Compliance Officer for the Borough of Bloomsbury for 2016.

RESOLUTION # 14-16 - APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Borough of Bloomsbury is required to appoint an Emergency Management Coordinator; and

WHEREAS, Vicky Papics is qualified for this position and has held the same for a three year term, which expired December 31, 2015;

NOW, THEREFORE BE IT RESOLVED by the Common Council of the Borough of Bloomsbury does hereby re-appoint Vicky Papics to the position of Emergency Management Coordinator for a term of three years, beginning January 1, 2016 and ending December 31, 2018.

RESOLUTION # 15-16 - APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Borough of Bloomsbury is required to appoint a Deputy Emergency Management Coordinator; and

WHEREAS, Martha J. Tersigni is qualified for this position; and served as Deputy OEM Coordinator in 2015, a term which expired on December 31, 2015;

NOW, THEREFORE BE IT RESOLVED by the Common Council of the Borough of Bloomsbury does hereby re-appoint Martha J. Tersigni to the position of Deputy Emergency Management Coordinator for a one year term ending December 31, 2016.

RESOLUTION #16-16 - APPOINTMENT OF DEPUTY REGISTRAR

BE IT RESOLVED that Lisa A. Burd Reindel, Registrar of the Borough of Bloomsbury, does hereby appoint Ella Ruta as Deputy Registrar for the calendar year 2016.

BE IT FURTHER RESOLVED, the Mayor and Council hereby set a stipend of \$200.00 be paid to the Deputy Registrar for 2016.

**RESOLUTION # 17-16 - RESOLUTION APPOINTING LISA A. BURD REINDEL
911 COORDINATOR FOR 2016**

BE IT RESOLVED, by the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey, that Lisa A. Burd Reindel, is hereby designated 911 Coordinator for the Borough of Bloomsbury for the calendar year 2016.

**RESOLUTION # 18-16 - RESOLUTION APPOINTING CROSSING GUARDS FOR
2016/2017 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.

**RESOLUTION # 19-16 - 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 2016 and shall be required to endorse the On-Call Employment Agreement.

Bob Clark
Steve Douglas
Scott Gonzalez

Dave Heinrich
Jessica McNulty
Janelle Pfund
George Tuxhorn

BE IT FURTHER RESOLVED, all On-call employees will be paid the hourly 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 or medical coverage.

RESOLUTION # 20-16 - 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 2015) 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.

RESOLUTION # 21-16 - ANIMAL CONTROL SERVICES 2016

WHEREAS, the Borough of Bloomsbury requires animal control services for the calendar year 2016,

NOW, THEREFORE, BE IT RESOVED by the Common Council of the Borough of Bloomsbury, County of Hunterdon and State of New Jersey that; the Clerk is hereby authorized to execute an agreement with Animal Control and Investigative Services, LLC, 249 Goat Hill Road, Lambertville, NJ 08530 for the year 2016 for \$1,200, to be billed on a quarterly basis.

RESOLUTION # 22-16 – RESOLUTION HONORING CHRIS JAMES

WHEREAS, Chris James was appointed to the Office of Common Council of the Borough of Bloomsbury in April 2010 to fill a vacant seat with an unexpired term through December 31, 2010; and

WHEREAS, Chris James was re-elected to the Office of Common Council at the general election held on November 2, 2010, to a three year term which expired December 31, 2013; and

WHEREAS, Chris James was later re-elected to the Office of Common Council at the general election held on November 5, 2013, to a three year term expiring on December 31, 2016

WHEREAS, Chris James has served the residents of the Borough of Bloomsbury with Distinction, Honor, and Humility for more than 5 ½ years; and

WHEREAS, Chris James was the liaison to the Bloomsbury Environmental Commission planning Community Clean Up events and stormdrain labeling. He was SWAC Representative, Zoning/Code Enforcement liaison and assisted the Bloomsbury Recreation Commission with the planning of community events such as the Annual Golf Outing, and

WHEREAS, Chris James has donated countless hours and resources on many projects to enrich and improve our community,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bloomsbury extend to Chris James individually, collectively, and with great pride, their sincere gratitude and appreciation for his years of service to the citizens of Bloomsbury; and

BE IT FURTHER RESOLVED that we wish Chris James much success in all his future endeavors.

Mr. Stiehler moved Council adopt Resolutions 1-16 through 22-16 by consent agenda; seconded by Mrs. Papics.

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

PAYMENT OF BILLS

Mrs. Papics moved Council approve the bill list of January 1, 2016, seconded by Mrs. Jordan.

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

Mr. Smith asked if Council would be discussing how to fill the vacant seat. Mrs. Tersigni stated not at the re-organizational meeting.

Mr. Stiehler asked if Mr. James could be invited to attend the January meeting to be honored and presented with a copy of Resolution # 22-16. The Clerk will reach out to Mr. James about the same.

Mrs. Jordan asked if Council will considering Resolutions by consent agenda from now on. Mrs. Tersigni stated that it depends on the type of Resolution being considered. Mrs. Jordan acknowledged the same.

Mr. Smith asked if Council could discuss making an appointment for Chris James vacant seat. Mr. Tersigni stated it would not be discussed at re-org. The Clerk stated that Council must follow the municipal vacancy law, explaining there are steps that need to be followed.

OPEN TO THE PUBLIC

No Comment.

ADJOURNMENT

A motion to adjourn the reorganization meeting of the Bloomsbury Borough Common Council was made by Mr. Stiehler; seconded by Mrs. Jordan. All ayes. Motion carried. The meeting was adjourned at 10:11 am.

Respectfully submitted,

Lisa A. Burd Reindel, RMC
Borough Clerk/ Administrator

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
JANUARY 26, 2016**

The regular meeting of the Mayor and Council was held on January 26, 2016 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:03 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 21, 2016 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: Kathleen Jordan - excused Al Stiehler
Vicky Papics Martha Tersigni, Mayor
Chris Smith - excused William Edleston, Esq.
Eric Weger

FLAG SALUTE

APPROVAL OF MINUTES

Mr. Stiehler moved Council approve the December 22, 2015 & January 1, 2016 meeting minutes; seconded by Mrs. Papics. All ayes. Weger-abstain from the December 22, 2015 approval. Motion carried.

TAX COLLECTOR'S REPORT

Mr. Weger moved Council approve the Tax Collector's Monthly & Quarterly Reports dated December 31, 2015; seconded by Mr. Stiehler.

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

Mrs. Tersigni will follow up with the Tax Collector about the three tax sale certificates that are listed as Borough owned.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the Bill List of January 26, 2016; seconded by Mrs. Papics.

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

CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Code Enforcement Report of December 2015; seconded by Mr. Weger. All ayes. Motion carried.

Mr. Creveling will include the code section relating to any violation in the notices that are sent to residents, but will not include the same on the monthly report.

COMMITTEE REPORTS

V. Papics:

OEM-

- Mrs. Papics stated that she has been gathering information for the preliminary damage assessment reports for the peak 48 hours of the recent snow storm and forwarding the same to the County.

E. Weger:

DPW-

- Mr. Weger stated that the DPW did a great job with the equipment and people that they have. Mr. Stiehler stated they did an amazing job. Mr. Weger stated that the preliminary work done to get equipment ready in advance was a big help and he thanked the Clerk for her assistance with that. Discussion followed.

A. Stiehler:

Nothing additional to report.

L. Burd for K. Jordan:

Board of Education-

- Due to the snow, parking was limited at the school, but teachers understood they were able to park in Borough owned lots.

Clerk/Administrator Report:

L. Burd:

- Direct Deposit sign ups went well with 14 employees signing up.

M. Tersigni:

Planning Board-

- Mrs. Tersigni stated that the Planning Board reorganization was on January 19th. Michele Stiehler is the newest Class IV Member and Tom Reilly is Chair.
- The Planning Board Attorney provided a revised application packet for discussion and after the Board focused on a few things he found he needed to go back and re-work it again to make it more user friendly.
- The draft telecommunications ordinance was still not available for review.
- The combining of the Travel Centers escrow which they requested several times, requires a letter from our engineer. The Clerk stated that they actually wanted their performance bond to be released and that is what required the letter. That discussion started over a year ago. Discussion followed. Mr. Edleston stated that Mr. Roseberry should either certify it complete, or if he is not able to, then he could give a letter to Council advising the same and they can vote to move forward with the release of the bond.

COAH –

- Mrs., Tersigni reported that she, Mr. Edleston, Mr. Gruenberg, Mr. McGroarty and the Clerk met on the 19th to discuss the Affordable Housing issue and the COAH matter. Some of this will be discussed tonight, but there will be a joint meeting on March 15th between the Planning Board and Council. Discussion followed.

PERRYVILLE STATE POLICE-

- Trooper Walsh stated that he understood there was an issue in town with squatters in an empty building. Mr. Creveling stated that he spoke to a trooper last night and reported he found a door ajar at 31/33 Church Street. Mr. Creveling spoke to the bank and they will have their property maintenance company secure the building and follow up.
- Trooper Walsh reported receiving a complaint from the Fire Chief about parking on Brunswick Avenue. Discussion followed.
- Mr. Weger stated that freon and copper pipes were stolen from the air conditioning units at 99 North Street, but that it was not done recently. Discussion followed. Trooper Walsh will let the station know and they will keep an eye on the building.

Lengthy discussion followed between Trooper Walsh, Council Members and the public.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- Mrs. Tersigni stated she still has to write a letter to them.

NORTH STREET/PICKEL LANE-

- Nothing new to report. The Clerk stated that she emailed Mr. Roseberry to ask for an estimate to give a simple metes and bounds description for those lots but has not received a response to date.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

BOROUGH OWNED PROPERTIES-

- Mrs. Tersigni stated we are waiting for information from Mr. Roseberry.

CODE UPDATE ORDINANCE-

- Mrs. Tersigni stated that Mr. Edleston sent something late today that the Clerk would not have received it. The Clerk asked to review the same. The Clerk asked this be held for another month because she was not comfortable asking Council to introduce without having time to review.

SAMPLE TRC ORDINANCE

The Clerk reported she has not received any response from Mr. Roseberry to date.

NIXEL SYSTEM

Mrs. Tersigni stated that she forwarded information about One Call to Mr. Stiehler. She explained Nixel could not go to a land line but One Call could and it was a lot cheaper. Discussion followed.

2016 BUDGET CONTRIBUTIONS

Mrs. Tersigni stated that the only responses she had received were from Bloomsbury Hose Company and Pattenburg Rescue Squad and that she expected Pattenburg to appear tonight. Mrs. Tersigni stated that Sean McNulty could not be present tonight as he is at a Chief's meeting. He is happy to answer any questions Council may have and asked that she report that Pattenburg Rescue has been working extremely well with Bloomsbury Hose Company. The Hose Company now responds to all ALS calls in the Borough and they have taken over vehicle extrication and any increase in funding would be greatly appreciated.

Mrs. Tersigni reported that the Bloomsbury Hose Company had 123 calls in 2015, with 52 in the Borough. Mrs. Tersigni stated that she has a breakdown from Pattenburg Rescue if Council wants to review the same. The Clerk stated it seems the most important information for Council to review is the breakdown of what each municipality served provides. Mrs. Tersigni stated that no one knows that yet. Mr. Francisco stated that we had it for their prior fiscal year, but nothing since then. The Clerk stated that now Council does not have the \$5,000 vehicle payment for Bloomsbury Rescue this year. Mr. Weger stated that he is comfortable giving the \$11,500 to both Fire and Rescue. Discussion followed. Mr. Weger stated that if the Fire Department took on the extra responsibility of extrication we should take care of them. The Clerk stated that she understands that Pattenburg has the Jaws of Life, but that at the time, Chief McNulty and the Bloomsbury Hose Company did not know who would be covering the Borough and made the decision to purchase them so they were available to Borough residents. Mr. Francisco stated that he will move the \$5,000 from vehicle payment to Fire Company this year.

COUNCIL VACANCY

Mr. Edleston stated that the municipal vacancy law states that the republican municipal committee had 15 days from the date the vacancy occurred to submit three names to Council and the statute makes it clear that if the committee does not submit the list that then the Council has 15 days to fill the vacancy by appointing a successor from the same political party. If the Council does not do it within those 15 days, then the statute says the seat remains vacant until the next general election.

The Clerk asked if the 15 days still applies because this should have been done at the December meeting. Mr. Edleston confirmed the same. He added that he spoke to County Clerk Mary Melfi who agreed that you cannot waive the Governing Bodies right to the 15 days to appoint that they should have had because they were not advised of the same. Mr. Stiehler asked if the 15 days begins tonight. Mr. Edleston confirmed the same. Members of the Council were advised that they should submit names to the Clerk not later than February 10th. The Clerk will send an email to all Council advising of what Mr. Edleston and Ms. Melfi is the best way to correct this matter. The Clerk stated that if Council wishes, she can email everyone a list of registered republicans in the Borough. She added that the municipal vacancy law is very clear about how this is supposed to be handled and she will forward a copy of the same to Council for their review.

NEW BUSINESS-

INTRODUCTION – ORDINANCE #101-16 – AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

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 2016:

Section 2. Salary and wage ranges for the year 2016 are as follows:

a. Borough Clerk/Administrator	\$20,000 - \$48,000 per year, plus \$28.00-\$39.50/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 - \$21,000 per year
f. Tax Assessor	\$5,000 - \$11,000 per year
g. Tax Collector	\$5,000 - \$11,500 per year
h. Tax Clerk	\$2,400 – \$3,000 per year
j. Planning Bd. Secretary	\$1,500 - \$5,000 per year
j. Code Enforcement Officer	\$5,000 – \$8,000 per year, plus \$25.00 per sidewalk inspection
k. Assistant Code Enforcement Officer	\$13.00 - \$15.00 per hour
l. Public Works Supervisor	\$6,500 - \$18,500 per year, plus \$20.00-25.00/hr for hours in excess of 65 per month
m. Public Works Laborer #1	\$15.00- \$18.50/hr
n. Public Works - On Call Laborer	\$15.00 - \$18.00 per hour
o. Public Works - Seasonal Laborer	\$9.00 - \$12.00 per hour
p. Public Works – Specialized Laborer	\$20.00 - \$30.00 per hour
q. Emergency Mgt. Coordinator	\$1,700 - \$4,000 per year \$9.00 - \$11.00/hr. for extraordinary FEMA events
r. Recycling Coordinator	\$250 - \$1,000 per year
s. Dog/Cat Licensing Official	\$400 - \$2,000 per year
t. Assistant EMC	\$7.50 - \$10.00 per hour
u. School Crossing Guard	\$13.00 – 15.00/shift

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.

Section 6. No Borough employee shall receive longevity or bonus pay.

Mrs. Tersigni stated that this ordinance sets the ranges for the salaries for the coming year. Mr. Francisco stated that this will cover the salaries with our normal 2% increase. He stated that one item that will be adjusted is the registrar, explaining that currently the salary is about \$1,300 and it will be bumped to \$2,500 with the new same sex marriages, civil unions and new online software, there is much more responsibility. The Mayor stated that the Clerk was one of only ones without an IT Department and one of four in the County to have the new system up and

running. The Clerk explained that the position did not always require certification, but now does and also requires continuing education credits. Discussion followed regarding the Public Works positions and salary ranges. Council discussed that Borough plow drivers get paid straight time only and in all other towns, they would get paid overtime and in some cases double time for working Sundays. Mr. Stiehler again commended them on doing a great job. Mr. Weger stated that the Borough got a lot for our money.

Mr. Weger moved Council Introduce Ordinance 101-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

INTRODUCTION - ORDINANCE # 102-16 - CALENDAR YEAR 2016 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 0% 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 2016 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 \$22,597.40 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 2016 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 \$22,597.40, and that the CY 2016 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.

Mr. Weger moved Council Introduce Ordinance 102-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION # 23-16 - BLOOMSBURY HOSE COMPANY # 1 INC.
ON-PREMISE DRAW RAFFLE

WHEREAS, the Bloomsbury Hose Company No. 1 Inc. is the licensee on the application to conduct an On-Premise Draw Raffle on March 12, 2016 to be held at the Bloomsbury Hose Company, 91 Brunswick Avenue, from 6:00 – 11:00 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 On-Premise Draw Raffle,

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

1. The On-Premise Draw Raffle application is approved contingent to the Legalized Games of Chance Control Commission approving said application.

RESOLUTION # 24-16 - BLOOMSBURY HOSE COMPANY # 1 INC.
ON-PREMISE 50/50 RAFFLE

WHEREAS, the Bloomsbury Hose Company No. 1 Inc. is the licensee on the application to conduct an On-Premise 50/50 Raffle on March 12, 2016 to be held at the Bloomsbury Hose Company, 91 Brunswick Avenue, from 6:00 – 11:00 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 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. Weger moved Council adopt Resolutions # 23-16 & 24-16; seconded by Mr. Stiehler. All ayes.
Motion carried.

**RESOLUTION # 25-16 - APPOINTMENT OF KEVIN HEINRICH- ON - CALL
EMPLOYEE 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 Employee for the Borough of Bloomsbury for Calendar Year 2016 and shall be required to endorse the On-Call Employment Agreement.

KEVIN HEINRICH

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

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

Mr. Weger moved Council adopt Resolution #25-16; seconded by Mr. Stiehler. All ayes. Motion carried.

CORRESPONDENCE

Council reviewed correspondence.

PUBLIC COMMENT

No comment.

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.

Mr. Weger moved Council enter executive session at 8:32 pm; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Weger moved Council return to regular session at 9:44; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Edleston stated that Council met in Executive Session to discuss the affordable housing obligation and Council decided not to spend any more money with E-consult, the specialist hired to do an analysis. He added the Borough will not spend any more money for E-consult to defend the Borough.

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

The Clerk stated that the correspondence dropped off to Borough Hall during the meeting was address to Council in care of Lisa Burd. She explained it is a letter from Cathy Foulk, Main Street stating her concerns about fire hydrant clearing due a post she saw on facebook.

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 9:46 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
FEBRUARY 23, 2016**

The regular meeting of the Mayor and Council was held on February 23, 2016 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 21, 2016 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:	Kathleen Jordan	Al Stiehler
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	William Edleston, Esq.
	Eric Weger	

FLAG SALUTE

APPROVAL OF MINUTES

Mr. Stiehler moved Council approve the January 26, 2016 meeting minutes; seconded by Mr. Weger. All ayes. Jordan-abstain. Motion carried.

TAX COLLECTOR'S REPORT

Mrs. Papics moved Council approve the Tax Collector's Monthly Report dated January 31, 2015; seconded by Mrs. Jordan. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mrs. Tersigni stated that she would like to remove the two COAH bills from the bill list for consideration of payment later in the meeting. Mr. Weger moved Council approve the Bill List of February 23, 2016 as amended; seconded by Mrs. Jordan

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

CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Code Enforcement Report of February 2016; seconded by Mr. Weger. All ayes. Motion carried.

COMMITTEE REPORTS

K. Jordan:
Newsletter-

- Mrs. Jordan asked all submission for the March Newsletter be submitted to her soon.

Board of Education-

- Mrs. Jordan attended a meeting last Tuesday for SRP – Standard Response Procedure. She stated that they explained to parents what they do during drills so parents are aware. The meeting was open to other schools and about 16 people attended.

E. Weger:

DPW-

- Mr. Weger stated that the only item of business is to consider authorizing the installation of a new transmission in the 2001 Ford truck by Performance Tire. The Clerk stated that the estimate is for a Ford OEM Transmission with a heavy duty valve body for \$4,172.

Mr. Weger moved Council authorize the Clerk to authorize the installation of a new transmission by Performance Tire for a cost to exceed \$4,200; seconded by Mr. Stiehler.

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

Clerk/Administrator Report:

L. Burd:

Tax Office-

- The Clerk reported that Sharon Brown, Tax Collector stated that she will be submitting a letter of resignation on Monday, giving one month's notice. The Clerk stated her regrets that Ms. Brown is leaving but wished her well in her retirement. She added that she has prepared a draft advertisement for the position and she will be working with Ms. Brown to finalize the same which will be published in the Democrat, Express Times and on the League ad MCANJ websites in the near term.

Borough Hall Repairs-

- The Clerk reported she worked on the foyer over the holiday weekend and was able to get it sanded and painted.

Records Storage-

- The Clerk stated that she is working with Fovonics Imaging to obtain an estimate to back up permanent files, which must be kept forever, but that she never has a need to access. The files would be scanned and put on DVD and the originals recycled or destroyed as needed. The Clerk explained that there are about 16 boxes files for the water department, tax collector's office & finance office which have to be kept forever and are taking up a lot of space in the crowded meeting room.

M. Tersigni:

Planning Board-

- Mrs. Tersigni stated that the February Planning Board meeting was canceled due to lack of pending business before the board.

Mrs. Tersigni stated that she spoke to Ms. Brown and three tax sale certificates do belong to the Borough but the others are an error on the MSI system which will be cleared up before she leaves and prior to the audit.

PROFESSIONAL CONTRACTS-

- Mrs. Tersigni stated that the Professional Contracts are still not on the agenda this month and she is still waiting for language she had requested from Mr. Edleston. Mrs. Tersigni will give

the contracts to the Clerk and ask that she scan and email them to all Council members so they can review the same and respond with questions and concerns.

FINANCE –

- Mrs. Tersigni reported that the Crown Castle payment was received with an additional \$124.92.
- The Service Electric Franchise payment was received for \$2,497 which is an increase of \$81 over the prior year.

PERRYVILLE STATE POLICE-

- The Clerk reported that she spoke to Trooper Wash and he had nothing new to report.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- Nothing new to report.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

BOROUGH OWNED PROPERTIES-

- Nothing new to report.

TRC ORDINANCE-

- Nothing new to report.

NIXEL SYSTEM-

- Mr. Stiehler reported that he called to ask why the Nixel System cost more than One Call and was told you get what you pay for and the set up and support you received with Nixel was better.

COUNCIL VACANCY

Mr. Edleston stated that the Clerk received only one name, Sarah Stiehler, from Council to be considered to fill the vacant seat.

Mrs. Jordan moved Council appoint Sarah Stiehler to the vacant seat; seconded by Mr. Weger.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-abstain; Weger-aye. Motion carried.

The Clerk will contact Ms. Stiehler and ask if she will accept the nomination. If so, Ms. Stiehler will take the oath of office at the March meeting.

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 pending litigation related to the tax appeal for 75 North Street and the COAH matter.

Mr. Weger moved Council enter executive session at 7:20 pm; seconded by Mrs. Jordan. All ayes. Motion carried.

Mrs. Papics moved Council return to regular session at 7:49; seconded by Mr. Stiehler. All ayes. Motion carried.

Mr. Edleston stated that during the executive session, two matters of pending litigation were discussed.

Mr. Edleston stated for the record the Resolution #30-16 relating to the proposal for the 75 North Street Tax appeal is as follows:

- 2014 the assessment was \$1,224, 400 and the proposal is to reduce that assessment for the 2014 tax year to \$900,000.
- Due to the Borough reassessment, the 75 North Street assessment was already reduced to \$750,000 in 2015 and the proposal is that the appeal for that year be withdrawn by the petitioner.
- For 2016, the proposal is reduce the assessment to \$750,000 to \$700,000.
- The Tax payer is delinquent and the proposal is that in lieu of a refund, the delinquent taxes will be credited. \$7366 for 2014 and additional \$1,400 credit for 1st quarter 2016.

Mr. Weger moved adopt Resolution # 30-16; seconded by Mrs. Papics.

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

Mr. Edleston stated that the second part of the discussion in executive session was relating to our desire to seek permission from the superior court to withdraw from the COAH litigation for essentially financial reasons. He explained this litigation originated as a result of NJ Supreme Court decision last spring, involves virtually every municipality on the state of NJ and concerns the supreme court saying the Council of Affordable Housing which no longer exists was not doing its job and therefore the superior court judges will be in charge of enforcing what is known as the municipalities fair share housing obligation for low and moderate income housing.

In the middle of last year there was a proposal sent to all municipalities inviting them to join a consortium by pooling their money to hire an expert to defend what our number should be. We

capped our responsibility at \$2,000 and since that time, there have been a couple of court orders that the judge has entered indicating that we have to pay our share of a local regional master who is a planner who will assist the court in developing these numbers. There is a bill on the bill list tonight for planner services for January and few weeks ago we were asked to pony up \$5,000 additional dollars for a special regional master to assist the court. Mrs. Edleston stated that on top of that we have had bills submitted by our planning board attorney and this has involved time from our planner. Mr. Edleston stated that a day doesn't go by where he doesn't see paperwork from other municipalities. Mr. Edleston stated that it is his opinion that he doesn't believe this matter is close to being resolved because the trial will be late this year and whoever loses will likely take another appeal to supreme court and come back down again. Mr. Edleston added that they have indicated that the number is between 40 – 57 units the Borough would have to provide which is insanity. Discussion followed.

Mr. Weger moved Council adopt Resolution 29-16; seconded by Mr. Stiehler.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

PATTENBURG RESCUE & BLOOMSBURY HOSE COMPANY #1-

Mrs. Tersigni reported that additional budget information was received from Pattenburg and that he had not appeared at the January meeting because she had given him the incorrect meeting date.

Chief McNulty reported that the Fire Department had 123 calls in 2015 with 53 in the Borough of Bloomsbury. He stated that they had 29 ALS calls which they have taken over since Bloomsbury Rescue was dissolved. He stated that they have started billing their services for every MVA on Route 78 and they only bill the insurance carrier, they do not charge anyone.

Chief McNulty stated they are trying every avenue to raise money and to get recruits for certified fire fighters. He added that the Fire Department would appreciate receiving the additional \$5,000 this year that the Borough will not be paying toward the rescue vehicle. Discussion followed.

NEW BUSINESS-

SECOND READING – ORDINANCE #101-16 – AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

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 2016:

Section 2. Salary and wage ranges for the year 2016 are as follows:

- | | |
|--------------------------------|--|
| a. Borough Clerk/Administrator | \$20,000 - \$48,000 per year, plus
\$28.00-\$39.50/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 - \$21,000 per year
f. Tax Assessor	\$5,000 - \$11,000 per year
g. Tax Collector	\$5,000 - \$11,500 per year
h. Tax Clerk	\$2,400 – \$3,000 per year
j. Planning Bd. Secretary	\$1,500 - \$5,000 per year
j. Code Enforcement Officer	\$5,000 – \$8,000 per year, plus \$25.00 per sidewalk inspection
k. Assistant Code Enforcement Officer	\$13.00 - \$15.00 per hour
l. Public Works Supervisor	\$6,500 - \$18,500 per year, plus \$20.00-25.00/hr for hours in excess of 65 per month
m. Public Works Laborer #1	\$15.00- \$18.50/hr
n. Public Works - On Call Laborer	\$15.00 - \$18.00 per hour
o. Public Works - Seasonal Laborer	\$9.00 - \$12.00 per hour
p. Public Works – Specialized Laborer	\$20.00 - \$30.00 per hour
q. Emergency Mgt. Coordinator	\$1,700 - \$4,000 per year \$9.00 - \$11.00/hr. for extraordinary FEMA events
r. Recycling Coordinator	\$250 - \$1,000 per year
s. Dog/Cat Licensing Official	\$400 - \$2,000 per year
t. Assistant EMC	\$7.50 - \$10.00 per hour
u. School Crossing Guard	\$13.00 – 15.00/shift

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.

Section 6. No Borough employee shall receive longevity or bonus pay.

Mr. Stiehler moved Council open the public hearing on Ordinance # 101-16; seconded by Mrs. Papis. All ayes. Motion carried.

No Public Comment.

Mr. Stiehler moved Council close the public hearing on Ordinance # 101-16; seconded by Mrs. Jordan. All Ayes. Motion carried.

Mrs. Papis moved Council adopt Ordinance # 101-16; seconded by Mr. Stiehler.
ROLL CALL VOTE: Jordan-aye; Papis-aye; Stiehler-aye; Weger-aye. Motion carried.

SECOND READING - ORDINANCE # 102-16 - CALENDAR YEAR 2016 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 0% 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 2016 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 \$22,597.40 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 2016 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 \$22,597.40, and that the CY 2016 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.

Mr. Stiehler moved Council open the public hearing on Ordinance # 102-16; seconded by Mrs. Papics. All ayes. Motion carried.

No Public Comment.

Mrs. Jordan moved Council close the public hearing on Ordinance # 102-16; seconded by Mrs. Papics. All Ayes. Motion carried.

Mr. Stiehler moved Council adopt Ordinance # 102-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION #27-16 - A RESOLUTION SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

WHEREAS, The Borough of Bloomsbury has adopted a salary ordinance # 101-16 setting salary and wage ranges for 2016, and

NOW THEREFORE, BE IT RESOLVED, this resolution will specify the specific 2016 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)	\$47,650 per year, plus \$39.43/hr for additional hours
b. Registrar (Burd-Reindel)	\$2,500 per year
c. Deputy Registrar (Ruta)	\$200 per year
d. Chief Financial Officer (Francisco)	\$20,877 per year
e. Tax Assessor (Hagaman)	\$10,752 per year
f. Tax Collector (Brown)	\$7,002 per year
g. Tax Clerk (Burd-Reindel)	\$2,586 per year
h. Planning Bd. Secretary (Burd-Reindel)	\$3,956 per year
i. Code Enforcement Officer (Creveling)	\$6,855 per year, plus \$25.00 per sidewalk inspection
j. Public Works Supervisor (Stoneback)	\$17,503 per year, plus \$22.44/hr for hours in excess of 65 per month
k. Public Works Laborer #1(Tuxhorn)	\$17.85 per hour
l. On Call Laborer (Clark, Douglas, Gonzalez, D. Heinrich, K. Heinrich, McNulty, Pfund)	\$16.89 per hour
m. Emergency Mgt. Coordinator (Papics)	\$2,043 per year, plus \$10.77/hr for FEMA related hours
n. Dog/Cat Licensing Official (Burd-Reindel)	\$550 per year
o. School Crossing Guard (McNulty, Vanya and Roles)	\$14.00 per shift effective 9/1/2015

NOW THEREFORE, BE IT FURTHER RESOLVED, the above salaries shall be retroactive to January 1, 2016, unless otherwise noted.

Mr. Weger moved Council adopt Resolution #27-16; seconded by Mr. Stiehler.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION # 28-16 – BUDGET SELF EXAMINATION RESOLUTION

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 2016 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.

Mr. Stiehler moved Council adopt Resolution # 28-16; seconded by Mr. Weger.

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

2016 BUDGET INTRODUCTION

Mr. Francisco summarized that salaries went up 2%, health insurance cost increased slightly, regular insurance went up a little bit. He transferred the \$5,000 Rescue vehicle payment to the Fire Department this year. Mrs. Tersigni stated that Pattenburg also asked for that money, requesting they receive \$16,500 which was what Bloomsbury Rescue had previously received.

Mr. Francisco stated that they added a COAH line item of \$30,000 which was offset by surplus. They hope we do not have to spend it and that it can lapse at the end of the year. Discussion followed.

Mr. Francisco stated that we had a very good year last year. He explained that we used \$210,000 in fund balance to balance the budget and we try to replace what we spend. He stated that we not only replaced it, but increased it by \$160,000 so it was a very good year. \$10,000 will be transferred to Capital Fund for future projects. They propose we raise the tax levy by 2% and the average home assessed at \$300,000 will pay about \$39 more per year for the local tax rate.

Mr. Stiehler moved Council Introduce the 2016 Budget; seconded by Mrs. Papics.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

RESOLUTION # 26-16 - REFUND OF OVERPAYMENT OF TAXES - Block 9.01; Lot 17

WHEREAS, the following property has a refund for overpayment of property taxes for the 1st Quarter of 2016,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bloomsbury this 23rd day of February, 2016 that the Tax Collector is hereby authorized to refund the following taxes:

Refund: \$2,088.01
Block 9.01; Lot 17
3 Deer Path
Borough of Bloomsbury
91 Brunswick Ave.

Mr. Stiehler moved Council adopt Resolution #26-16; seconded by Mrs. Jordan.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

ORDINANCE NO. 103-16 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF BLOOMSBURY BY MAKING TECHNICAL CORRECTION TO CERTAIN SECTIONS OF SAME

BE IT ORDAINED that the Code of the Borough of Bloomsbury is hereby supplemented and amended as follows:

Chapter 63
Animals

Chapter 63 of the Borough code entitled “Animals” is hereby amended as follows:

Section 63-7 – Deleted and replaced by the following:

Section 63 – Dogs at Large – No dog shall be permitted off the premises of the owner or the person keeping or harboring said dog except on a leash.

Chapter 206
Sewage Disposal Systems, Individual

Section 206-2 – Permit Required.

Is supplemented by including the following new section:

Section 206-6 Fees and Charges.

A. The following fees and charges are herewith established:

- | | | |
|-----|---|----------|
| (1) | Witnessing fee: | \$250.00 |
| (2) | Filing of application for variance or waiver: N.J.A.C. 7:9A-1.1 et seq.: | \$250.00 |
| (3) | Filing of Application for Treatment Works Approval, requiring a review by the Borough Engineer: | \$500.00 |
| (4) | Reviewing Septic Designs, issuing an opinion on waivers/variances: | \$250.00 |

B. The above fees may be adjusted annually of each year as determined by Borough Council.

Chapter 225
Solid Waste
Littering and Dumping

Chapter 225 of the Code of the Borough of Bloomsbury entitled “Solid Waste”

Article 1 and Article 2 “Littering and Dumping is hereby amended as follows:

Section 225-7 entitled “Scattering or Spilling Materials from Vehicles Prohibited” is hereby supplemented by the following two subsections:

Section 225-7- Scattering or Spilling Materials from Vehicles Prohibited

- A. No person shall cast, place, sweep or deposit any grass clippings, brush, sod or other refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place with the Borough.

B. No person shall place any garbage or industrial waste in any street, alley or other public place or upon any private property, whether owned by such person or not, except in proper containers for collection; neither shall any person throw or deposit any garbage, refuse or any industrial waste in any stream or storm drain.

Section 225-10 – Other Prohibited Acts

Subsections B and C of Section 225-10 are hereby repealed.

Section 225-19 -Placement and Removal of Garbage Receptacles

Days and Hours of Collection is hereby amended as follows:

Garbage receptacles shall be placed out for collection no earlier than the day prior to collection and no later 7:00 a.m. on the day of collection. Garbage and Recycling receptacles shall be removed from the street, traveled way or other authorized location by sundown the day following collection.

Chapter 256
Vehicles and Traffic

Section 256 – 1.1

The Title for Chapter 256 of the Code entitled “Vehicles and Traffic” is amended to provide that the purpose of this Chapter contains regulations for vehicles, traffic and the temporary prohibition of parking for snow plowing and removal.

Chapter 270 – Zoning

Section 270-13, Definitions, is hereby amended by addition of the following definition:

ACCESSORY STRUCTURE.

A. A separate structure that is customarily subordinate and incidental to the principal structure or use located on the same lot.

The Zoning appearing as Section 270 attachment 1 concerning schedule of the area, lot and block requirements is hereby amended to include the term accessory structure with accessory building in the title block appearing above the setback requirements.

If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any Court of competent jurisdiction, such invalidity shall not affect the remaining portions of this

Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only. This Ordinance shall take affect after final passage and publication in the manner prescribed by law.

Mrs. Papics moved Council Introduce Ordinance 103-16 on First Reading; seconded by Mr. Stiehler.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

CORRESPONDENCE

Council reviewed correspondence.

PUBLIC COMMENT

Craig Staible, 26 Milford Road stated that he still has 18 wheelers coming down his road fully loaded and ignoring the 4 ton weight limit. The Clerk explained that right now the limit although posted, cannot be enforced by the NJSP because the DOT came in and said the proper permission is not on file at the State. She explained that the Borough Engineer has filed the application and stated it could take a year. Mr. Staible said he believes their GPS is directing that direction. Discussion followed.

Karen Murray, 120 Willow Avenue stated that she understands there is no money for roads but asked that Council drive out Willow and take a look explaining it is humped in the middle and asphalt is crumbling at the edges. Discussion followed.

PAYMENT OF COAH BILLS

Mr. Francisco stated that he feels that our attorney, Steve Gruenberg did the work and should be paid. Discussion followed. Mr. Stiehler moved Council pay the bill for the Law offices of Scholl, Whittlesey & Gruenberg; seconded by Mrs. Papics.
ROLL VOTE VOTE: Jordan-aye; Papics-aye; Stiehler-aye; Weger-aye. Motion carried.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 8:46 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
MARCH 22, 2016**

The regular meeting of the Mayor and Council was held on March 22, 2016 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 21, 2016 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: Kathleen Jordan - excused Al Stiehler
Vicky Papics Martha Tersigni, Mayor
Chris Smith - excused William Edleston, Esq.
Eric Weger

FLAG SALUTE

OATH OF OFFICE

Mr. Edleston administered the Oath of Office to Sarah Stiehler as member of the Common Council term to expire December 31, 2016.

2016 BUDGET ADOPTION

Mr. Francisco summarized the 2016 Budget and the 2% increase.

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

No Comment from the public.

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

Mr. Weger moved Council adopt the 2016 Budget as presented; seconded by Mr. Stiehler.

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

APPROVAL OF MINUTES

Mr. Weger moved Council approve the regular meeting minutes of February 23, 2016; seconded by Mr. Stiehler. All ayes. S. Stiehler-abstain. Motion carried.

Mr. Weger moved Council approve the executive session meeting minutes of January 28, 2014; seconded by Mrs. Papics. All ayes. A. Stiehler- abstain; S. Stiehler-abstain. Motion carried.

Mr. Stiehler moved Council approve the executive session meeting minutes of April 22, 2014; seconded by Mrs. Papics. All ayes. S. Stiehler-abstain; Weger-abstain. Motion carried.

Mr. Stiehler moved Council approve the executive session meeting minutes of May 27, 2014; seconded by Mrs. Papics. All ayes. S. Stiehler-abstain. Motion carried.

Mrs. Papics moved Council approve the executive session meeting minutes of July 22, 2014; seconded by Mr. Weger. All ayes. S. Stiehler-abstain. Motion carried.

Mr. Weger moved Council approve the executive session meeting minutes of January 26, 2016; seconded by Mr. Stiehler. All ayes. S. Stiehler-abstain. Motion carried.

Mr. Weger moved Council approve the executive session meeting minutes of February 23, 2016; seconded by Mrs. Papics. All ayes. S. Stiehler-abstain. Motion carried.

TAX COLLECTOR'S REPORT

Mr. Stiehler moved Council approve the Tax Collector's Monthly Report dated February 29, 2016; seconded by Mrs. Papics. All ayes.

ROLL CALL VOTE: Papics-aye; A. Stiehler-ay; S. Stiehler-aye; Weger-aye. Motion carried.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the Bill List of March 22, 2016 as amended; seconded by Mr. Stiehler.

ROLL CALL VOTE: Papics-aye; A. Stiehler-ay; S. Stiehler-aye; Weger-aye. Motion carried.

CODE ENFORCEMENT REPORT

Mr. Stiehler moved Council accept the Code Enforcement Report of March 2016; seconded by Mr. Weger. All ayes. Motion carried.

COMMITTEE REPORTS

Clerk/Administrator Report:

L. Burd:

2016 Elections-

- The Clerk stated that filing deadline for petitions is April 4th at 4 pm. There are two Council seats and two seats for both the Republican County Committee and Democratic County Committee on the ballot.

Planning Board-

- The Clerk stated that there is a tenant interested in occupying the vacant half of 55 North Street called inzombie. She explained they make tiny homes and food carts from old shipping containers. She encouraged Councilmembers to look at their website inzombie.com.
- The Clerk reported that she received an email from members of the Presbyterian Church who said they are interested in subdividing their property to make it more saleable. They would like to keep the Church and cemetery together on one parcel and have the manse and garage on another. She asked Mr. Roseberry to advise the Zoning Officer of what may be needed and indicated that their first hurdle may be obtaining approval from Highlands before they can even appear before the Planning Board.

COAH -

- The Clerk reported that she has received a response from two senator regarding the email she sent to voice her concerns about COAH. She explained they both agreed and their responses are available if anyone wants to read them.

M. Tersigni:

Planning Board-

- Mrs. Tersigni reported that the Board heard a completeness determination at the March 14th meeting for the demolition of an existing storage building at Growmark and replacing it with a new building in essentially the same footprint. April 19th will be the public hearing.
- The Board Attorney provided an updated cell tower ordinance and there may be a question for Council regarding fees in the existing ordinance.
- Revision work is continuing on the zoning application form and she and Mrs. Murray have gotten together to go over the same.

Recreation-

- Mrs. Tersigni stated that she had hoped Chris Smith would be able to comment on the placement of the lacrosse nets at the Borough Park so they can be moved to a safe area. She explained that they were actually in line so that the balls could be thrown directly at the play equipment. Mrs. Tersigni stated she had to move one of them yesterday.

DPW-

- Mrs. Tersigni stated the DPW employees have asked if they can remove the river birch from the park near the bench because it is so dirty and makes such a mess. She added that she thinks this may be a memorial tree that a family planted in memory of a woman from town. Discussion followed.

JCP&L-

- Mrs. Tersigni will be meeting with a representative from JCP&L tomorrow. She asked if anyone had anything they would like her to discuss with him. The Clerk asked if she can confirm that street lights that malfunction are being replaced with more energy efficient lights.
- Mr. Weger asked the Clerk what she found after conducting a streetlight inventory. The Clerk stated that after presenting them with her list they determined their number to be correct.

PERRYVILLE STATE POLICE-

No report.

OLD BUSINESS-

SECOND READING - ORDINANCE NO. 103-16 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF BLOOMSBURY BY MAKING TECHNICAL CORRECTION TO CERTAIN SECTIONS OF SAME

BE IT ORDAINED that the Code of the Borough of Bloomsbury is

hereby supplemented and amended as follows:

Chapter 63
Animals

Chapter 63 of the Borough code entitled “Animals” is hereby amended as follows:

Section 63-7 – Deleted and replaced by the following:

Section 63 – Dogs at Large – No dog shall be permitted off the premises of the owner or the person keeping or harboring said dog except on a leash.

Chapter 206
Sewage Disposal Systems, Individual

Section 206-2 – Permit Required.

Is supplemented by including the following new section:

Section 206-6 Fees and Charges.

C. The following fees and charges are herewith established:

- | | | |
|-----|---|----------|
| (5) | Witnessing fee: | \$250.00 |
| (6) | Filing of application for variance or waiver: N.J.A.C. 7:9A-1.1 et seq.: | \$250.00 |
| (7) | Filing of Application for Treatment Works Approval, requiring a review by the Borough Engineer: | \$500.00 |
| (8) | Reviewing Septic Designs, issuing an opinion on waivers/variances: | \$250.00 |

D. The above fees may be adjusted annually of each year as determined by Borough Council.

Chapter 225
Solid Waste
Littering and Dumping

Chapter 225 of the Code of the Borough of Bloomsbury entitled “Solid Waste”

Article 1 and Article 2 “Littering and Dumping is hereby amended as follows:

Section 225-7 entitled “Scattering or Spilling Materials from Vehicles Prohibited” is hereby supplemented by the following two subsections:

Section 225-7- Scattering or Spilling Materials from Vehicles Prohibited

- C. No person shall cast, place, sweep or deposit any grass clippings, brush, sod or other refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place with the Borough.
- D. No person shall place any garbage or industrial waste in any street, alley or other public place or upon any private property, whether owned by such person or not, except in proper containers for collection; neither shall any person throw or deposit any garbage, refuse or any industrial waste in any stream or storm drain.

Section 225-10 – Other Prohibited Acts

Subsections B and C of Section 225-10 are hereby repealed.

Section 225-19 -Placement and Removal of Garbage Receptacles

Days and Hours of Collection is hereby amended as follows:

Garbage receptacles shall be placed out for collection no earlier than the day prior to collection and no later 7:00 a.m. on the day of collection. Garbage and Recycling receptacles shall be removed from the street, traveled way or other authorized location by sundown the day following collection.

Chapter 256
Vehicles and Traffic

Section 256 – 1.1

The Title for Chapter 256 of the Code entitled “Vehicles and Traffic” is amended to provide that the purpose of this Chapter contains regulations for vehicles, traffic and the temporary prohibition of parking for snow plowing and removal.

Chapter 270 – Zoning

Section 270-13, Definitions, is hereby amended by addition of the following definition:

ACCESSORY STRUCTURE.

- B. A separate structure that is customarily subordinate and incidental to the principal structure or use located on the same lot.

The Zoning appearing as Section 270 attachment 1 concerning schedule of the area, lot and block requirements is hereby amended to include the term accessory structure with accessory building in the title block appearing above the setback requirements.

If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any Court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only. This Ordinance shall take affect after final passage and publication in the manner prescribed by law.

Mr. Weger moved Council open the public hearing on Ordinance #103-16; seconded by Mr. Stiehler. All ayes. Motion carried.

No public comment.

Mr. Weger moved Council close the public hearing on Ordinance #103-16; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Papics moved Council adopt Ordinance #103-16; seconded by Mr. Stiehler.

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

APPOINTMENT OF BOROUGH PROFESSIONAL

Mrs. Tersigni stated that the Clerk emailed all contracts to Council Members. Mrs. Tersigni said she has received language for advertising for professionals from Mr. Edleston but she feels it is too late for this year and said Council will advertise for professionals in September. Mrs. Papics asked if this is usual procedure for hiring professionals. Mr. Edleston explained that it is not always, Council can simply re-appoint professionals, or can advertise for RFQ's. Mrs. Papics asked if appointments can be held over this long from one year to the next. Mr. Edleston stated not normally and this can cause issues for the Clerk. The Clerk stated that she is concerned about this situation, that if Council as a body discussed this matter and decided they wanted to advertise, they can but waiting three months into the year puts her in a position where she cannot comply with statutory requirements. She explained that she has reports that she needs to submit to identify our Municipal Engineer, the Pay to Play documents must be current and in file with her, she also needs to update the Financial Disclosure Statement roster and has been unable to do so since the Mayor held the appointments. The Clerk explained that she had recently reached out to the Borough Attorney to inquire if there were any penalties that could be assessed against the Borough or her for non-compliance within a specific amount of time. Mr. Edleston stated that he contacted Local Government Services and they said the Clerk will not get into trouble because the Council has not appointed, but delaying appointment is frowned upon.

Mr. Weger asked why the professionals had not been appointed. Mrs. Tersigni stated that she wanted to advertise for professionals but had not received the language.

Mr. Stiehler asked how Council can get back on track on with this. Mr. Edleston stated that he gave the Mayor the language she requested. The Clerk asked Mr. Edleston confirm that a decision to advertise would require a vote of the Council not an individual. He confirmed the same. Mr. Weger stated he believes we need to re-appoint current professionals. Discussion followed.

Mr. Stiehler asked if Council should plan to advertise and do interviews in August or September for next year. The Clerk clarified that Council should discuss the matter and decide if they want to re-appoint the current professionals or if they want to consider advertising for some or all of the positions and that they need to consider if they want to handle as unfair and open or fair and open. She explained that Council never discussed it or made this decision this year, appointments were just held. The Clerk explained that they were held for Planning Board and that is not appropriate either as the Planning Board appoints their own professionals.

Mr. Stiehler agreed with Mr. Weger that bringing in new professionals would mean there is a learning curve, for someone new to try to get to know our town. Mrs. Papics said Council could also address any concerns they may have with professionals' performance by making an adjustment to their contracts. Council agreed.

Mrs. Papics moved Council re-appoint the current professionals and authorize the Mayor and Clerk to execute 2016 contracts for William R. Edleston, Council Attorney, Maser Consulting, Engineer, Nissivoccia, Auditor; seconded by Mr. Weger and Banisch Associates, Planner.

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

RESOLUTION # 35-16 - 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, special counsel 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:

A. 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, 2017, 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 2016.

William Schroeder is appointed Borough Auditor for the calendar year 2016.

William Edleston, Esq. is appointed Borough Attorney for the calendar year 2016.

David Banisch, PP/AICP is appointed Municipal Planner for the calendar year 2016.

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. Stiehler moved Council adopt Resolution # 35-16; seconded by Mrs. Papics.

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

COAH-

Mr. Edleston stated that everyone has been ordered down to appear before Judge Miller on April 7, 2016 and he should have an update after that. Mrs. Tersigni asked about filing for us to get out of the litigation. Mr. Edleston stated he was told to hold off on filing anything until after the meeting.

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- Nothing new to report.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

BOROUGH OWNED PROPERTIES-

- Mrs. Tersigni stated that she received an email from Sean McNulty who also forwarded an email from Pete Horsch regarding concerns about 99 North Street. In his email, Mr. Horsch explained that for drill they did a walk around the building to discuss water supply apparatus and location. He stated that it appears access is being gained to the east side of the building through a window in the garage door. The FDC located on the North Street side is completely covered by trees and bushes and they need to know if it is still connected to the interior sprinkler system and if it is functioning. Mr. Weger stated he doesn't feel anyone would disconnect it, but that Council would have no idea if it was functioning or not. The Clerk stated that she thought the system froze and pipes broke causing all the interior water damage and that she assumed the supply was then shut off. Discussion followed. Mrs. Will contact Aqua to see if the water has been disconnected.

Mr. Horsch's email stated that several fuses on the incoming power are out and he asked if all of the power had been disconnected to the building. Mrs. Tersigni stated that she is meeting with Stan Prater tomorrow and she will ask him about the same. Discussion followed. Mr. Weger stated that since the Borough now owns the building we could call for a termination of the service.

Mr. Horsch's email stated they are concerned about the huge fire load still remaining in the building that could safely be removed. Mr. Weger stated that there is a lot of wood in the building and in the ceiling tunnels. The Fire Department suggested a walk through between the Fire Department, Borough & NJSP. Discussion followed.

Council voiced concern for safety of anyone entering the building. The DPW will be asked to re-secure the building and if the Fire Department wants access to the building to conduct a walk through, the Borough will grant the same.

TRC ORDINANCE

- Nothing new to report.

NIXEL SYSTEM

- Nothing new to report.

RESOLUTION # 31-16 - CANCELLATION OF TAXES

WHEREAS, the following property has outstanding property taxes for 2016;

WHEREAS, this outstanding amount occurred due to the Borough of Bloomsbury acquiring the property;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bloomsbury this 22nd day of March, 2016 that the Tax Collector is hereby authorized to cancel the following taxes:

**Block 17 Lot 41
Borough of Bloomsbury
91 Brunswick Ave.**

1st Qtr.	\$113.32
2nd Qtr	<u>\$113.32</u>
Total	\$226.64

**Block 13 Lot 6.01
Borough of Bloomsbury
27 Church Street**

1st Qtr.	\$385.43
2nd Qtr	<u>\$385.42</u>
Total	\$770.85

Mr. Weger moved Council adopt Resolution # 31-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Papics-aye; A. Stiehler-aye; S. Stiehler-aye; Weger-aye. Motion carried.

CONSENT AGENDA-

RESOLUTION # 32-16 - 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 May 20, 2016 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.

RESOLUTION # 33-16 - BLOOMSBURY ELEMENTARY SCHOOL PTO ON-PREMISE 50/50 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 the Bloomsbury Elementary School, 20 Main Street, Bloomsbury, NJ from 6-11 pm on May 6, 2016; 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 # 34-16 - BLOOMSBURY ELEMENTARY SCHOOL PTO ON-PREMISE DRAW RAFFLE

WHEREAS, the Bloomsbury Elementary School PTO is the licensee on the application to conduct an On-Premise Draw Raffle to be held at the Bloomsbury Elementary School, 20 Main Street, Bloomsbury, NJ from 6-11 pm on May 6, 2016; 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 draw raffle,

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

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

Mr. Weger moved Council adopt Resolutions # 32-16, 33-16 & 34-16 via consent agenda; seconded by Mr. Stiehler. All ayes. Motion carried.

2016 BOROUGH HALL LEASE AGREEMENT

Mr. Weger moved Council authorize the Mayor to execute the 2016 lease agreement for rent in the amount \$11,936 and the Borough will also continue to pay 25% of electric, oil & property insurance; seconded by Mrs. Papics.

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

SHARED SERVICE COURT AGREEMENT

Mr. Stiehler moved Council authorize the Mayor and Clerk to execute the shared services court agreement with Lebanon Borough; seconded by Mr. Weger.

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

TAX COLLECTOR

Mrs. Tersigni reported that the Clerk advertised for the Tax Collector position available April 1st and received four applications. She explained that one was well educated but no tax collector experience or license and therefore could not be hired. She added that she and Mr. Francisco interviewed the other three, the last being today before the meeting. Mr. Francisco stated that all were great, but one did not have experience with municipal software so that eliminated her, one has her license but has never had a town, but has worked as an assistant. The last candidate is licensed and has two towns, 15 years' experience and is active in the State Association and very knowledgeable. He explained that she has an assistant who is going to sit for the exam in June. Mr. Francisco stated they would come as a team, Council would hire the Tax Collector now and when her assistant passes the test she would then be appointed and take over. Mrs. Tersigni stated that they are partners and will split the salary 1/3 and 2/3. Mr. Francisco stated we will be getting two people the same pay. He added that they were all good and it was really a hard decision. Mr. Stiehler stated he was comfortable going with their recommendation.

Mr. Francisco stated that the current collector was making \$7,000 and the new hire's would agree to \$6,000 to start. Mrs. Tersigni explained that the licensed person would not be here all the time as her assistant will be here all the time. The Salary Ordinance will need to be amended to allow for the Tax Collector range to start at \$2,000 and add the position of Tax Collector's Assistant with a range of \$3,000 - \$5,000 as she will make \$4,000.

The Clerk asked how this is going to be handled and if this can be introduced tonight. Mr. Francisco stated that Council will introduce by title and adopt it next month. The Clerk asked if it would be on the record that it was exactly the same as the original just making the changes noted by the CFO, adjusting the Tax Collector range from \$2,000 - \$11,500 per year and the position of Tax Collector's Assistant will be added with a range of \$3,000 - \$5,000.

The Clerk asked if this would be done as an amendment to Salary Ordinance 101-16 and filed as #101-16A. Mr. Edleston stated that is correct. Mr. Francisco asked if it would be the whole ordinance or just those lines. Mr. Edleston stated just those lines. The Clerk stated that she wanted to clarify this – that they wanted her to only publish the changes. Mr. Edleston just those changes, yes. The Clerk questioned this asking it be clarified if she is to publish the whole ordinance or just the changes. Mr. Edleston stated yes, the whole ordinance with the changes. The Clerk then asked if this should be done as #101-16A or as a new Ordinance #104-16. Mr. Edleston stated do a new ordinance so there is no confusion. The Clerk stated that in April Council will need to adopt the salary ordinance and a salary resolution. Mr. Edleston agreed.

ORDINANCE # 104-16 – AN ORDINANCE AMENDING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

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 2016:

Section 2. Salary and wage ranges for the year 2016 are as follows:

a. Borough Clerk/Administrator	\$20,000 - \$48,000 per year, plus \$28.00-\$39.50/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 - \$21,000 per year
f. Tax Assessor	\$5,000 - \$11,000 per year
g. Tax Collector	\$2,000 - \$11,500 per year
h. Assistant Tax Collector	\$3,000 - \$5,000 per year
i. Tax Clerk	\$2,400 – \$3,000 per year
j. Planning Bd. Secretary	\$1,500 - \$5,000 per year
k. Code Enforcement Officer	\$5,000 – \$8,000 per year, plus \$25.00 per sidewalk inspection
l. Assistant Code Enforcement Officer	\$13.00 - \$15.00 per hour
m. Public Works Supervisor	\$6,500 - \$18,500 per year, plus \$20.00-25.00/hr for hours in excess of 65 per month
n. Public Works Laborer #1	\$15.00- \$18.50/hr
o. Public Works - On Call Laborer	\$15.00 - \$18.00 per hour
p. Public Works - Seasonal Laborer	\$9.00 - \$12.00 per hour
q. Public Works – Specialized Laborer	\$20.00 - \$30.00 per hour
r. Emergency Mgt. Coordinator	\$1,700 - \$4,000 per year \$9.00 - \$11.00/hr. for extraordinary FEMA events
s. Recycling Coordinator	\$250 - \$1,000 per year
t. Dog/Cat Licensing Official	\$400 - \$2,000 per year
u. Assistant EMC	\$7.50 - \$10.00 per hour
v. School Crossing Guard	\$13.00 – 15.00/shift

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.

Section 6. No Borough employee shall receive longevity or bonus pay.

Mr. Weger moved Council Introduce Ordinance # 104-16; seconded by Mr. Stiehler.
ROLL CALL VOTE: Papis-aye; A. Stiehler-aye; S. Stiehler-aye; Weger-aye. Motion carried.

Mr. Weger stated that he would also like to approve a resolution hiring Bonnie Fleming and Jennifer Harrington.

The Clerk asked if this would be an appointment starting April 1st and going through the end of the year. Mrs. Tersigni stated that Jennifer is scheduled to sit for her exam in June and that she had a window of time from when she completed her classes and then had triplets which explains the delay in her sitting for the exam. The Clerk asked that then in June do they plan to do a new resolution.

Mr. Francisco confirmed the same stating that then Bonnie would resign and Jennifer would be appointed.

RESOLUTION # 36-16 - APPOINTMENT OF BONNIE ANN FLEMING AS TAX COLLECTOR AND JENNIFER HARRINGTON AS ASSISTANT TAX COLLECTOR FOR THE BOROUGH OF BLOOMSBURY

BE IT RESOLVED that Bonnie Fleming is hereby appointed to the position of Tax Collector;

BE IT FURTHER RESOLVED that Jennifer Harrington is hereby appointed Assistant Tax Collector.

Mr. Weger moved Council adopt Resolution # 36-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Papics-aye; A. Stiehler-aye; S. Stiehler-aye; Weger-aye. Motion carried.

The Clerk will contact all applicants and inform them of Council's decision.

ROUTE 579 BRIDGE REPLACEMENT

Council received notice from the County that they will advance the project from its current preliminary phase to the design phase. Mrs. Tersigni explained they are asking for her signature on a letter stating that the proposed improvements will not result in the loss of any key part of the park. She added that they seek to temporarily occupy the area between the garage and Route 579 during the construction process. The access road to the cell tower will be moved over and when construction is complete it will be moved back. Discussion followed. Council voiced concerns about the need to re-route traffic to Willow and Milford Roads and stated they look forward the pre and post construction work to be done by the County on the same.

Mr. Weger move Council authorize the Mayor to sign the letter; seconded by Mr. Stiehler. All ayes. Motion carried.

CORRESPONDENCE

Mrs. Tersigni stated she received a letter about a Highlands Municipal Exemption class and has recommended the Zoning Officer attend the same.

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 8:44 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
APRIL 26, 2016**

The regular meeting of the Mayor and Council was held on April 26, 2016 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 21, 2016 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: Kathleen Jordan Al Stiehler
Vicky Papics Martha Tersigni, Mayor
Chris Smith Sarah Stiehler
Eric Weger - absent William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the regular meeting minutes of March 22, 2016; seconded by Mr. Stiehler. All ayes. Jordan-abstain; Weger-abstain. Motion carried.

Mrs. Papics moved Council approve the executive session meeting minutes of September 23, 2014; seconded by Mrs. Jordan. All ayes. A. Stiehler- abstain; S. Stiehler-abstain. Motion carried.

TAX COLLECTOR'S REPORT

Mrs. Papics moved Council approve the Tax Collector's Monthly Report & Quarterly Report dated March 31, 2016; seconded by Mr. Stiehler.

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

APPROVAL OF BILL LIST

Mr. Francisco stated that as the Budget was adopted last month, this bill list includes annual contributions to the Fire Company & Rescue Squad. \$17,500 for the Fire Company which includes the one time addition of the \$5,000 that was previously allocated for the Rescue Truck payment, and \$11,500 to Pattenburg Rescue Squad.

Mr. Francisco stated that this month we spent \$2,030 on COAH work completed by Mr. Edleston.

Mr. Francisco stated that last month we paid \$4,000 for a new transmission on a DPW truck and this month, the front end went and that work cost \$3,100 and then brakes and rotors for \$550 and then alternator and hydraulic work for \$827. Our Street budget that was not anticipated we spent about half of what was budgeted for the year so we need to keep an eye on it. He explained that hopefully we won't need an emergency appropriation, but we may need a transfer in the fall.

Mr. Stiehler moved Council approve the Bill List of April 26, 2016; seconded by Mrs. Jordan.

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

BUDGET REPORT

Mr. Francisco stated that the budget report was emailed to Council by the Clerk. He explained that other than the vehicle expenses previously discussed, the budget is in good shape at the end of the 1st quarter.

COURT REVENUE & EXPENSES REPORT

Mr. Francisco reported that the Borough's Court revenue is down. He explained last year the borough took in over \$12,000, averaging about \$1,000 a month but this year through the end of April we received \$2,600.

CODE ENFORCEMENT REPORT

Mrs. Tersigni asked about the Driveway addition for 42 Church Street. Mr. Creveling stated that it is an extension of the existing driveway so they will be creating an area to turn around because they are on a County Road. He said they can have up to 75% impervious coverage which they are right at now.

Mr. Creveling stated that he has been fielding calls about the railroad cars parked on the tracks. He said the cars are empty and they are allowed to be there. Mr. Stiehler stated that he has made a few calls about this and has spoken to a few people. He understands the cars are going to be scrapped which is why they are there and there are a few that are open, but they are old and the doors will not close properly. He will be calling someone in their Government Affairs Department to find out when they will be removed. Discussion followed.

Mrs. Papics moved Council accept the Code Enforcement Report of April 2016; seconded by Mr. Smith. All ayes. Motion carried.

COMMITTEE REPORTS

V. Papics:

OEM-

- Mrs. Papics stated that she is completing necessary paperwork for the winter storm and it is in progress.

C. Smith:

Recreation-

- Mr. Smith reported that Lacrosse is underway and Lacrosse parents are managing a snack stand that is set up at field level. Brief discussion followed.

A. Stiehler:

Court-

- Mr. Stiehler reported that he and Mr. Francisco will be attending a meeting about the Joint Court on May 11, 2016 and they will start negotiations for the new contract.

Resident Complaint-

- Mr. Stiehler stated there was email sent out from a resident having issues with his grass after the construction work completed on Main Street that he has spoken to Mr. Weger about. It is an easy fix and Mr. Stiehler will tell the DPW staff to fix it. Mrs. Tersigni stated she must abstain from any discussion about this. Mr. Stiehler stated he will tell them to go ahead.

Clerk/Administrator Report:

M. Tersigni for L. Burd:

2015 Stormwater Report

- The Clerk has submitted all necessary information to Maser Consulting for completion of the report.

New Jersey State Registrar's Association-

- The Clerk attended the Spring Meeting on April 19th and earned 3 ceu's for CMR & 3 ceu's for RMC.

Recycling Tonnage Grant-

- The Clerk has emailed Alan Johnson at the County twice to inquire about the Borough's tonnage numbers, but has not received a response to date.

Tuxhorn Park -

- The Clerk received a call of concern from a resident about the condition of the tot swings and has ordered new ones which should arrive by next week.

PAIC Insurance/Employment Policies & Procedures-

- Mrs. Tersigni explained that the updates to the Employment Policies and Procedures will be discussed later in the meeting, but that all of these insurance matters have taken up quite a bit of the Clerk's time recently. She explained the Clerk emailed information to Council about the Elected Officer's Training. Mrs. Tersigni reported that she has completed the training and there is a \$250 credit per Elected Official who completes the same. Discussion followed.
- The Clerk wanted to remind Council members that 2016 Financial Disclosures must be completed by April 30th and fines will be imposed.

M. Tersigni:

Planning Board-

- Mrs. Tersigni stated there was a Planning Board Meeting on April 19, 2016 and Professionals were appointed.
- Growmark was awarded minor site plan approval for replacement of the storage building.
- The Planning Board recommended that Council approve the wireless telecommunications ordinance.
- Mrs. Wentzel has agreed to serve as an alternate to the Planning Board.

2016 Tax Appeals-

- Mrs. Tersigni stated that there are five tax appeals this year and two are in State Court. Three are businesses, one residential and one multi family.

Highlands Exemption Determination Certification-

- On May 3, 2016 Larry Creveling will attend the training session to receive certification. This will enable the Borough to issue determinations for some of the commonly sought exemptions.

Truck Parking on Route 173-

- Mrs. Tersigni has a draft letter written which Mr. Stiehler has reviewed. She explained it may need amending as some of what we thought to be true, may not be true.

Service Electric Cable Franchise-

- Mrs. Tersigni asked if anything needs to be done with this. Mr. Edleston stated Council will need to get going on this next month.

PERRYVILLE STATE POLICE-

- Trooper Walsh stated he has been in touch with Mr. Dogias, project manager for DOT about creating a smaller shoulder and an on ramp on the shoulder. He has been responsive but traffic studies are required. He contacted him about four issues including this one, Mr. Dogias has been very responsive and Trooper Walsh has seen results. He will continue to follow up with him about the issues in Bloomsbury. Mrs. Tersigni stated that the Borough may decide to work with the businesses in the area.
- Trooper Walsh said an investigation is underway relating to a suicide on Brunswick Avenue.
- A man from Church Street was on Route 78 flashing blue lights and pulled over an off duty trooper. Trooper Walsh stated he needs to get in touch with Chief McNulty to ask if this man is part of the Fire Department or Rescue Squad. Mrs. Jordan stated she read the article but did not recognize the name of the man. He added that he may have done this hundreds of times before doing it to this off duty officer which is scary.
- Trooper Walsh stated that there was a broken pole in town. Mrs. Papis stated it was broken for weeks. Trooper Walsh stated that he wanted Council to know that he and the Clerk coordinated their efforts and called Century Link who determined it was not their pole. He then contacted JCP&L and they someone out to look at it the same day who didn't feel it was an urgent matter. Finally Trooper Walsh called a friend who works at JCP&L who was finally able to get it repaired and stabilized.
- Trooper Walsh stated they have no leads on the theft of parts from the air conditioning units on North Street.
- Mrs. Tersigni asked Trooper Walsh if could comment on two suspicious fires in the Borough last Sunday. She explained the first was the clothing storage shed at the Methodist Church and the second was a dumpster fire behind 75 North Street later that night. Discussion followed. Trooper Walsh will look into the matter.

Sara Dickinson, 80 Willow Avenue stated that they are having a lot of issues with the rail cars on the tracks. She has seen lots of teenagers and lots of people she has never seen in town on the tracks.

Last Tuesday coming home from work, she saw a man scaling the train with camera equipment over the trestle and if he slipped it would fall 40 feet. She said people are going in and out of them, doing God knows what and she doesn't feel safe at her house and has two alarm systems right now. She hears noise at night and sees flashlights and it has been going on a lot. She called the non-emergency line but they did not send anyone out. Discussion followed.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- There is another round of funding and applications are being accepted, but Mrs. Tersigni stated she doesn't think anyone is excited to go down that road again.

NORTH STREET/PICKEL LANE-

- No action taken by Council, but the alley issue should be addressed again soon.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Mr. Edleston stated that they have been directed to attend a mediation session on May 18, 2016 in Somerville, He, Mrs. Tersigni and Mr. McGroarty will attend. He assumes that the purpose is to see if the Borough's number can be resolved and if it is they will probably enter an order otherwise the matter will continue. Mr. Edleston explained that our position will remain the same, that the Borough is unable to provide any new units or any ability to construct any low or moderate income housing so whatever number is arrived at will be unmet. The local planner who is in charge of our area will be there too and he is sure she will have something to say as far as what she feels our number should be. He explained the number keeps changing, that it was back to zero, but has gone back up again. Discussion followed.

BOROUGH OWNED PROPERTIES-

- Nothing new to report.

TRC ORDINANCE

- Mr. Edleston stated that he has reviewed it and believes we are waiting for Mr. Roseberry's input.

NIXEL SYSTEM

- Mrs. Tersigni asked if Mr. Stiehler wants this off the list. He stated that it is up to her, that he is no longer receiving emails from the guy anymore because we kept pushing it off. Mr. Stiehler stated that it is up to Council if it is something we want to do and he is available for discussion about the same.

SECOND READING ORDINANCE # 104-16 – AN ORDINANCE AMENDING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

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 2016:

Section 2. Salary and wage ranges for the year 2016 are as follows:

- | | |
|---------------------------------------|---|
| a. Borough Clerk/Administrator | \$20,000 - \$48,000 per year, plus
\$28.00-\$39.50/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 - \$21,000 per year |
| f. Tax Assessor | \$5,000 - \$11,000 per year |
| g. Tax Collector | \$2,000 - \$11,500 per year |
| h. Assistant Tax Collector | \$3,000 - \$5,000 per year |
| i. Tax Clerk | \$2,400 – \$3,000 per year |
| | |
| j. Planning Bd. Secretary | \$1,500 - \$5,000 per year |
| k. Code Enforcement Officer | \$5,000 – \$8,000 per year, plus
\$25.00 per sidewalk inspection |
| l. Assistant Code Enforcement Officer | \$13.00 - \$15.00 per hour |
| m. Public Works Supervisor | \$6,500 - \$18,500 per year, plus
\$20.00-25.00/hr for hours in excess of 65 per month |
| n. Public Works Laborer #1 | \$15.00- \$18.50/hr |
| o. Public Works - On Call Laborer | \$15.00 - \$18.00 per hour |
| p. Public Works - Seasonal Laborer | \$9.00 - \$12.00 per hour |
| q. Public Works – Specialized Laborer | \$20.00 - \$30.00 per hour |
| r. Emergency Mgt. Coordinator | \$1,700 - \$4,000 per year
\$9.00 - \$11.00/hr. for extraordinary FEMA events |
| | |
| s. Recycling Coordinator | \$250 - \$1,000 per year |
| t. Dog/Cat Licensing Official | \$400 - \$2,000 per year |
| u. Assistant EMC | \$7.50 - \$10.00 per hour |
| v. School Crossing Guard | \$13.00 – 15.00/shift |

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.

Section 6. No Borough employee shall receive longevity or bonus pay.

Mr. Stiehler moved Council open the public hearing on Ordinance # 104-16; seconded by Mr. Smith. All ayes. Motion carried.

No Comment from the Public.

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

Mrs. Papics moved Council adopt Ordinance # 104-16; seconded by Mr. Smith.

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

Mr. Edleston stated that he and Martha have spent a fair amount of time on this issue since last month because a question was raised that while we appointed a new tax collector and a deputy, our resolution did not indicate when their term ended or when it began. After doing some research, it appears that at some time, way in the past, the Borough got off on the wrong term for the tax collector, but somebody way back decided it was a three year term instead of four so to bring this matter current and straighten it out, we concluded that Sharon Brown's term should have been for 4 years expiring this December 31st so that the appointment we made last month would be for the unexpired term which is what the statute states should be done. The question was then raised as to when they would then have tenure and the answer received by the state is that they would have to serve a full 4 year term. So if they were reappointed next January, they would have to serve through 2020 and would be eligible for tenure on January 1, 2021.

BLOOMSBURY ELEMENTARY SCHOOL BOARD PRESENTATION

Craig Levesque stated that what they are looking at is year after next running about \$160,000 deficit at a minimum and that is assuming no tuition increases from Phillipsburg. He explained that to make up that kind of money they have a few options, cut our budget which is not really an option for us given how few staff we have and how limited the budget already is. They could raise taxes which would be a minimum about 10% – 12% and he doesn't really think that is feasible. The third option that they are looking into is merging with Greenwich Township. So Greenwich Township seems to make the most sense as they are very financially stable, their proximity and also he feels they offer the best education opportunity for our students. He explained that one of the issues with for example the way that Lopatcong is handling their budget problems is they just mailed a budget proposal for \$600,000 and had to cut 8 full time positions. That means that they shrunk from 3 first grades to 2 first grades and they laid off a special education teacher and one of their specials teachers. He said that is not an option for Bloomsbury as that will significantly decrease the quality of education for students. He doesn't believe that asking the town for 12% - 16% budget increase would pass, nor does he think asking the majority of the town to shoulder that when we have fewer and fewer kids in the school. He explained that we have 90 Bloomsbury residents in the school currently.

He stated that they have initiated a feasibility study which will be done in early summer and at that point they will have a lot more information, how it will affect taxes, what the layoffs would actually be. He explained that the handout provided to Council explains what they would like to see, the Bloomsbury School turned into a K- 5 if fiscally responsible. He stated that he is here tonight to keep the lines of communication open and they hope to provide updates to the Council and have

information available on the school website as well. He said they have several spots available for a committee that will be meeting with the County Superintendent so if anyone is interested, they should contact him.

Mr. Edleston asked if there is any impediment to going across County lines. Mr. Kerfoot stated there is not as we are already going to Warren County High School. Discussion followed.

Mr. Stiehler asked how long term was Greenwich's fit and could they be in the situation in a few years. Mr. Levesque stated that one of the reasons we are in trouble is that we have run out of credits with Phillipsburg High School. They explained it would become the Greenwich/Bloomsbury School District, not one taking over the other. Discussion followed. He explained that with a merger, union rules would apply and it is likely that teachers from both Bloomsbury and Greenwich would be let go as it would be based on seniority and certifications.

Mrs. Tersigni asked how Administration works in a case like this and how it would be affected after a merger. They stated that it would be a merger of equals and be done by vote. They explained that they would not be guaranteed an equal number of Board members as we would only represent 13% of the students but this would all be established as part of the negotiations. In terms of School Administration, we already share a Superintendent and Business Administrator which is where a lot of the cost savings would be found. Discussion followed.

Questions have been raised about why Bloomsbury would merge with Greenwich in Warren County and not Ethel Hoppock in Bethlehem Township, Hunterdon County. Mr. Levesque stated the State would very likely force our kids to go back to Phillipsburg. They would need to convince Bloomsbury, then convince Phillipsburg not to sue us, then convince the State and through all that they would run out of money. Mrs. Tersigni asked why Phillipsburg wants us so bad. He said because we send them money without increasing their expenses. They explained that they get \$15,500 for each of the 50 students we send them. So we send them \$750,000 a year, but we don't send enough students to require they hire more staff. If we leave they don't get to fire teachers and save money so they can't let us go.

Karen Murray, 120 Willow Avenue stated that several years ago when this was considered Greenwich parents didn't want their kids coming to Bloomsbury and now the building is 10 years older. This would not necessarily be sending Greenwich kids here because our school would not be big enough to handle all their lower grades and they have a brand new school.

RESOLUTION # 37-16 - PERSONS AUTHORIZED TO SIGN BOROUGH CHECKS

BE IT HEREBY RESOLVED by the Council that the following persons are authorized on behalf of the Borough to sign any and all checks drawn on any accounts in the name of Bloomsbury Borough and that any two of the four authorized signatures are required, the following persons are authorized for admittance to the safe deposit box, such entry shall require the signatures of not less than two of the following persons, the following persons are authorized on behalf of the Borough to deposit cash and checks in the appropriate accounts:

Martha J. Tersigni, Mayor
Lisa A. Burd Reindel, Borough Clerk
Kim Francisco, Chief Financial Officer
Al Stiehler, Council President

BE IT FURTHER RESOLVED that the following additional persons are authorized on behalf of the Borough of Bloomsbury to deposit cash and checks belonging to the Borough to appropriate depositories for the municipal accounts:

Bonnie Fleming, Tax Collector
Jennifer Harrington, Assistant Tax Collector

Mr. Stiehler moved Council adopt Resolution 37-16; seconded by Mr. Smith.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

RESOLUTION #38-16 - A RESOLUTION AMENDING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2016

WHEREAS, The Borough of Bloomsbury has adopted a salary ordinance # 104-16 setting salary and wage ranges for 2016, and

NOW THEREFORE, BE IT RESOLVED, this resolution will specify the specific 2016 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)	\$47,650 per year, plus \$39.43/hr for additional hours
b. Registrar (Burd-Reindel)	\$2,500 per year
c. Deputy Registrar (Ruta)	\$200 per year
d. Chief Financial Officer (Francisco)	\$20,877 per year
e. Tax Assessor (Hagaman)	\$10,752 per year
f. Tax Collector (Fleming)	\$2,000 per year
g. Assistant Tax Collector (Jennifer Harrington)	\$4,000 per year
h. Tax Clerk (Burd-Reindel)	\$2,586 per year
i. Planning Bd. Secretary (Burd-Reindel)	\$3,956 per year
j. Code Enforcement Officer (Creveling)	\$6,855 per year, plus \$25.00 per sidewalk inspection
k. Public Works Supervisor (Stoneback)	\$17,503 per year, plus \$22.44/hr for hours in excess of 65 per month
l. Public Works Laborer #1(Tuxhorn)	\$17.85 per hour
m. On Call Laborer (Clark, Douglas, Gonzalez, D. Heinrich, K. Heinrich, McNulty, Pfund)	\$16.89 per hour
n. Emergency Mgt. Coordinator (Papics)	\$2,043 per year, plus \$10.77/hr for FEMA related hours
o. Dog/Cat Licensing Official (Burd-Reindel)	\$550 per year
p. School Crossing Guard (McNulty, Vanya and Roles)	\$14.00 per shift effective 9/1/2015

NOW THEREFORE, BE IT FURTHER RESOLVED, the above salaries shall be effective April 1, 2016, unless otherwise noted.

Mr. Stiehler moved Council adopt Resolution # 38-16; seconded by Mrs. Papics.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

RESOLUTION #39-16- RESOLUTION ADOPTING A PROCUREMENT CARD PROGRAM TO BE USED FOR THE ACQUISITION OF CERTAIN GOODS AND SERVICES WHEN THE TRADITIONAL PROCUREMENT PROCESS IS NOT ACCEPTED BY THE VENDOR OR WHEN THE PROCESS CAN BE EXPEDITED WITH THE USE OF A PROCUREMENT CARD

WHEREAS, N.J.S.A. 40A:5-16 authorizes a local unit to acquire minor purchases of goods and services without requiring a certification of the party claiming payment as otherwise required by law; and

WHEREAS, the Local Finance Board adopted rules pursuant to the “Administrative Procedure Act,” P.L.1968, c. 410 ([C.52:14B-1 et seq.](#)) that provide for procedures to be followed by local units in order to permit said purchases; and

WHEREAS, said rules require the Chief Financial Officer to promulgate policies and procedures governing the use of P-cards.

BE IT HEREBY RESOLVED by the Council of the Borough of Bloomsbury that, pursuant to N. J. A. C. 50:30-9a.1 ET SEQ., the Procurement Card Program prepared by the Chief Financial Officer of the Borough of Bloomsbury, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Council directs the official(s) charged with implementing the plan to do so in accordance with the provisions of said plan.

Mr. Smith moved Council adopt Resolution # 39-16; seconded by Mrs. Jordan.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

RESOLUTION # 40-16 - 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, to be held on June 11, 2016 at the 80 Main Street, Bloomsbury, New Jersey from 7:00 am – 2:00 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 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. Stiehler moved Council adopt Resolution # 40-16; seconded by Mrs. Papics. All ayes. Motion carried.

RESOLUTION #41-16 - RESOLUTION ADOPTING PERSONNEL POLICIES & PROCEDURES MANUAL & AMENDMENTS THERETO

WHEREAS, it is necessary to take official action adopting the Borough Personnel Policies and Procedures Manual and all recommended amendments thereto;

NOW, THEREFORE, BE IT RESOLVED that effective April 26, 2016, the Personal Policies and Procedures Manual which is incorporated herein by reference is hereby adopted in its entirety and this Resolution will be construed as well for the future adoption of all amendments thereto.

Mrs. Tersigni reported that she and the Clerk went through all of the pages of suggested changes to compare them to the existing manual. She explained that this is the manual that all Employees receive and have to sign off on and that it includes the whistle blower policy and all other employment policies. Mrs. Tersigni stated that they went through and made all of the applicable changes and they were minor including changes to the OPMA, FICA notice update, and the Ban the Box which removed the question regarding criminal background from the employment application.

Mr. Stiehler moved Council adopt Resolution # 41-16; seconded by Mrs. Jordan. All ayes. Motion carried.

RESOLUTION # 42-16 - A RESOLUTION TO AFFIRM THE BOROUGH OF BLOOMSBURY'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Bloomsbury to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

BE IT RESOLVED by the Common Council of the Borough of Bloomsbury that:

Section 1: No official, employee, appointee or volunteer of the Borough of Bloomsbury by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: All persons are encouraged to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution immediately to the Administrator, CFO, Mayor or Department Head.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall ensure that anti-harassment training is made available for all officials, employees, appointees or volunteers of the Borough of Bloomsbury

Section 7: This resolution shall take effect immediately.

Section 8: A copy of this resolution shall be become part of the official meeting minutes of the Borough of Bloomsbury.

Mr. Smith moved Council adopt Resolution # 42-16; seconded by Mr. Stiehler. All ayes. Motion carried.

JOHN'S LAW

Mrs. Tersigni stated that this was provided to us by the NJSP and the County Prosecutor wants every municipality to adopt it. She explained that if an intoxicated person is picked up in the Borough, Perryville doesn't have to hold the person and they can have them transferred down to the County facility. The Clerk obtained a sample from Clinton and forwarded the same to Mr. Edleston for his review. Mr. Edleston stated that he recommends a few changes and will provide a final draft for consideration next month.

WIRELESS TELECOMMUNICATIONS ORDINANCE

Mrs. Tersigni stated that is Ordinance was initiated by the Planning Board Attorney and promised to us last year because there was a change to FCC rules. The Planning Board had no changes to this draft and asked that it now go to Council for their review. They especially want us to focus on the fees, as there was a question by the Attorney that fees may have accidentally been flipped. Mrs. Tersigni explained that this new Ordinance talks about exempt applications and our existing ordinance is for new towers and existing towers with co-locators. Discussion followed.

CORRESPONDENCE

Mrs. Tersigni stated Aqua New Jersey sent out a letter that they are petitioning the BPU for rates increases. She stated that she looked for hydrant charges and we are not on the list but she doesn't know if they will start charging us as we have not be charged to date.

PUBLIC COMMENT

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Ms. Stiehler; seconded by Mr. Smith. All ayes, motion carried. Meeting adjourned at 8:31 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
MAY 24, 2016**

The regular meeting of the Mayor and Council was held on May 24, 2016 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 21, 2016 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:	Kathleen Jordan	Al Stiehler
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	Sarah Stiehler
	Eric Weger - excused	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

The April minutes will be held until the June meeting.

TAX COLLECTOR'S REPORT

Mrs. Papics moved Council approve the Tax Collector's Monthly Report dated April 30, 2016; seconded by Mr. Stiehler.
All ayes. Motion carried.

APPROVAL OF BILL LIST

Mrs. Jordan moved Council approve the Bill List of May 24, 2016; seconded by Mr. Stiehler.
ROLL CALL VOTE: Jordan-aye; Papics-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Code Enforcement Report of May 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

COMMITTEE REPORTS

K. Jordan:

BOE-

- Mrs. Jordan stated that she attended the Board of Education meeting last month and the Superintendent was there and provided a general school update and pictures of the new High School. She explained that the final cost is not yet known because they have not priced the cost to heat or air condition the building or the cost to insure it yet. Mrs. Jordan offered to participate of the committee but is unable to attend the first meeting. She asked that Council members forward any questions they have to her and she will pass them along.

- Mrs. Jordan will attend BES Graduation on June 7th and hand out Municipal certificates.

A. Stiehler:

Court-

- Mr. Stiehler reported that he and Mr. Francisco met with Bethlehem Township to get started on the new contract. Mr. Francisco stated that we received payment for the 2014 reconciliation for about \$3,000. Mr. Stiehler stated that they asked a few things be clarified in the contract including the date for payments. They hope to have a draft contract for Council review in the near term.

L. Burd for C. Smith:

Recreation-

- The Clerk stated that lacrosse is wrapping up and but they may have a few make up games.
- They hope to have the Scout camp out in late June.

Clerk/Administrator Report:

County ID Cards-

- The Clerk stated that Mr. Creveling told her about an opportunity for Borough Employees to get photo ID's free of charge from the County Clerk's Office. She reached out to Mary Melfi and has everything set up for Bloomsbury now. The Clerk advised that anyone interested can see her to complete the necessary form.

DPW-

- The Clerk reported that three sink holes have developed at 99 North Street. The area has been barricaded off and two of the holes are eleven feet deep. She explained that one is about eleven inches wide while the others are about eight inches. The Engineer has conducted a site inspection and is concerned it may be an old septic tank, or part of a cistern. He advised the kids need to be removed so he can look inside and felt it can't just be injected with grout because it is the only area available for a septic.
- She received reports of damage to the pavement near two fire hydrants in town and Aqua has been contacted to see if this is due to hydrant flushing or possible sink holes forming due to a leak.
- The Clerk advised that Walt Stonebach, DPW Supervisor has stated that he would like to retire at the end of July.

MEL Employment Practices

- The Clerk advised that that members with currently approved risk control plans must complete the 2017-2018 update checklist. She explains this includes things such as adoption of the updated personnel manual, adoption of the civil rights resolution and distribution of materials. Mr. Edleston as employment attorney will sign the same.
- The Clerk advised that she sent information about required training to all employees several weeks ago with a completion date of May 26th and to date only Kim Francisco has completed the same.

Local Ethics Board-

- The Clerk reported she received a notice advising they will waive the \$100 fine for both Rich Petri and Scott Gonzalez for failure to file the FDS for the year when they were not active on Recreation, but remained on the roster erroneously.

Pay to Play-

- The Clerk advised that she is still waiting for Pay to Play documents and Business Registration Certificates from Steve Gruenberg and Banisch Associates but has sent out a third request for the same.

Local Government Officials Training-

- The Clerk reported that most Council members completed the training but she needs certificates of completion from a few. Mrs. Jordan and Mrs. Papics will print the same and submit to the Clerk so she can forward everything to Bob Gemmell.

M. Tersigni:

Planning Board-

- Mrs. Tersigni reported tha the May 17th meeting because the Growmark Resolution was not available for the Boards consideration and there was no ther business before the Board.

2016 Tax Appeals-

- Mrs. Tersigni stated she did not receive an update on tax appeal status. Mr. Edleston stated that Lance's withdrew their appeal and the other two are on for June 8th. He explained that 75 North appeal has been settled but there is a question about whether they have paid their 2016 first quarter taxes and it was part of the settlement that they have to. Mr. Edleston stated he spoke to the Tax Assessor this morning and she will get back to him so they can this issue resolved. He explained that the third appear is Abdollah and this may be settled.

Service Electric Cable Franchise-

- Mrs. Tersigni asked if anything needs to be done with this. Mr. Edleston stated Council will need to get going on this next month.

COAH Mediation Conference-

- Mrs. Tersigni stated that she, Mr. Edleston & Chuck McGroarty attended along with the Special Master, Kevin Walsh and his lawyer for the Fair Share Housing Organization.

Proclamations-

- Mrs. Tersigni stated that she received proclamations from our Rescue Squad, but they were received too late to be adopted but they were declaring April 18th as "Emergency Medical Services for Children Day" and the week of May 15th – 21st as "Emergency Medical Services Week". Although the dates have passed, Mrs. Tersigni stated that she would still like to recognize EMS workers as a vital public service and recognize the value and accomplishments that EMS provides.

Summer Newsletter –

- Mrs. Jordan advised all submissions are due and the newsletter will go out on June 1st.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Mrs. Tersigni reported that she received a letter dated April 18, 2016 that NJDOT will not be able to provide municipal Aid Grant for Brunswick Avenue Phase I.

SRTS –

- Mrs. Tersigni asked if this was one of the grants referred to in the Audit. He confirmed the same. Mrs. Tersigni will get a letter out to them soon.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Kevin Walsh of the Fair Share Housing Organization proposed a settlement but did not address the accessory apartment overlay. She stated that Chuck McGroarty represents 3 of the 5 towns that are completely within the Highlands Preservation Area, and Bloomsbury is one of them. Chuck used the numbers that were in the most recent E-consult report and our number was zero but Fair Share Housing didn't like that table so they used another one that gave us 57 units. They then generously gave a 30% discount bringing us to 40 units. They want us to accept 20 units and for us to ask the Highlands to accept the other 20 units and transfer them to a growth area. There is no agreement in place for this and the Borough is not able to build any units. This settlement would get us into the system and it would be considered a fair settlement. They recognize that absent any development opportunities nothing will happen here that will require affordable housing units in the Borough. They recognize that we can't do anything because of our 100% preservation designation. The Mayor advised Mr. Walsh that she was morally conflicted being asked to sign the agreement on behalf of the Borough knowing there was no possible way that the Borough could do this. He acknowledges there is no possible way the Borough can do it. Mr. Edleston reported that Mr. Walsh said it could state at the end, that the Borough contends we have no ability and they do not contest that we don't have the ability. Mr. Walsh said they will look at this as a durational adjustment meaning they will look at it again in 5 years and see if anything has changed. The Borough would draft a list of terms and the Fair Share Housing will roll the terms into a settlement agreement.

Discussion followed.

Council will wait to see what happens with the other two 100% preservation towns that Chuck represents and discuss the matter further at the June meeting.

BOROUGH OWNED PROPERTIES-

- Nothing new to report.

SERVICE ELECTRIC CABLE TV-

- Mr. Edleston reported that she spoke to Tom Kelly, Attorney for Service Electric today and he said this can go two ways. A town can do an ascertainment hearing. He explained the

Borough would send out a questionnaire to the residents and get their comments on service and we would issue a report regarding our findings; however, almost no town does this, so what will happen is they will file an application for municipal consent by August 5th and we have 60-90 days to schedule a public hearing and give our public consent. Mr. Edleston stated a resolution would be forwarded to the Board of Public Utilities. He explained that if we do not give out consent, they have the right to challenge it in court.

Discussion followed.

PERRYVILLE STATE POLICE-

Trooper Walsh said they have had some drug activity at the Truck Stop, Citgo and on Church Street at the intersection with Main Street. Detectives are actively pursuing the same. The State Police are working with the Prosecutor's Office throughout Hunterdon and conducting a Quality of Life Initiative. The Prosecutor's Office held a meeting for parents at Central High School to discuss the Heroin epidemic that is sweeping through Hunterdon County. He advised that in the last year, heroin overdoses have increased by over 300%. Trooper Walsh stated that as part of the Initiative, they will be increasing patrols, both marked and undercover through the County at rest stops, truck stops, etc. He asked that anything suspicious be reported to the Station. Discussion followed. Mrs. Jordan will get information that can be included in the upcoming newsletter.

Trooper Walsh stated that they have no new information about the 2 recent fires in the Borough.

Trooper Walsh stated that after the last meeting he and other Troopers have patrolled the train tracks near the empty rail cars and he has not found anyone there. He advised that two Troopers did find kids with a four-wheeler and they recognized that they were cops so they struggled and loaded the four-wheeler into the back of a truck so they would not get in trouble.

NEW BUSINESS-

INTRODUCTION - ORDINANCE # 105 – 16 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 256 OF THE CODE OF THE BOROUGH OF BLOOMSBURY, ENTITLED "VEHICLES AND TRAFFIC"

BE IT ORDAINED by the Mayor and Council of the Borough of Bloomsbury, County of Hunterdon, and State of New Jersey that Chapter 256 is hereby supplemented by addition of the provisions involving intoxicated drivers/protective custody.

256-37. PROTECTIVE CUSTODY OF INTOXICATED DRIVERS

Findings.

Pursuant to N.J.S.A. 39:4-50.22, commonly known as "John's Law," a law enforcement agency that has arrested a person for a violation of N.J.S.A. 39:4-50, "Driving While Intoxicated," may impound an arrestee's vehicle and release the arrestee into the care of an individual summoned to transport or accompany the arrestee from the premises of the law enforcement agency in order to ensure that the arrestee does not again operate a motor vehicle while under the influence. When an arrestee is unable

to summon an individual to transport or accompany the arrestee from the premises of the law enforcement agency, the arrestee may present a danger to himself or others if provisions are not made to hold the arrestee in protective custody. Pursuant to N.J.S.A. 40:48-1(34) and 40:48-1.3, a municipality is authorized to enact an ordinance providing that a person who has been arrested for “Driving While Intoxicated” in violation of N.J.S.A. 39:4-50 may be held in protective custody at an appropriate police or other facility for up to eight (8) hours. The person detained shall be transferred to an appropriate facility which shall maintain the arrestee until the arrestee is no longer a danger to himself or others. The Mayor and Council find and declare that the implementation of this chapter furthers the protection of the public health, safety and welfare.

256-37.1 Protective Custody Required; Release.

Any person arrested for a violation of the provisions of N.J.S.A. 39:4-50 shall be held in protective custody at an appropriate police or other facility where the person’s condition may be monitored until the person is no longer a danger to himself or others, at which time the person shall be released from protective custody, or until he is released to the custody of an individual who can accompany him or transport him in a responsible manner. A person is no longer considered a danger to himself or others when the person’s blood alcohol concentration is less than 0.05% and the person is no longer under the influence of any intoxicating liquor or narcotic or hallucinogenic or habit-forming drug to the extent that the person’s faculties are impaired. In no event shall a person be held in protective custody for a period of longer than eight (8) hours without being provided an appropriate hearing.

256-37.2 Exceptions; Liability.

Notwithstanding the provisions of this chapter, provided that it is not a detriment to public safety, the New Jersey State Police may, because of the age, health, or safety of the arrestee, release the arrestee pursuant to the provisions of N.J.S.A. 39:4-50.22, or provide an alternative to protective custody. The Borough shall not be subject to liability if a person is released from protective custody pursuant to the provisions of this chapter.

256-37.3 Use of State Police Facilities.

Nothing in this chapter shall be construed as requiring the use of New Jersey State Police facilities by the Borough for the purposes of this chapter.

256-37.4 Incorporation of Statute.

The provisions of N.J.S.A. 39:4-50.22, as may be amended from time to time, are hereby incorporated into, and are deemed to be a part hereof.

Repealer.

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Severability.

If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

Effective Date.

This ordinance shall take effect upon passage, following a public hearing to be held thereon and publication as provided by law.

Mrs. Papics moved Council Introduce Ordinance 105-16; seconded by Mrs. Jordan.
ROLL CALLVOTE: Jordan-aye; Papics-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

INTRODUCTION – ORDINANCE 106-16 AN ORDINANCE OF THE BOROUGH OF BLOOMSBURY AMENDING CHAPTER 270, ZONING, ARTICLE XXIV: WIRELESS TELECOMMUNICATIONS EQUIPMENT AND FACILITIES AND ARTICLE XX, FEES AND DEPOSITS, TO CODIFY THE PROVISIONS OF THE MUNICIPAL LAND USE LAW REQUIRING MUNICIPAL SITE PLAN EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS AND TO CODIFY THE PROVISIONS OF FCC RULE § 1.40001 REQUIRING 60-DAY APPROVAL FOR CERTAIN CLASSES OF WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS, AND ESTABLISHING FEES THEREFORE,

Council discussed possible fee changes. Ordinance 106-16 will be held until the June meeting.

RESOLUTION # 43-16 - RESOLUTION SUPPLEMENTING RESOLUTION 36-16 CONCERNING APPOINTMENT OF BONNIE FLEMING AS TAX COLLECTOR AND JENNIFER HARRINGTON AS ASSISTANT TAX COLLECTOR FOR THE BOROUGH OF BLOOMSBURY

WHEREAS, by Resolution 36-16 adopted by the Borough of Bloomsburg on March 22, 2016, Bonnie Fleming was appointed as Tax Collector and Jennifer Harrington as Assistant Tax Collector for the Borough of Bloomsbury; and

WHEREAS, that Resolution did not reflect the term of their appointment to those positions; and

WHEREAS, it is necessary to supplement that Resolution by inclusion of the following:

1. The appointment of Sharon Brown, the Borough's former Tax Collector, should have been for a term of four (4) years, expiring December 31, 2016.
2. The appointment of Bonnie Fleming and Jennifer Harrington shall, consistent with the provisions of N.J.S.A. 40A:9-142, be for the unexpired term of Sharon Brown and shall therefore expire December 31, 2016.

Mrs. Jordan moved Council adopt Resolution #42-16; seconded by Mr. Stiehler. All ayes. Motion carried.

AUDIT OF 2015

Mr. Francisco stated that the Audit has the same annual recommendation about segregation of duties but was otherwise a good audit report. He explained that we are all aware that the state pension system is woefully underfunded and this year the state had a consultant do a survey to assign every town their fair share. The Borough of Bloomsbury share of the deficit is \$390,325.00. Mr. Francisco stated that this has to be included as a note in the audit now. Every year the Borough gets a bill for about \$14,000 and we pay it. The Towns and Counties always pay their portion, it is the State that doesn't pay their share. Brief discussion followed.

RESOLUTION # 44-16 - GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A.40a:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the section of the annual audit entitled "Comments and Recommendation"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, specifically the section of the Annual Audit entitled "Comments and Recommendation", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the Local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date of fixed compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the Borough of Bloomsbury, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Ms. Stiehler moved Council adopt Resolution #44-16; seconded by Mrs. Papics. All ayes. Motion carried.

RESOLUTION # 45-16 - BLOOMSBURY HOSE COMPANY LIQUOR LICENSE 2016

WHEREAS, the Bloomsbury Hose Company is the holder of a liquor license which is to expire June 30, 2016,

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

WHEREAS, there appear to be no reasons to deny renewal of the aforesaid liquor license,

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

1. The liquor license of the Bloomsbury Hose Company No. 1 be and the same is hereby extended for the one-year period beginning July 1, 2016 and terminating June 30, 2017.
2. Nothing herein shall be construed as relieving the license holder to the obligation to fully comply with all state and municipal regulations relating to the license holder.

Mrs. Jordan moved Council adopt Resolution # 45-16; seconded by Mrs. Papics. All ayes. Motion carried.

RESOLUTION #46-16 -BOROUGH OF BLOOMSBURY DECLARATION OF OFFICIAL POLLING PLACE

BE IT RESOLVED; the Official Polling Place for all elections in the Borough of Bloomsbury shall be the Riverview Banquet Hall; 91 Brunswick Avenue, Bloomsbury, NJ 08804.

Mrs. Papics moved Council adopt Resolution # 46-16; seconded by Mr. Stiehler. All ayes. Motion carried.

RESOLUTION # 47-16 - RESOLUTION ENDORSING SEPTIC ALTERATION APPLICATION SEPTIC SYSTEM WAIVER REQUEST BLOCK 22; LOTS 5 & 7; 103 & 105 NORTH STREET

WHEREAS, application has been received for a septic system waiver request for Block 22, Lots 5 & 7; 103 & 105 North 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 May 20, 2016 as follows:

1. The toe of the mound is only 2' from the property line. This is not a violation of the State Statute, but does violate the County policy of having 10' separation distance.
2. The components of the septic system are located on separate lots.

WHEREAS, the Borough Engineer's letter concludes that the existing system will be replaced and by 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 proposed septic system 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:

1. The applicant shall provide a recorded deed consolidating the 2 lots. This is a zoning requirement as there will be an accessory use located on Lot 5 without principal use with the current proposal
2. A final inspection of the grading by Rick Roseberry shall be required. A swale may need to be constructed along common line with Lot 1 to direct stormwater to North Street.
3. Since the existing septic system is being removed, notes should be added to the plan to specify the disposal location for the contaminated soil.

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

Mrs. Papis moved Council adopt Resolution # 47-16; seconded by Mrs. Jordan. All ayes. Motion carried.

EAGLE SCOUT PROJECT

Sean Merkel, 69 Church Street stated that he would like to do his Eagle Scout Project in town. He explained that he would like to add steps to the path in the woods that leads from the park to the railroad tracks. He measured an area of about 120' and would like to place 6 steps throughout the area and they would be 8' wide by 6' long and 7" high and would be filled with a gravel base and wood mulch on top. Poison ivy and weeds will be removed and overhanging tree limbs would be trimmed. Mr. Merkel stated that he would also like to add a second fence to the top of the hill to prevent ATV's and dirt bikes from using the path. Areas without steps would be leveled and filled. Discussion followed.

Mr. Creveling will contact State Code to get Mr. Merkel additional information. Mr. Merkel will contact the Borough Engineer to discuss specifics of his proposal.

CORRESPONDENCE

Mrs. Tersigni stated we will participate in the County road salt program again this year.

PUBLIC COMMENT

No comment.

Mrs. Papics asked what happened with the repair to a property on Main Street mentioned last weekend. She asked why after all this time is someone complaining about something that should have been taken care of a long time ago when property owners up and down the street fixed their own issues.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 8:27 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
JUNE 28, 2016**

The regular meeting of the Mayor and Council was held on June 28, 2016 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 Kim Francisco.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 21, 2016 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: Kathleen Jordan Al Stiehler - excused
Vicky Papics Martha Tersigni, Mayor
Chris Smith - excused Sarah Stiehler – excused
Eric Weger William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the regular meeting minutes of April 26, 2016; seconded by Mrs. Jordan. All ayes. Weger-abstain. Motion carried.

Mrs. Jordan moved Council approve the regular meeting minutes of May 24, 2016; seconded by Mrs. Papics. All ayes. Weger-abstain. Motion carried.

TAX COLLECTOR'S REPORT

Mr. Weger moved Council approve the Tax Collector's Monthly Report dated May 31, 2016; seconded by Mrs. Jordan All ayes. Motion carried.

APPROVAL OF BILL LIST

Mrs. Papics moved Council approve the Bill List of June 28, 2016; seconded by Mr. Weger.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye; Tersigni-aye. Motion carried.

COMMITTEE REPORTS

K. Jordan:

Newsletter-

- Mrs. Jordan stated that she still needs to do the newsletter and needs to get together with Mrs. Arlotto about when they will have the joint meeting.

M. Tersigni:

Planning Board-

- Mrs. Tersigni reported the resolution granting Growmark preliminary and final site plan approval was adopted at the June 21st meeting and work will begin sometime this summer.

- The Planning Board established a subcommittee for further exploration of a redevelopment overlay.

2016 Tax Appeals-

- Mrs. Tersigni spoke to Mr. Edleston and understands another one was withdrawn.

Street Sweeping-

- Mrs. Tersigni stated the street sweeping was done but there was a lack of compliance with the no parking rules.

Paving -

- Paving is scheduled to begin on August 8th.

DPW Supervisor Position –

- The Ad went out and Walt's last day is July 31st. Mr. Weger, Mrs. Papics and Mr. Stiehler will participate in interviews.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- Council reviewed a letter from Mrs. Tersigni to Governor Christie dated June 21, 2016.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Mr. Edleston reported that he received a proposed settlement from Fair Share Housing and it does not address the Borough's issue that we simply can't provide any low income housing. He explained it would state that we recognize that there is a need and a number that we have been provided but Martha would be reluctant and he would hesitate to advise her to sign any agreement because we know we cannot provide that number. Discussion followed. Mr. Edleston will work with Mr. McGroarty to draft a response reminding them that we are one of four municipalities in the state that are completely within the preservation zone.

BOROUGH OWNED PROPERTIES-

- Mrs. Tersigni stated she is aware there is a sink hole at 99 North and she has reached out again to Rick and he will schedule removal of the lids with the DPW to take a look inside.

CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Code Enforcement Report of June 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

NEW BUSINESS-

SECOND READING - ORDINANCE # 105 – 16 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 256 OF THE CODE OF THE BOROUGH OF BLOOMSBURY, ENTITLED “VEHICLES AND TRAFFIC”

BE IT ORDAINED by the Mayor and Council of the Borough of Bloomsbury, County of Hunterdon, and State of New Jersey that Chapter 256 is hereby supplemented by addition of the provisions involving intoxicated drivers/protective custody.

256-37. PROTECTIVE CUSTODY OF INTOXICATED DRIVERS

Findings.

Pursuant to N.J.S.A. 39:4-50.22, commonly known as “John’s Law,” a law enforcement agency that has arrested a person for a violation of N.J.S.A. 39:4-50, “Driving While Intoxicated,” may impound an arrestee’s vehicle and release the arrestee into the care of an individual summoned to transport or accompany the arrestee from the premises of the law enforcement agency in order to ensure that the arrestee does not again operate a motor vehicle while under the influence. When an arrestee is unable to summon an individual to transport or accompany the arrestee from the premises of the law enforcement agency, the arrestee may present a danger to himself or others if provisions are not made to hold the arrestee in protective custody. Pursuant to N.J.S.A. 40:48-1(34) and 40:48-1.3, a municipality is authorized to enact an ordinance providing that a person who has been arrested for “Driving While Intoxicated” in violation of N.J.S.A. 39:4-50 may be held in protective custody at an appropriate police or other facility for up to eight (8) hours. The person detained shall be transferred to an appropriate facility which shall maintain the arrestee until the arrestee is no longer a danger to himself or others. The Mayor and Council find and declare that the implementation of this chapter furthers the protection of the public health, safety and welfare.

256-37.1 Protective Custody Required; Release.

Any person arrested for a violation of the provisions of N.J.S.A. 39:4-50 shall be held in protective custody at an appropriate police or other facility where the person’s condition may be monitored until the person is no longer a danger to himself or others, at which time the person shall be released from protective

custody, or until he is released to the custody of an individual who can accompany him or transport him in a responsible manner. A person is no longer considered a danger to himself or others when the person's blood alcohol concentration is less than 0.05% and the person is no longer under the influence of any intoxicating liquor or narcotic or hallucinogenic or habit-forming drug to the extent that the person's faculties are impaired. In no event shall a person be held in protective custody for a period of longer than eight (8) hours without being provided an appropriate hearing.

256-37.2 Exceptions; Liability.

Notwithstanding the provisions of this chapter, provided that it is not a detriment to public safety, the New Jersey State Police may, because of the age, health, or safety of the arrestee, release the arrestee pursuant to the provisions of N.J.S.A. 39:4-50.22, or provide an alternative to protective custody. The Borough shall not be subject to liability if a person is released from protective custody pursuant to the provisions of this chapter.

256-37.3 Use of State Police Facilities.

Nothing in this chapter shall be construed as requiring the use of New Jersey State Police facilities by the Borough for the purposes of this chapter.

256-37.4 Incorporation of Statute.

The provisions of N.J.S.A. 39:4-50.22, as may be amended from time to time, are hereby incorporated into, and are deemed to be a part hereof.

Repealer.

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Severability.

If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

Effective Date.

This ordinance shall take effect upon passage, following a public hearing to be held thereon and publication

as provided by law.

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

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

Mr. Weger moved Council adopt Ordinance 105-16; seconded by Mrs. Jordan.

ROLL CALL VOTE: Tersigni-aye; Jordan-aye; Papics-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

INTRODUCTION – ORDINANCE 106-16 AN ORDINANCE OF THE BOROUGH OF BLOOMSBURY AMENDING CHAPTER 270, ZONING, ARTICLE XXIV: WIRELESS TELECOMMUNICATIONS EQUIPMENT AND FACILITIES AND ARTICLE XX, FEES AND DEPOSITS, TO CODIFY THE PROVISIONS OF THE MUNICIPAL LAND USE LAW REQUIRING MUNICIPAL SITE PLAN EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS AND TO CODIFY THE PROVISIONS OF FCC RULE § 1.40001 REQUIRING 60-DAY APPROVAL FOR CERTAIN CLASSES OF WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS, AND ESTABLISHING FEES THEREFORE,

Mr. Edleston stated that he has not had time to review the same so Ordinance 106-16. Mrs. Tersigni stated that the Ordinance will be tabled until the July meeting.

RESOLUTION # 48-16 - RESOLUTION ENDORSING SEPTIC SYSTEM WAIVER REQUEST BLOCK 13; LOT 11; 39 CHURCH STREET

WHEREAS, application has been received for a septic system waiver request for Block 13, Lot 11; 39 Church 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 June 10, 2016 as follows:

3. The proposed septic and pump tanks will be only 6 feet from the existing structure, which does not meet the 10' offset requirement.
4. The proposed grease tank will be only 7 feet from the existing structure, which does not meet the 10' offset requirement.

5. The proposed disposal bed will be only 12' from the existing structure, which does not meet the 25' setback requirement.

WHEREAS, the Borough Engineer's letter recommends the Board approve the waiver requests and authorize him to sign the TWA application;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the proposed septic system 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:

4. The applicant shall install low-flow water fixtures, including faucets, showerheads, and toilets.

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 #48-16; seconded by Mrs. Jordan. All ayes.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye; Tersigni-aye. Motion carried.

CORRESPONDENCE

Council reviewed correspondence.

PUBLIC COMMENT

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 7:44 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
July 2016**

No July 2016 Bloomsbury Borough Council Meeting

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
AUGUST 23, 2016**

The regular meeting of the Mayor and Council was held on August 23, 2016 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 A. Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 21, 2016 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:	Kathleen Jordan - excused	Al Stiehler
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	Sarah Stiehler
	Eric Weger - absent	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

The June Meeting Minutes will be held until the September meeting.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Reports of June 30, 2016 & July 31, 2016; seconded by Mr. Stiehler. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Stiehler moved Council approve the Bill Lists of July 26, 2016 & August 23, 2016; seconded by Mrs. Papics.

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

ZONING/CODE ENFORCEMENT REPORT

Mr. Stiehler moved Council accept the Zoning Report of July/August 2016; seconded by Mrs. Papics. All ayes. Motion carried.

COMMITTEE REPORTS

A. Stiehler:

Bethlehem/Bloomsbury Joint Court-

- Mr. Stiehler reported that he and Mr. Francisco met with Bethlehem Township to review the draft court agreement last week. They requested a few changes and they expect a new draft to be available soon. Mr. Stiehler stated the contract should be ready for inclusion on the September or October Agenda for Council consideration.

CLERK/ADMINISTRATOR REPORT

Crossing Guards-

- The Clerk reported that recently she was advised both the pm Crossing Guard and the substitute are no longer available for the 2016/2017 school year. With School starting in a few weeks, she sent out an email blast asking for interested parties to apply as soon as possible. The Clerk stated that within days she received two applications and that both have recently had background checks completed. She explained that she, Mrs. Papics & Mrs. Tersigni conducted interviews on Monday and are prepared to make a hiring recommendation to Council.
- The Clerk stated that she is not sure what if any additional safety equipment may be needed such as reflective vests, jackets & stop signs but estimated the cost to be around a few hundred dollars at most. She would like to have a spare vest and stop sign kept at Borough Hall for Mr. Creveling to use if need be, and also a spare set at the school.

Clean Communities Program-

- The Clerk reported that she organized two Clean Communities Grant Program Events in the Borough recently. She explained that 6 volunteers from Girl Scout Troop #91298 assisted with a Graffiti Abatement Event at the Borough Park on August 6, 2016 painting the pavilion and the tables. The Clerk reported that on August 12, 2016, Volunteers, Borough Employees, The Bloomsbury Hose Company and Trooper Brian Walsh from the NJSP worked with her at a Road Side Litter Clean Up Event. She explained they were able to remove 11 bags of litter and several large debris items from the roadside. Both events were a success and the Clerk looks forward to planning similar events in the near term to utilize the 2016 grant.

V.Papics:

OEM-

- Mrs. Papics reported that she attended the OEM meeting last week and the Red Cross will be giving out smoke detectors free of charge. She will be discussing the opportunity with the Bloomsbury Hose Company to see how this could benefit Bloomsbury residents.

Bloomsbury Hose Company-

- Mrs. Papics reported that the Bloomsbury Hose Company is still voicing their concern for low limbs on Musconetcong Drive, School Street and Milford Road. The Clerk will report the same to Mr. Creveling again.

M. Tersigni:

Planning Board-

- Mrs. Tersigni reported the August Planning board meeting was canceled due to lack of pending business.

Fire Inspection-

- Mrs. Tersigni stated that she believes that all violations found at the garage have been cured and no fines were levied.

Mower Repair-

- Mrs. Tersigni thanked Eric Weger & Scott Gonzalez for their work in repairing the Mower and saving the tax payers over \$600.00.

Street Lights-

- Mrs. Tersigni reminded everyone that if there are any street lights out, they should be reported to JCP&L. She explained that she does her best to take note of any she sees and go back out the next day to get the information, but it is difficult for her to personally cover the whole town.

OLD BUSINESS-

BRUNSWICK AVENUE PHASE I-

- Nothing new to report.

SRTS –

- No response has been received to date from the Governor’s Office.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Mr. Edleston reported that he sent a letter to Kevin Walsh, Counsel for the Fair Share Housing Center requesting that because the Borough is 100% within the Highland’s Preservation Area, that they allow a 100% discount from any obligation that may be assigned to us. He advised that he has not yet received a response from Mr. Walsh, but that Ms. McKenzie stated that we may be able to get a durational adjustment so that we have no immediate obligation but that if restrictions should be lifted in the future then the Borough would have to provide a certain number of units. Brief discussion followed.

COURT REVENUE REPORT-

- Mrs. Tersigni reported that the court revenue numbers are lower than anticipated.

NEW BUSINESS-

INTRODUCTION – ORDINANCE 106-16 - AN ORDINANCE SUPPLEMENTING THE CODE OF THE BOROUGH OF BLOOMSBURY BY INCLUDING A PROVISION

CONCERNING MUNICIPAL LAND USE PROCEDURES REGARDING SITE PLAN EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS AND ESTABLISHING FEES THEREFOR

BE IT ORDAINED that Chapter 270 of the Code of the Borough of Bloomsbury entitled “Zoning” is hereby supplemented by inclusion of the following provision:

Section 1.
Chapter 270: Land Use, Article XXII
Fee Schedule, § 270-168 F

Telecommunications Installation is hereby supplemented and amended by adding the following new Subsection §270-168.F.3 and F.4 as follows:

- (3) Site plan exempt application fee: \$450.00
- (4) Site plan exempt application escrow deposit for professional review: \$1,500.00

Section 2.
Chapter 270: Zoning, Article XXIV
Wireless Communication Equipment and Facilities, § 270-184.1

Permitted use and conditional use treatment is hereby supplemented and amended to read as follows:

§ 270-184.1

Permitted use and conditional use treatment.

- A. Notwithstanding anything contained elsewhere in this chapter to the contrary, the installation of wireless telecommunications antennas on existing structures, subject to minor site plan approval or site plan exemption determination for collocation pursuant to N.J.S.A. 40:55D-46.2 under Sections 270-188 and Section 270-191 of this article and consistent with the visual compatibility requirements of Section 270-185 below, shall be a permitted use in all nonresidential zone districts and a conditioned use in all residential zone districts of the Borough. When proposed as a conditional use, the applicant shall meet the standards of § 270-186.

Section 3
Chapter 270: Zoning, Article XXIV
Wireless Communication Equipment and Facilities, § 270-191 (new section)

Collocation and shared facilities and sites is hereby amended to read as follows:

§270-191

Collocation and shared facilities and sites.

191.1 Federal Communications Commission (FCC) licensed wireless telecommunications providers are encouraged to construct and site their facilities with a view toward sharing facilities with other utilities, collocating with other existing wireless facilities and accommodating the collocation of other future facilities where technically, practically and economically feasible.

191.2 **Wireless Telecommunications collocation site plan waiver.**

(1) M.L.U./L. wireless communications equipment collocation pursuant to N.J.S.A. 40:55D-46.2.

(a) An application for development to collocate wireless communications equipment on a wireless communications support structure and/or in an existing equipment compound in accordance with N.J.S.A. 40:55D-46.2 shall not be subject to site plan review in accordance with the following provisions:

[1] The wireless communications support structure shall have been previously granted all necessary approvals by the appropriate approving authority;

[2] The proposed collocation shall not increase

(a) the overall height of the wireless communications support structure by more than ten percent of the original height of the wireless communications support structure,

(b) the width of the wireless communications support structure, or

(c) the square footage of the existing equipment compound to an area greater than 2,500 square feet;

[3] The proposed collocation complies with the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which variance relief would be required pursuant to P.L.1975, c.291 (C.40:55D-1, et seq.), or any other applicable law, rule or regulation.

(b) For purposes of this section, the following definitions apply:

“Equipment compound” means an area surrounding or adjacent to the base of a wireless communications support structure within which is located wireless communication equipment.

“Collocate” means to place or install wireless communications equipment on a wireless communications support structure.

“Wireless communications equipment” means the setup of equipment and network components used in the provision of wireless communications services, including but not limited to, antenna, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cabling, and coaxial and fiber optic cable, but excluding wireless communications support structures.

“Wireless communications support structure” means a structure that is designed to support, or is capable of supporting, wireless communications

equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

(c) Submission requirements:

- [1] An application pursuant to N.J.S.A. 40:55D-46.2 shall submit an application, plans and documents for a proposed wireless communications equipment collocation and site plan exemption identifying (1) existing equipment compound, (2) wireless communications equipment, (3) wireless communications support structure at the site, and (4) the proposed collocation installation, modifications with all equipment and components to the Bloomsbury Borough Zoning Officer for review and confirmation that the proposed collocation conforms to the requirements of § 270-191.2 (1)(a)[1]-[3].
- [2] Application Fee: The applicant shall submit an application fee pursuant to § 270-168.F.3.
- [3] Escrow Fee: The applicant shall establish an escrow account and deposit the required fee pursuant to § 270-168.F.4.
- [4] Copies of all Bloomsbury Borough approvals granted for the existing tower, structure(s), antennas, compound, equipment cabinets, landscaping, utilities, etc. shall be submitted to the Zoning Officer.
- [5] Plans and specifications identifying existing equipment compound, wireless communications equipment, wireless communications support structure and proposed collocation wireless communications equipment and improvements at the collocation wireless communications facility shall be submitted to the Zoning Officer. Plans and specification shall identify the owner/operator/responsible party for each wireless communications installation on site, including equipment compound, wireless communications equipment, wireless communications support structure, etc. The plans and specifications shall be fully dimensioned and appropriately scaled for the Zoning Officer to confirm existing and proposed equipment compound, wireless communications equipment, wireless communications support structure and compliance with each of the provisions of § 270-191.2 (1)(a)[1]-[3] and N.J.S.A. 40:55D-46.2.

(d) Application review:

- [1] Within 10 days of receipt of an application for a proposed wireless communications equipment collocation and site plan exemption, the Zoning Officer shall review the application and verify whether the proposed collocation application and submission documents are complete. The Zoning Officer shall inspect the proposed collocation wireless communications facility and verify the accuracy of the plan and documents submitted and that the proposed collocation conforms to the requirements of § 270-191.2 (1) (a) above. The Zoning Officer may consult with the Borough or

Board Engineer, Planner and Attorney in the review of the application and submission documents and conduct of inspections. All costs associated with application review shall be paid by the applicant in accordance with N.J.S.A. 40:55D-53.2.

- [2] Upon finding that required plans and documents have been submitted and that (1) the improvements at the proposed collocation wireless communications facility are completely and accurately detailed in the submission, and (2) that the proposed wireless communications equipment collocation conforms to each of the requirements of § 270-191.2(1)(A)[1]-[3] and N.J.S.A. 40:55D-46.2, the Zoning Officer shall issue a zoning permit and a letter to the applicant indicating that the proposed wireless communications equipment collocation and site plan exemption has been approved pursuant to N.J.S.A. 40:55D-46.2.
- [3] A copy of the zoning permit and letter approving a wireless communications equipment collocation shall be provided to the Borough Council and Planning Board.
- [4] The provisions of this section may not be combined with the provisions § 270-191.2(2) to determine the eligibility of a proposed collocation equipment installation under the provisions of this section and M.L.U.L. 40:55D-46.2.

(2) Existing Tower or base station modification / Eligible Facilities site plan waiver pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and FCC Rule § 1.40001.

(a) An Eligible Facilities Request for a modification to an existing tower or base station pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and FCC Rule § 1.40001 shall not be subject to site plan review in accordance with the following provisions:

(b) For purposes of this section, the following definitions apply:

“Base Station” means a structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- (i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services such as microwave backhaul.
- (ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power, supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
- (iii) The term includes any structures other than a tower that, at the time the relevant application is filed with the state or local government under this section, supports or houses equipment described in paragraphs (b) (1) (I)-(ii) of this section that has been reviewed and

approved under the applicable zoning process, even if the structure was not built for the sole or primary purpose of providing such support.

- (iv) The term does not include any structure that, at the time the relevant application is filed with the state or local government under this section, missing documents or information that were not delineated in the original notice of incompleteness.
- (4) **Failure to Act.** In the event the Zoning Officer fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- (5) **Remedies.** Applicants and reviewing authorities may bring claims related to Section 6409(a) of the Spectrum Act (codified at 47 U.S.C. 1455) to any court of competent jurisdiction.

Section 4.
Chapter 270

All other provisions of Chapter 270 not modified herein shall remain unchanged and in full force and effect.

Section 5.
Chapter 270: Severability

If the provisions of any article, section, subsection, paragraph, subdivision, clause or application of the Ordinance shall be judged invalid by any court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, subdivision, clause or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 6.
Chapter 270

This Ordinance may be renumbered for codification purposes.

Section 7.
Chapter 270: Effective date

This Ordinance shall take effect immediately upon final passage, publication according to law, and filing a copy thereof with the Hunterdon County Planning Board.

Mrs. Tersigni asked if there was a paragraph that addresses the other fees. Discussion followed.

Mrs. Papics moved Council Introduce Ordinance # 106-16; seconded by Mr. Stiehler.
ROLL CALL VOTE: Tersigni-aye; Papics-aye; A. Stiehler-aye; S. Stiehler-aye. Motion carried.

Ordinance #106-16 will be sent back to the Planning Board for their review.

CONSENT AGENDA

Mrs. Tersigni stated that the following Resolutions will be considered by Council via Consent Agenda.

RESOLUTION # 49-16 - STREET CLOSURE FOR THE SPOOKY SPRINT

WHEREAS, the Mayor and Council of the Borough of Bloomsbury hereby endorse a 5K Run hosted by the Bloomsbury Elementary School PTO to be held on October 29, 2016; and

WHEREAS, the walk will begin at 9:00 am and the run will begin at 9:15 am; 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 are 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.

RESOLUTION # 50-16 - CHURCH OF THE ANNUNCIATION 50/50 RAFFLE & DRAW RAFFLE

WHEREAS, the Church of the Annunciation is the licensee on the application to conduct an On-Premise 50/50 Raffle & Draw Raffle, to be held on September 11, 2016 at the 80 Main Street, Bloomsbury, New Jersey from 1:00 pm – 6:00 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 & Draw Raffle,

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

1. The On-Premise 50/50 raffle & Draw Raffle applications are approved contingent to the Legalized Games of Chance Control Commission approving said application.

RESOLUTION # 51-16 - RESOLUTION REQUESTING THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT AN EXEMPTION TO THE BOROUGH OF BLOOMSBURY FROM THE REQUIREMENT TO APPOINT A CERTIFIED PRINCIPAL PUBLIC WORKS MANAGER FOR THE PERIOD DECEMBER 24, 2016 THROUGH DECEMBER 23, 2021.

WHEREAS, N.J.S.A. 40:9-154.6 et seq. requires each municipality to appoint a certified principal public works manager, and

WHEREAS, N.J.S.A. 40:9-154.6 et seq. allows the Director of the Division of Local Government to grant an exemption from this requirement if the municipality conducts minimal public works activities, and

WHEREAS, the Borough of Bloomsbury conducts minimal public works activity and was granted exemptions in 1996, 2001, 2006 and 2011, and

WHEREAS, the Borough's current exemption expires on December 23, 2016,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Bloomsbury Council requests the Director of Local Government Services exempt the Borough of Bloomsbury from appointing a Certified Principal Public Works Manager for the period December 24, 2016 through December 23, 2021 because it provides minimal public works activities.

RESOLUTION # 52-16 - A RESOLUTION CANCELLING THE UNEXPENDED BALANCE OF \$4,399.38 FROM CAPITAL ORDINANCE 103-14.

WHEREAS, The Council of the Borough of Bloomsbury previously adopted Capital Ordinance 103-14 for \$25,000 for the purchase of the Stone property, and

WHEREAS, The purchase was completed at a cost of \$20,600.62 leaving an unexpended balance of \$4,399.38, 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:

RESOLUTION 53-16 - A RESOLUTION NAMING FIRST BANK, FLEMINGTON, NJ AN OFFICIAL DEPOSITORY FOR BOROUGH FUNDS.

WHEREAS, The Council of the Borough of Bloomsbury previously passed Resolution # 2-16 naming official depositories for Borough Funds, and

WHEREAS, The Borough would like to add First Bank, Flemington, NJ to the list of official depositories,

NOW, THEREFORE, BE IT RESOLVED, that First Bank, Flemington, NJ is authorized as an official depository for all Borough funds, certificates of deposits, and bond anticipation notes.

RESOLUTION # 54-16 - RESOLUTION APPOINTING A CLEAN COMMUNITIES COORDINATOR 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 Lisa A. Burd Reindel, is hereby designated Clean Communities Coordinator for the Borough of Bloomsbury for 2016.

Mr. Stiehler moved Council adopt Resolutions 49-16, 50-16; 51-16, 52-16, 53-16 & 54-16 via consent agenda; seconded by Mrs. Papics.

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

RESOLUTION # 55-16 - RESOLUTION APPOINTING CROSSING GUARDS FOR 2016/2017 SCHOOL YEAR

The Mayor and Council of the Borough of Bloomsbury do hereby appoint Donna Vanya as AM Crossing Guard; Lisa Hutchison as PM Crossing Guard and Susan Galuppo as substitute Crossing Guard. All Crossing Guards will be paid \$14.00 per shift.

Mr. Stiehler moved adopt Resolution # 55-16; seconded by Mrs. Papics.

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

WOODLAND TERRACE PARKING

Mrs. Tersigni stated this an ongoing issue and we get calls about it periodically and the Clerk has

people stop in at Borough Hall about the same. The current parking situation only allows for parallel parking on any street in the Borough unless otherwise designated. Because of the historical use of the cul-de-sac by residents who live there, she asked the Engineer to come up with where placement of head on parking could be if authorized by Ordinance. The Zoning Officer sent a letter to every resident on Woodland Terrace to let them know that this was going to be discussed by Council. The Clerk noted that the last time this was discussed was about 5 years ago. Mrs. Tersigni stated that if we have nose in parking, the spaces would all have to be striped. It was estimated that if only legal parallel parking took place, there would be about 10 spaces and the Engineer's drawing of proposed head on parking would allow for 12 spaces. Council discussion continued. The Clerk explained that technically right now, you can only park parallel to the curb lawfully unless an ordinance is adopted to allow for head on. Mrs. Tersigni noted that the Fire Department had expressed concern in the past about the unlawful parking and this proposal has not been brought to their attention. The Clerk stated that she gets complaints from residents that parking is an issue on the cul-de-sac, that not only are people parking head on, but they often double up, parking one behind the other in this manner. Mrs. Tersigni stated that it is a misconception that everyone is happy with this sort of self control by residents who live there, because complaints are received and we know not everyone is happy with it.

Pat Kozlowski – 8 Woodland Terrace asked if what the Council was reviewing was a proposed Ordinance change. Mrs. Tersigni stated that it is what the Engineer drafted that could be allowed. The Clerk confirmed that it would need to be adopted by Ordinance.

Cathy Stephano – 14 Woodland Terrace said that when she read the current code and she noted that there are designated areas in the Borough that do allow head on parking. Mrs. Tersigni stated that is correct and if this change was adopted, it would be included in the code as well. Mrs. Stephano asked what the issue is other than a five years ago when the Fire Department had an issue with it. She stated that it is working currently and asked why it needs to be fixed. The Clerk stated that she receives complaints every year about the parking situation, reporting that people are nose in parking, etc. and it is difficult to get around. She explained that technically her response should be to notify the Code Enforcement Officer or the NJSP so that the current code can be enforced which is only parallel parking. She stated that because this situation has been going on for so long, the Borough didn't want to have any residents ticketed for the same and that is why this issue is being considered by Council tonight. Mrs. Stephano asked if a warning couldn't be issued, rather than a ticket and questioned why it had to go that far. The Clerk stated that the Borough has taken this exact position with regard to this matter. She explained that in accordance with Borough Code, anyone parked head on could be ticketed, but that they have asked Mr. Creveling not to ticket, and in the past he has sent letters, but not ticketed anyone. She further explained that the Borough has no control over the State Police but that she has not heard that they have ticketed anyone either. The Clerk stated that the Borough is in a difficult position because residents who have complained feel we are not doing our job by not ticketing those who are parked illegally.

Vince Stephano – 14 Woodland Terrace stated that it was during the winter when the cul-de-sac was not cleared back to the curb that the fire department came and had an issue with the parking. He stated that this was because the street was snow packed out about 10' – 15' from the curb because the DPW did not clear the street properly. Mr. Stephano stated that he doesn't understand

how the Engineer came up with only 10 spaces but he is in favor of head on parking. He stated that all of the homes are single car garages and they are duplexes. He said he can't park a single car in front of his home and the current Ordinance is a hardship for them. He estimated there are only a few spaces available if they parallel park and the 12 proposed would be a great improvement.

Mr. Edleston asked if the Engineer had considered angle parking. Mrs. Tersigni stated she assumes this is the best he could come up with.

Vita Bello – 10 Woodland Terrace stated that what Vince said about everyone having one parking space in their driveway may be true but several of them have steep inclines and she will not be paying for another transmission in another vehicle so she will be parking on the street. She stated that she doesn't see a difference between the new proposal and what they are doing right now. Mrs. Tersigni stated that what they are doing right now is not permitted under the ordinance and in order to have it be permitted, Council would need to adopt an ordinance and parking would have to be between lines.

Rich Bello – 10 Woodland Terrace said he doesn't know who can be complaining but it is not anyone living on the cul-de-sac. He said he has lived there for 20 years and they have always parked this way and never had a complaint. He added that on holidays there are more cars there and everyone respects everyone's driveway, they try not to park in front of anyone's mailbox and they all respect each other so there is really not an issue. Mrs. Tersigni stated that what they are currently doing isn't lawful and Council is trying to make it lawful for them. Mr. Stiehler stated that Council is trying to address the issue and get it fixed so in the future if there is a similar complaint we can say that it is striped, and lawful. Mr. Bello asked if there was a guarantee that they will not be ticketed if they continue to park this way until the ordinance is adopted. Council stated that they cannot make such a guarantee but they have asked the Code Enforcement Officer not to issue any tickets at this time. Discussion followed.

Dennis Kane – 13 Woodland Terrace stated that both catch basins near his home need to be repaired. The Clerk will inquire with the DPW about the same.

Rob Walsh – Woodland Terrace stated that he is in favor of head on parking but he is concerned about the cross hatch area on the plan. He questioned if the spaces need to be striped at all. The Clerk will include his question when contacting the Engineer.

The Clerk will forward a draft of the meeting minutes to all absent Council members so they will be aware of tonight's discussion and ask all Council members to email her any questions they may have. She then pull together an email to Mr. Roseberry with everyone's questions or concerns, try to ascertain total cost for the Engineer's plans, the Attorney's time to write the Ordinance, the cost of publication, striping, etc. and have that information for Council consideration at the September meeting.

SERVICE ELECTRIC FRANCHISE RENEWAL

Council agreed it would be best to hold the public hearing on a Council meeting night. Mr. Edleston will email the Clerk the public notice and a specific timeline for the 2 publications and

the public hearing date tomorrow so she can arrange for the same.

CORRESPONDENCE

Council reviewed correspondence.

PUBLIC COMMENT

Vita Bello – 10 Woodland Terrace asked who enforces the five minute idling law in the Borough. She said trucks are out there for 15 – 20 minutes running constantly all day long. She asked if she needs to call NJSP each time. Mr. Stiehler stated that she can do so, that a big part of the issue is that they respond, send them away, then the trucks are back again 30 minutes later. She stated that no one else hears it or smells it or has to deal with it. Mrs. Bello stated that she is also concerned about the construction, that she knows Council sat back and said sure construct what you need to, but they are working at 5 am. The Clerk asked what construction she was referring to. Mrs. Bello clarified that her concerns are at Growmark, not at the truck stops. Mrs. Tersigni stated that in the past residents have called the State DEP with idling complaints

The Clerk stated that Growmark always been a good neighbor and very responsive to any residents’ concerns in the past. She asked that Mrs. Bello allow her an opportunity to reach out to Growmark about her concerns and give them time to address the same before contacting the State Police of DEP.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Ms. Stiehler; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:25 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
SEPTEMBER 27, 2016**

The regular meeting of the Mayor and Council was held on September 27, 2016 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 A. Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 21, 2016 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:	Kathleen Jordan	Al Stiehler
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith	Sarah Stiehler - excused
	Eric Weger	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of June 28, 2016; seconded by Mrs. Jordan. All ayes. Mr. Stiehler-abstain. Motion carried.

Mrs. Papics moved Council approve the Regular Meeting Minutes of August 23, 2016; seconded by Mr. Stiehler. All ayes. Mrs. Jordan & Mr. Weger abstain. Mrs. Tersigni –aye. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Jordan moved Council approve the Tax Collector's Reports of August 31, 2016; seconded by Mr. Stiehler. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Francisco pointed out that he transferred \$250,000 from PNC to First Bank because they offered 2% interest and PNC only gave us .05%. He stated that he has been holding the invoices for Elizabeth McKenzie but feels it is time we pay them and they are included on the bottom of the bill list. Discussion followed.

Mr. Weger moved Council approve the Regular Bill List of September 27th including \$291,743.10 from the Current Fund and \$97.40 from the Unemployment Trust; seconded by Mrs. Jordan. ROLL CALL VOTE: Jordan-aye; Papics-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

Mr. Weger voiced his strong concern and opposition to paying five invoices from Elizabeth McKenzie for COAH matters. Brief discussion followed. Mr. Weger asked what would happen if

we do not pay them. Mr. Edleston stated that the Judge would make us pay and could fine the Borough.

Mrs. Jordan moved Council approve the second portion of the September 27, 2016 Bill List for invoices from Elizabeth McKenzie totaling \$1,625.00; seconded by Mrs. Papics.

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

ZONING/CODE ENFORCEMENT REPORT

Mr. Smith moved Council accept the zoning report of September 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

COMMITTEE REPORTS

M. Jordan:

Board of Education-

- Mrs. Jordan stated that the feasibility study is not complete but there is a letter posted on the website about the status of the same.
- Mrs. Jordan stated that during policy discussions the Board requested she ask the Borough Council about their policy on use of drones at the Borough Park. She explained that they are not permitted at school events but there was a question about when the school holds events like field day of school property. Brief discussion followed. Mrs. Jordan will let the School Board know that there are currently no Borough Ordinances regulating the use of drones.

A. Stiehler:

Bethlehem/Bloomsbury Joint Court-

- Mr. Stiehler reported that they had a few questions about the legal fees, but they will watch to see that it is not included next year. Bethlehem Township would also provide a budget and include Bloomsbury in decisions about Capital Expenditures for the Court. Mr. Francisco stated that we will get just under \$800 back from last year.

CLERK/ADMINISTRATOR REPORT

Ellmaker Lane –

- The Clerk reported she received a quote from Pip's Paving for paving Ellmaker Lane for \$3,900. She explained that Mr. Francisco has confirmed that this can be handled this year as an emergency repair due to the storm damage. Discussion followed.

Mr. Weger moved Council authorize the agreement for paving Ellmaker Lane; seconded by Mrs. Jordan.

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

Garage Door Repairs-

- The Clerk reported that she received an estimate from Richard Miller & Sons, Inc. for \$1,515.00 to do additional repairs to the DPW Garage doors. She explained that several weeks ago a cable broke and the DPW employees could not get the door up to take a truck out. The repairs would be replace the other two cables and the lower door sections of all three. Brief discussion followed.

Mr. Smith moved Council authorize the work to the garage doors by Richard Miller & Sons, Inc.; seconded by Mrs. Jordan.

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

Records Disposal/Archive-

- The Clerk reported that she received a new estimate for copying documents and map which require permanent retention. She will continue to go through the boxes in the meeting room and hopes to move forward with at least the large format prints next year. She also advised that she received help from someone at DARM who determined the water stubs do not have to be retained forever and she has been able to recycle several boxes of them. Mr. Weger asked the Clerk to get a quote for off-site storage so they have the cost to compare at the next meeting.

Polling Place Accessibility-

- The Clerk reported that Hunterdon County Board of Elections conducted a site inspection of all polling places in the County and determined that many municipalities, including Bloomsbury do not have adequate handicapped parking or access. They returned for a second visit with mats, cones and a door bell try to find a way to make access to the polls better. The Clerk explained that new requirements would mean a 8' wide access lane and an 8' wide handicapped parking space, level surface, new sign and many other changes in order to be 100% ADA compliant. The Clerk discussed the same with the Fire Department and they are willing to be responsible for installing the mats, cones and bell as recommended by the County on Election Day.

M. Tersigni:

Planning Board-

- Mrs. Tersigni reported the September Planning Board Meeting was canceled due to lack of pending business.

Mrs. Tersigni stated that she was invited to and did attend the dedication of the new Phillipsburg High School and it is a state of the art facility.

Tax Sale-

- Mrs. Tersigni stated that the tax sale is set for December 9, 2016 and there is currently one property on the list.

PERRYVILLE STATE POLICE REPORT

- Trooper Walsh reported that the car burglaries were solved and they were local kids. He added that there has been some drug activity, primarily on Church Street.
- Trooper Walsh has spoken to the Crossing Guard and so far parents parking in front of the school unlawfully and the situation seems to be better this year.
- Trooper Walsh will be conducting a Cyber Security Presentation at BES on October 18th.

OLD BUSINESS-

SRTS –

- No response has been received to date from the Governor’s Office.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Nothing new to report.

EAGLE SCOUT PROJECT-

- Mr. Creveling has contacted Highlands to seek an exemption for the project and will continue to work with him. Brief discussion followed.

TAX APPEAL-

- Mr. Edleston stated that Eloise has spoken to the tax collector and they are trying to finalize the agreement for North Street but it called for them to pay a portion of taxes due this year and they have not so that is why the settlement is being held up. Discussion followed. Mr. Edleston will contact them to give them a deadline for which to pay.

SERVICE ELECTRIC FRANCHISE RENEWAL

Mrs. Tersigni asked if we need to do anything for the public hearing. Mr. Edleston stated that Service Electric will send representatives and they can run the meeting or he can do it. Brief discussion followed. Mr. Edleston will contact them in advance to ask that we continue to have free service at the Borough Hall, Fire House & School and add service at the Borough Garage.

NEW BUSINESS-

**RESOLUTION # 56-16 - 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 18, 2016 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.

Mr. Weger moved Council adopt Resolution # 56-16; seconded by Mrs. Jordan. All ayes. Motion carried.

**UPDATE – ORDINANCE 106-16 – AN ORDINANCE SUPPLEMENTING THE CODE OF
THE BOROUGH OF BLOOMSBURY BY INCLUDING A PROVISION
CONCERNING MUNICIPAL LAND USE PROCEDURES REGARDING SITE PLAN
EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS
COLLOCATION APPLICATIONS AND ESTABLISHING FEES THEREFOR**

The Planning Board will review Ordinance 106-16 at their October 18, 2016 meeting to ensure it is consistent with the master plan and it will come back to Council for further consideration.

BETHLEHEM/BLOOMSBURY JOINT COURT AGREEMENT

Mr. Weger moved Council authorize the Mayor and Clerk to execute the Joint Court Agreement which will be in effect from January 1, 2017 through December 31, 2019; seconded by Mr. Smith.

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

WOODLAND TERRACE PARKING

Mrs. Tersigni stated that she has not received any response from Mr. Roseberry I writing, but did speak to him and he said that some striping could be eliminated, but that some striping and

signage would be required.

CORRESPONDENCE

Pattenburg Rescue Squad-

Council reviewed a letter from Mark Mason, Chief of the Pattenburg Rescue Squad asking for the Borough's support for a median cut on Route 78 during a construction project that will delay their response time.

Mr. Smith moved Council authorize Mrs. Tersigni and Mrs. Papics to sign the letter in support of Pattenburg Rescue Squad's request; seconded by Mrs. Papics. All ayes. Motion carried.

Brown's Hunterdon Mack-

Mrs. Tersigni stated that she responded to a letter from Todd Brown regarding a false alarm ordinance in the Borough. Mrs. Tersigni advised that we do not have a false alarm ordinance and do not charge any fees for the same. Mr. Weger asked if the Fire Department can charge in cases where there are multiple false alarms. Mr. Edleston stated that without an Ordinance they cannot assess fines. The Clerk questioned if this would be true since our Fire Department is incorporated and does not operate under the Borough. Mr. Edleston stated the Fire Department has no authority to issue a summons of a town ordinance. The Clerk tried to clarify and asked that since they are incorporated they couldn't authorize a fee on their own. Mr. Edleston stated they cannot.

PUBLIC COMMENT

Karen Murray, 120 Willow Avenue stated that she spent the better part of a year in a wheelchair and it is almost impossible to push yourself up any sort of slope. She added that she would think that mats would make it more difficult. Brief discussion followed.

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 8:20 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
OCTOBER 25, 2016**

The regular meeting of the Mayor and Council was held on October 25, 2016 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 A. Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 21, 2016 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:	Kathleen Jordan	Al Stiehler - excused
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	Sarah Stiehler - excused
	Eric Weger	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of September 27, 2016; seconded by Mr. Weger. All ayes. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Reports of September 30, 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the October 25, 2016 Bill List; seconded by Mrs. Papics.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

Mr. Weger moved Council accept the zoning report of October 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

COMMITTEE REPORTS

Mrs. Tersigni stated that she had requested all reports be given in writing this month so they could be reviewed in advance of the meeting. Written reports were provided from the Mayor and Clerk.

The Clerk stated that she would like Council to vote on the \$1,500 expenditure for emergency repair to East Street to repave and stripe one handicapped parking space.

Mr. Weger moved Council authorize the repair by Pip's paving; seconded by Mrs. Jordan.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye. Motion carried.

PERRYVILLE STATE POLICE REPORT

No report.

OLD BUSINESS-

SRTS –

- No response has been received to date from the Governor’s Office.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- Nothing new to report.

COAH –

- Mr. Edleston stated that he spoke briefly with Judge Miller and he said he thought the matter may come up for trial in August 2017 because they are fighting over procedural things.

EAGLE SCOUT PROJECT-

- Nothing new to report.

TAX APPEAL-

- Mr. Edleston stated that he is still waiting to hear back from the Attorney for 75 North. Brief discussion followed. Council questioned how long they have to delay and still be eligible for the settlement agreement. Mr. Edleston stated that the only penalty would be interest on the late payment. Mr. Edleston will contact the tax court judge to inquire about what can be done.

NEW BUSINESS-

2016 BEST PRACTICES INVENTORY

Mr. Francisco stated this is the survey that is completed each year and if it is not submitted on time, they withhold your final state aid payment. Mr. Francisco stated there were only 30 questions this year and many did not apply to the Borough as they related to bonding and notes and contracts over two million dollars and things that we do not have. He stated that we were able to answer yes to enough questions that we will not lose any state aid.

SECOND READING - ORDINANCE 106-16 – AN ORDINANCE SUPPLEMENTING THE CODE OF THE BOROUGH OF BLOOMSBURY BY INCLUDING A PROVISION CONCERNING MUNICIPAL LAND USE PROCEDURES REGARDING SITE PLAN EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS AND ESTABLISHING FEES THEREFOR

BE IT ORDAINED that Chapter 270 of the Code of the Borough of Bloomsbury entitled “Zoning” is hereby supplemented by inclusion of the following provision:

Section 1.
Chapter 270: Land Use, Article XXII
Fee Schedule, § 270-168 F

Telecommunications Installation is hereby supplemented and amended by adding the following new Subsection §270-168.F.3 and F.4 as follows:

- (3) Site plan exempt application fee: \$450.00
- (4) Site plan exempt application escrow deposit for professional review: \$1,500.00

Section 2.
Chapter 270: Zoning, Article XXIV
Wireless Communication Equipment and Facilities, § 270-184.1

Permitted use and conditional use treatment is hereby supplemented and amended to read as follows:

§ 270-184.1

Permitted use and conditional use treatment.

- B. Notwithstanding anything contained elsewhere in this chapter to the contrary, the installation of wireless telecommunications antennas on existing structures, subject to minor site plan approval or site plan exemption determination for collocation pursuant to N.J.S.A. 40:55D-46.2 under Sections 270-188 and Section 270-191 of this article and consistent with the visual compatibility requirements of Section 270-185 below, shall be a permitted use in all nonresidential zone districts and a conditioned use in all residential zone districts of the Borough. When proposed as a conditional use, the applicant shall meet the standards of § 270-186.

Section 3
Chapter 270: Zoning, Article XXIV
Wireless Communication Equipment and Facilities, § 270-191 (new section)

Collocation and shared facilities and sites is hereby amended to read as follows:

§270-191

Collocation and shared facilities and sites.

- 191.3 Federal Communications Commission (FCC) licensed wireless telecommunications providers are encouraged to construct and site their facilities with a view toward sharing facilities with other utilities, collocating with other existing wireless facilities

and accommodating the collocation of other future facilities where technically, practically and economically feasible.

191.4 Wireless Telecommunications collocation site plan waiver.

(3) M.L.U./L. wireless communications equipment collocation pursuant to N.J.S.A. 40:55D-46.2.

(b) An application for development to collocate wireless communications equipment on a wireless communications support structure and/or in an existing equipment compound in accordance with N.J.S.A. 40:55D-46.2 shall not be subject to site plan review in accordance with the following provisions:

[1] The wireless communications support structure shall have been previously granted all necessary approvals by the appropriate approving authority;

[2] The proposed collocation shall not increase

- (a) the overall height of the wireless communications support structure by more than ten percent of the original height of the wireless communications support structure,
- (b) the width of the wireless communications support structure, or
- (c) the square footage of the existing equipment compound to an area greater than 2,500 square feet;

[3] The proposed collocation complies with the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which variance relief would be required pursuant to P.L.1975, c.291 (C.40:55D-1, et seq.), or any other applicable law, rule or regulation.

(b) For purposes of this section, the following definitions apply:

“Equipment compound” means an area surrounding or adjacent to the base of a wireless communications support structure within which is location wireless communication equipment.

“Collocate” means to place or install wireless communications equipment on a wireless communications support structure.

“Wireless communications equipment” means the setup of equipment and network components used in the provision of wireless communications services, including but not limited to, antenna, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cabling, and coaxial and fiber optic cable, but excluding wireless communications support structures.

“Wireless communications support structure” means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

(d) Submission requirements:

[1] An application pursuant to N.J.S.A. 40:55D-46.2 shall submit an application, plans and documents for a proposed wireless communications equipment collocation and site plan exemption

identifying (1) existing equipment compound, (2) wireless communications equipment, (3) wireless communications support structure at the site, and (4) the proposed collocation installation, modifications with all equipment and components to the Bloomsbury Borough Zoning Officer for review and confirmation that the proposed collocation conforms to the requirements of § 270-191.2 (1)(a)[1]-[3].

[2] Application Fee: The applicant shall submit an application fee pursuant to § 270-168.F.3.

[3] Escrow Fee: The applicant shall establish an escrow account and deposit the required fee pursuant to § 270-168.F.4.

[4] Copies of all Bloomsbury Borough approvals granted for the existing tower, structure(s), antennas, compound, equipment cabinets, landscaping, utilities, etc. shall be submitted to the Zoning Officer.

[5] Plans and specifications identifying existing equipment compound, wireless communications equipment, wireless communications support structure and proposed collocation wireless communications equipment and improvements at the collocation wireless communications facility shall be submitted to the Zoning Officer. Plans and specification shall identify the owner/operator/responsible party for each wireless communications installation on site, including equipment compound, wireless communications equipment, wireless communications support structure, etc. The plans and specifications shall be fully dimensioned and appropriately scaled for the Zoning Officer to confirm existing and proposed equipment compound, wireless communications equipment, wireless communications support structure and compliance with each of the provisions of § 270-191.2 (1)(a)[1]-[3] and N.J.S.A. 40:55D-46.2.

(d) Application review:

[1] Within 10 days of receipt of an application for a proposed wireless communications equipment collocation and site plan exemption, the Zoning Officer shall review the application and verify whether the proposed collocation application and submission documents are complete. The Zoning Officer shall inspect the proposed collocation wireless communications facility and verify the accuracy of the plan and documents submitted and that the proposed collocation conforms to the requirements of § 270-191.2 (1)(a) above. The Zoning Officer may consult with the Borough or Board Engineer, Planner and Attorney in the review of the application and submission documents and conduct of inspections. All costs associated with application review shall be paid by the applicant in accordance with N.J.S.A. 40:55D-53.2.

[2] Upon finding that required plans and documents have been submitted and that (1) the improvements at the proposed collocation wireless

communications facility are completely and accurately detailed in the submission, and (2) that the proposed wireless communications equipment collocation conforms to each of the requirements of § 270-191.2(1)(A)[1]-[3] and N.J.S.A. 40:55D-46.2, the Zoning Officer shall issue a zoning permit and a letter to the applicant indicating that the proposed wireless communications equipment collocation and site plan exemption has been approved pursuant to N.J.S.A. 40:55D-46.2.

[3] A copy of the zoning permit and letter approving a wireless communications equipment collocation shall be provided to the Borough Council and Planning Board.

[4] The provisions of this section may not be combined with the provisions § 270-191.2(2) to determine the eligibility of a proposed collocation equipment installation under the provisions of this section and M.L.U.L. 40:55D-46.2.

(4) Existing Tower or base station modification / Eligible Facilities site plan waiver pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and FCC Rule § 1.40001.

(c) An Eligible Facilities Request for a modification to an existing tower or base station pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and FCC Rule § 1.40001 shall not be subject to site plan review in accordance with the following provisions:

(d) For purposes of this section, the following definitions apply:

“Base Station” means a structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

(v) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services such as microwave backhaul.

(vi) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power, supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(vii) The term includes any structures other than a tower that, at the time the relevant application is filed with the state or local government under this section, supports or houses equipment described in paragraphs (b)(1)(i)-(ii) of this section that has been reviewed and approved under the applicable zoning process, even if the structure was not built for the sole or primary purpose of providing such support.

(viii) The term does not include any structure that, at the time the relevant application is filed with the state or local government under this

section, missing documents or information that were not delineated in the original notice of incompleteness.

- (6) **Failure to Act.** In the event the Zoning Officer fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- (7) **Remedies.** Applicants and reviewing authorities may bring claims related to Section 6409(a) of the Spectrum Act (codified at 47 U.S.C. 1455) to any court of competent jurisdiction.

Section 4.
Chapter 270

All other provisions of Chapter 270 not modified herein shall remain unchanged and in full force and effect.

Section 5.
Chapter 270: Severability

If the provisions of any article, section, subsection, paragraph, subdivision, clause or application of the Ordinance shall be judged invalid by any court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, subdivision, clause or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 6.
Chapter 270

This Ordinance may be renumbered for codification purposes.

Section 7.
Chapter 270: Effective date

This Ordinance shall take effect immediately upon final passage, publication according to law, and filing a copy thereof with the Hunterdon County Planning Board.

No comments from Council were heard.

Mrs. Papics moved Council open the public hearing on Ordinance # 106-16; seconded by Mrs. Jordan. All ayes. Motion carried.

No comments from the public were heard.

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

Mr. Weger moved Council adopt Ordinance #106-16; seconded by Mrs. Jordan.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye. Motion carried.

RESOLUTION #57-16 - RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM AND AUTHORIZING THE BOROUGH OF BLOOMSBURY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Hunterdon, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on October 25, 2016, the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Bloomsbury

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Mrs. Papics moved Council adopt Resolution # 57-16; seconded by Mrs. Jordan.

ROLL CALLVOTE: Jordan-aye; Papics-aye; Weger-aye. Motion carried

WOODLAND TERRACE PARKING

Mrs. Tersigni asked the Clerk if she has received a response from the Borough Engineer. The Clerk stated that she emailed him to ask what striping would be required, if a combination of striping and signage could be used, and a cost estimate for his work in the project. No response has been received to date.

PUBLIC WORKS

Mrs. Tersigni stated that she is in the middle of a personnel assessment for snow removal and she believes Council may need to hire additional employees.

CORRESPONDENCE

Council reviewed correspondence.

NOVEMBER MEETING

Mrs. Papis is not available for the November 22, 2016 meeting.

PUBLIC COMMENT

No public comment.

PUBLIC HEARING - SERVICE ELECTRIC CABLE FRANCHISE RENEWAL

Mr. Edleston opened the Public Hearing.

Tom Kelly, Attorney for Service Electric Cable TV introduced himself and Tim Himmelwright from Communications and Public Affairs.

Mr. Kelly stated that franchise renewal process began three years ago when under the federal cable communications policy act, they initiated the renewal by requesting the Borough and the office of cable communication to commence with the ascertainment phase. He explained the ascertainment phase lasts two years where interested parties are given the opportunity to investigate and provide comment. Service Electric then filed an application with the Borough for municipal consent to operate on our streets, alleys and public ways. Mr. Kelly stated they are seeking a renewal for a period of fifteen years.

Tim Himmelwright was sworn in by Mr. Edleston.

Mr. Himmelwright testified that:

- They upgraded that five years ago, they came through the entire system in New Jersey and upgraded everyone and put an adaptable platform in place that allows them to do upgrades to the system at the head end.
- They recently completed the switch over to all digital on the system.
- This past quarter they updated the internet speeds to 100mbp download and 10 mbp upload are now their fastest.
- He believes that all homes in the Borough are currently wired for cable and phone. He was unable to testify to how many customers they currently have in Bloomsbury.

- High speed internet service will continue to be furnished to the Borough Hall, Fire Department and Bloomsbury School. Additionally, service will be provided to the Borough Garage since service is no longer needed at the Rescue Squad building.

Discussion followed.

Mr. Edleston stated that if there is no additional comments or questions from Council or any member of the public and because there were no written comments received by the Clerk, it would be appropriate to entertain a motion

Mr. Edleston will prepare the required Ordinance which will include the increased speed from 15 mbs to 35 mbs for the municipal locations receiving free service.

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

RESOLUTION # 58-16 – SERVICE ELECTRIC

BE IT RESOLVED, that the Common Council of the Borough of Bloomsbury does hereby find that Service Electric possesses the necessary legal, technical, financial and other qualifications to support municipal consent.

Mrs. Jordan moved Council adopt Resolution # 58-16; seconded by Mr. Weger.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye. Motion carried.

Mrs. Papics moved Council authorize Mr. Edleston prepare an ordinance granting municipal consent which will be submitted to the office of cable television for their approval and sent to Service Electric for any comments they may have; seconded by Mrs. Jordan.
ROLL CALL VOTE: Jordan-aye; Papics-aye; Weger-aye; Tersigni-aye. Motion carried.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mrs. Jordan. All ayes, motion carried. Meeting adjourned at 7:46 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
NOVEMBER 22, 2016**

The regular meeting of the Mayor and Council was held on November 22, 2016 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 A. Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 21, 2016 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:	Kathleen Jordan	Al Stiehler
	Vicky Papics - excused	Martha Tersigni, Mayor
	Chris Smith	Sarah Stiehler - excused
	Eric Weger	William Edleston, Esq.

FLAG SALUTE

APPROVAL OF MINUTES

Mr. Weger moved Council approve the Regular Meeting Minutes of October 25, 2016; seconded by Mrs. Jordan. All ayes. Smith-abstain; Stiehler-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mr. Smith moved Council approve the Tax Collector's Reports of October 31, 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the November 22, 2016 Bill List; seconded by Mr. Stiehler. ROLL CALL VOTE: Jordan-aye; Smith-aye; Stiehler-aye; Weger-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

Mr. Stiehler moved Council accept the zoning report of November 2016; seconded by Mrs. Jordan. All ayes. Motion carried.

COMMITTEE REPORTS

K. Jordan –
No Report.

E. Weger –
No Report.

C. Smith –
The Recreation Committee will be selling luminaries again this year.

A. Stiehler –

Mr. Stiehler held discussion on the new shared court agreement until later on the agenda.

CLERK/ADMINISTRATOR REPORT-

The Clerk stated that she attended the League of Municipalities Conference last week and was able to attend many interesting sessions and earn required ceu's. She also picked up the drought emergency packet from the DEP and will be forwarded the information to Mrs. Jordan for inclusion in the December newsletter.

M. Tersigni –

Mrs. Tersigni reported that the November Planning Board was very brief. The Chairman will follow up on the status of the module completion and the CFO will follow up on reimbursement for the completed work. Mr. Gruenberg will review definitions of rooming and boarding house and will make a recommendation about which best comply with our master plan.

The request that the DOT allow for an emergency vehicle turn around on Route 78 near Perryville was denied so response may be delayed by approximately seven minutes.

To date there has been no decision on our application for exemption of appointment of a Certified Public Works Manager.

OLD BUSINESS-

SRTS –

- No response has been received to date from the Governor's Office.

NORTH STREET/PICKEL LANE-

- Nothing new to report.

4-TON WEIGHT LIMIT DESIGNATION-

- The Clerk reported that she again followed up with Mr. Roseberry who said he may have spoken to someone but did not recall the outcome. The Clerk asked for the DOT contact and tried to reach out to him but the number was no longer in service.

COAH –

- Nothing new to report

EAGLE SCOUT PROJECT-

- Nothing new to report.

TAX APPEAL SETTLEMENT UPDATE-

- Mr. Edleston stated that we received a payment of \$5,000 for 75 North Street on Monday but that still leaves them short of just over \$41.00 that they need to pay pursuant to the settlement. He added that once they pay that the agreement can be executed and we won't have to go to the Judge on December 16th. Brief discussion followed.

NEW BUSINESS-

WOODLAND TERRACE PARKING

Nothing new to report.

INTRODUCTION – ORDINANCE # 07-16 - AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE RENEWAL OF A FRANCHISE TO SERVICE ELECTRIC CABLE TV OF HUNTERDON, INC. TO OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF BLOOMSBURY, NEW JERSEY; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM

BE IT ORDAINED by the Mayor and Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey, that the Code of the Borough of Bloomsbury is hereby supplemented and amended as follows:

§ 1.0. Title.

This Ordinance shall be known and may be cited as the “Service Electric Cable TV of Hunterdon, Inc., Cable Television Municipal Consent Renewal Ordinance.”

§ 2.0. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms shall be interpreted consistent with the definitions of the Federal Communications Commission, F.C.C. Rules and Regulations, 47 C.F.R. Subsection 76.1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal or state definitions.

APPLICATION – The application of Service Electric Cable TV of Hunterdon, Inc., and addenda thereto, which application and addenda are on file in the office of the Borough Clerk and are incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.

BOARD – The Board of Public Utilities of the State of New Jersey.

BOROUGH or MUNICIPALITY – The Municipality of the Borough of Bloomsbury in the County of Hunterdon, in the State of New Jersey.

COMMITMENTS – The commitments, terms and undertakings on the part of Service Electric set forth in this Ordinance.

COMPANY – The grantee of rights under this Ordinance and is known as Service Electric Cable TV of Hunterdon, Inc.

FEDERAL ACT – That federal statute relating to cable communications commonly known as the “Cable Communications Policy Act of 1984”, 47 U.S.C. § 521 et seq., or as the statute may be amended.

FEDERAL REGULATIONS – Those federal regulations relating to cable television service, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including, but not limited to those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.

STATE ACT – Chapter 186 of the General Laws of New Jersey, 1972, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.

STATE REGULATIONS – Those regulations of the State of New Jersey Board of Public Utilities relating to cable television, N.J.A.C. 14:17-1.1 et seq., and 14:18-1.1 et seq., or as such regulations may be amended.

§ 3.0. Grant of Consent; conditions for renewal.

- A. The Municipality hereby grants to the Company its non-exclusive consent to place in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways, and public places in the Municipality poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the Municipality of a cable television system and cable communications system; provided, however, that no transmission towers may be erected without the prior approval of the Municipality unless permitted by existing zoning provisions.
- B. The Municipality’s consent to the renewal of the Franchise is subject to the terms and conditions of this ordinance and the Company’s acceptance of the provisions of this ordinance and its written confirmation that it will comply with all of the Commitments.

§ 4.0. Public hearing; statement of findings.

A public hearing regarding the Company’s consent application was held on October 25, 2016, after proper public notice, according to the terms and conditions of the State Act. The hearing was fully open to the public, and the Borough received at the hearing, and for a period of thirty (30) days thereafter, all comments regarding the qualifications of the Company to receive Municipal consent. Pursuant to the terms and conditions set forth herein, the Company possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and the Company’s operating and construction arrangements are adequate and feasible.

§ 5.0. Franchise term.

The consent herein granted shall expire 15 years from the date of the expiration of current Certificate of Approval issued by the Board of Public Utilities.

§ 6.0. Expiration and Subsequent Renewal.

If the company seeks a successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and Certificate of Approval in accordance with the Cable Television Act, N.J.S.A. 48:5A-11 and 48:5A-16 and applicable state and federal rules and regulations. The Company shall also petition the Board for a Certificate of Approval authorizing continued operation during the period following expiration of the consent granted herein, and until such a time that a decision is made by the municipal governing body relative to the renewal of said consent.

§ 7.0. Franchise Fee.

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the Borough. The fee shall be paid on or before January 25 of each year and at the same time the Company shall file with the chief financial officer of the Municipality a statement showing the gross receipts upon which payment is based.

§ 8.0. Extension of Service.

The Company shall be required to proffer service along any public right-of-way to any residence located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the application. Any application for extension of the system will be made in accordance with the Company's line extension policy as outlined in the application.

§ 9.0. Construction Requirements.

- A. In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work recognizing that the Company will, in no event, be required to completely re-surface any street, driveway, sidewalk or other surface.
- B. If at any time during the period of this consent the Borough shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough, shall remove, re-lay and relocate its equipment, at the expense of the Company unless the Borough compensates other utilities relocating facilities, in which case the Company shall also be entitled to compensation or reimbursement.

- C. The Company shall temporarily move or remove appropriate parts of its facilities to allow moving of buildings, machinery or in other similar circumstances. The expense for the movement or removal of such facilities shall be borne by the party requesting such action except when requested by the Borough, in which case the Company shall bear the cost.

- D. During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent, but only to prevent the branches of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities and no trees shall be trimmed, removed or destroyed without the prior consent of the Borough.

§ 10.0. Installation of Individual Subscribers.

The Company shall provide installation to each person's residence or business within the Borough based on the price schedule set forth in the application, which may be amended from time to time. The Company shall also extend its plant along private roads under the same terms as set forth above in this Section, except that it will be the responsibility of the property owners to acquire necessary easements. In the event that the density of homes along a private road does not meet the threshold under the Company's line extension policy, then the property owner will have to share the cost of the line extension in addition to acquiring the necessary easements.

§ 11.0 Territory.

The consent granted herein to the Company shall apply to the entirety of the Borough and any property hereafter annexed by the Borough.

§ 12.0 Local Office.

During the term of this franchise, and any renewal thereof, the Company shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters. The local business office need not be located within the Borough, but rather within a reasonable distance thereof affording convenient accessibility to Borough subscribers. Such local business office shall be open during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal and Company holidays. Such office shall be as required by the Office of Cable Television and prescribed in the Rules and Regulations thereof.

§ 13.0. Municipal Complaint Officer.

- A. The Office of Cable Television (OCTV) is hereby designated as the complaint officer for the Borough pursuant to N.J.S.A. 48:5A-26(b).
- B. All complaints shall be received and processed in accordance with N.J.A.C. 14:18-6.5.

§ 14.0. Commitments by Company.

A. Facilities and Equipment.

- (1) In transmitting its television signals to subscribers in the Borough, the Company shall provide a quality of signal that is at least as good as that customarily provided under prevailing industry standards.
- (2) The Company shall comply with any requirements imposed by the Federal Regulations, and (to the extent not preempted by federal law) any State regulations, relating to technical standards for the transmission of television signals, transmission quality, or facilities and equipment.

B. Emergency Uses. In the event that a predominant number of the municipalities within the Company's Phillipsburg service area agree to participate in an emergency use system, the Company shall be required to have the capacity at the headend to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Borough. The Borough shall provide such facilities, or if such facilities are provided by the Company, it shall be the responsibility of the Borough to pay their use. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein. The Company and the participating Municipalities shall also establish reasonable procedures of such uses.

C. Customer Service. At the request of Borough, the Company and Borough's designee, shall meet at least semi-annually to review all matters relating to cable television in the Borough, with the minutes of such meetings to be delivered to the Company and to be filed with the Borough.

D. Compliance with Law. Notwithstanding any specific mention of applicable Federal or State statutes or regulations above, the Company shall comply with all of the requirements of the Federal Act, the Federal Regulations, the State Act and State Regulations (to the extent not preempted) and any other valid statute, regulation or rules, specifically including, but without limitation, those relating to equal employment opportunity. In the event of a conflict between the State Act or State Regulation and any F.C.C. or Federal Regulation or Federal Act, the F.C.C. or Federal Regulation or Federal Act shall prevail.

§ 15.0 Rates.

The Borough will not regulate the rates the Company may charge subscribers for its service; provided, that in the event the Federal Act and other applicable law hereafter is amended to permit the exercise of regulatory power over rates by municipalities the Borough reserves the right to exercise the maximum power permitted by law.

§ 16.0. Programming.

Although nothing herein shall require the Company to carry or transmit any particular television stations or programming source, the Company shall provide the subscribers in the Borough with at least the same broad categories of programming, in approximately the same quantity, as are now provided, and which appear in the application.

§ 17.0. Free Services.

A. The Company shall provide a “standard” installation at the Company’s own cost if the installation is within 200 feet of the Company’s activated plant, as measured from the Company’s extended cable on the street to the point of entry. If any building listed in this section is more than 200 feet from the Company’s plant, the Company will charge the Borough for a “non-standard” installation. The Company shall provide the “standard” installation of one outlet and Lifeline and first Tier level of monthly service to each school, library, municipally owed facility and fire house located in the Borough free of charge. Each additional outlet installation fee shall be paid for by the institution on a materials plus labor basis. Monthly service on other such additional outlets shall be charged at the regular tariffed rates for such services. The Company shall also furnish free of charge standard business class service, currently 35 Mbps during each year of the term of this franchise high speed internet service to the following offices within the municipality:

- (1) Municipal offices, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804.
- (2) Department of Public Works Garage, 100 Church Street, Bloomsbury, New Jersey 08804.
- (3) Elementary School, 20 Main Street, Bloomsbury, New Jersey 08804.
- (4) Fire Department, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804.

B. High speed internet service shall be implemented to the foregoing entities on or about January 1, 2017 or at least 90 days after the issuance of the Renewal Certificate of Approval. Delays caused by weather and equipment shortages shall extend the time for implementation. These offices shall also be eligible to receive any upgrade in internet speed as may be offered to other subscribers within the Borough during the term of this franchise.

§ 18.0. Indemnification and Liability.

- A. The Company shall pay, and by its acceptance of this franchise the Company expressly agrees that it will pay, all damages and penalties which the Borough may legally be required to pay as a result of the Company's negligence in the installation, operation, or maintenance of the cable television system authorized herein. The Borough shall notify the Company's General Manager within fifteen (15) days after the presentation of any claim or demand to the Borough, either by suit or otherwise, made against the Borough on account of any negligence or contract as aforesaid on the part of the Company.
- B. The Company shall carry insurance against liability due to physical damages to property or bodily injury or death to any one person shall be not less than One Million Dollars (\$1,000,000.00), and not less than One Million Dollars (\$1,000,000.00) to any one accident.
- C. The Company shall also carry such insurance as it deems necessary to protect it from all claims under the Workmen's Compensation Laws in effect, that may be applicable to the franchise.
- D. All insurance required by this Ordinance, shall be and remain in full force and effect for the entire life of this franchise. The insurer shall notify the Borough at least thirty (30) days prior to its intention to cancel any policy. The insurer further shall certify to the Borough the fact of renewal of every such insurance policy at least fifteen (15) days prior to the expiration date.

§ 19.0. Performance Bond.

To secure its faithful performance of its obligations under a renewal of the Franchise during the Renewal Term, the Company shall provide a performance bond, in the sum of \$25,000.00. Such bond shall specifically secure the faithful performance of all undertakings of the Company as represented in the Application and in the Commitments.

§ 20.0. Incorporation of the Application.

All of the statements and commitments contained in the application and any amendment thereto submitted in writing by the Company to the Borough, except as modified herein, are binding upon the Company as terms and conditions of this consent. The application and any other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference to the extent that they do not conflict with state or federal law.

§ 21.0. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court or Federal or State agency of competent jurisdiction,

such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

§ 22.0. Effective Date.

This Ordinance shall take effect as of the date upon which the Borough receives written notification that the Company accepts the provisions of this ordinance and upon publication thereafter.

Mr. Edleston stated that we received a letter from Service Electric stating that agree to the Ordinance. He stated that we also received a letter from the Office of Cable Television requesting three minor technical changes. Council discussed the same.

No comments from Council were heard.

Mr. Smith moved Council Introduce Ordinance 107-16; seconded by Mr. Stiehler.

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

RESOLUTION # 59-16 - TRANSFER IN THE 2016 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 2016 budget transfers be made:

TO: Streets – Other Expenses	\$5,000
Electricity	\$2,000

FROM: Water	\$7,000
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Mr. Weger moved Council adopt Resolution # 59-16; seconded by Mr. Smith.

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

RESOLUTION # 60-16 - Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 – June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and

engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Bloomsbury, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the North Hunterdon Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR: \$22,852.00
Cash Match: \$5,713.00
In-Kind: \$17,139.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Mrs. Jordan moved Council adopt Resolution # 60-16; seconded by Mr. Stiehler. All ayes. Motion carried.

PUBLIC WORKS

Mr. Stiehler stated that he and Mr. Weger conducted 3 interviews and provided Council with a summary of the same. Council discussion followed. Mr. Edleston will draft a letter for signature by both parties agreeing to a six month probationary period.

Mr. Weger moved Council authorize the Public Works Supervisor position be offered in order of first refusal to Anthony Boffa; Brandon Wolfe and then George Tuxhorn for a probationary period of six months; seconded by Mr. Stiehler.

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

The Mayor will send out another notification regarding the need for additional plow drivers.

PERRYVILLE STATE POLICE REPORT

Trooper Walsh stated that the State Police issued a few parking tickets inside the Truck Stop and the Court is concerned that they are not enforceable because the truck stops are not listed on the Ordinance. Mr. Edleston stated that the property owners would need to request the Borough adopt

an Ordinance allowing title 39 enforcement on their private property. The Clerk asked if the Borough could send out a letter to all businesses to inquire if they would like to be included in the list. Discussion followed.

Trooper Walsh said that kids vandalized the Lehigh/High Street signs. The kids were identified and the Hunterdon County Prosecutor's Office will be proceeding with putting them through the Law Enforcement Adolescent Program which is more of a community service intervention program. He added that this is not the first time they have run into these kids and they are the same ones who were racing their 4-wheelers through town.

SHARED SERVICE COURT AGREEMENT-

Mr. Stiehler and Mr. Francisco will attend a meeting on December 7, 2016 to gather more information about the effects of adding the additional court and possible cost saving for the Borough. He stated that this would all be dependent upon the OAC approving the same.

CORRESPONDENCE

Council reviewed correspondence.

PUBLIC COMMENT

No public 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 8:02 PM.

Respectfully Submitted,

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

2016 December meeting minutes