

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

Reorganization Meeting – January 1, 2018

The Reorganization meeting of the Mayor and Council was held on January 1, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order by the reading of the Sunshine Law by the 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 at the Municipal Building on same date.

ROLL CALL:	Todd Dangelo	Martha Tersigni, Mayor
	Vicky Papics	Eric Weger
	Chris Smith – excused	William Edleston, Esq.
	Al Stiehler	

Flag Salute

OATHS OF OFFICE:

Mr. Edleston administered the following oaths of office prior to the start of the meeting:

Al Stiehler – Common Council – Full Term – Expires December 31, 2020
Eric Weger – Common Council – Full Term – Expires December 31, 2020

NOMINATIONS FOR COUNCIL PRESIDENT:

A motion was made by Mrs. Papics, seconded by Mr. Weger, to open nominations for Council Presidents.

A motion was made by Mrs. Papics, seconded by Mr. Weger, to nominate Al Stiehler as Council President.

No other nominations were heard.

Mr. Stiehler moved nominations be closed; seconded by Mrs. Papics.

Mrs. Tersigni stated she will accept a nomination to re-appoint Al Stiehler as Council President for 2018.

Papics moved Council accept the nomination of Al Stiehler; seconded by Mr. Weger. All ayes. Motion carried.

COUNCIL APPOINTMENTS:

Mrs. Tersigni stated she did not make any changes for 2018. She added that there is an open seat and things can be adjusted according to member preference.

Martha Tersigni – Finance, Planning Board, Deputy OEM
Todd Dangelo – Newsletter; Planning Board
Kathleen Jordan – Board of Education
Vicky Papics - Public Safety, OEM, BCC
Chris Smith – Recreation Committee, Personnel
Al Stiehler – Court Liaison, Code Enforcement
Eric Weger - Public Works, Environmental Committee, Mayor’s Designee to the Planning Board

PLANNING BOARD MEMBERS:

Mr. Dangelo agreed to serve as Class III member again in 2018.

Mr. Weger agreed to serve as Mayor’s Designee again in 2018.

Review 2018 Membership:

- Martha Tersigni – CLASS I – 4 Year Term - Expires 12/31/19
- Vacant - CLASS II - 1 Year Term - Expires 12/31/17
- Todd Dangelo - CLASS III - 1 Year Term - Expires 12/31/18
- Thomas Reilly – CLASS IV – 4 Year Term – Expires 12/31/21
- Michele Stiehler - Class IV - 4 Year Term - Expires 12/31/19
- Matt Korbobo - Class IV - 4 Year Term - Expires 12/31/21
- Rob Waterson - Class IV - 4 Year Term - Expires 12/31/19
- Ryan Smith– Class IV – 4 Year Term – Expires 12/31/20
- Ann Ferrero – Class IV – 4 Year Term – Expires 12/31/18
- Eric Weger – Mayor’s Designee - 1 Year Term - Expires 12/31/18
- Karen Murray – Alternate Seat – 4 Year Term – Expires 12/31/20

CONSENT AGENDA

Mrs. Tersigni outlined changes in Resolutions from 2017.

Mrs. Tersigni stated that Resolutions #1-18 – #20-18 will be considered via consent agenda.

RESOLUTION # 1-18 - 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 2018 excepting December which will be held on the third Thursday. 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 23, 2018
February 27, 2018
March 27, 2018
April 24, 2018
May 22, 2018
June 26, 2018
July 24, 2018
August 28, 2018
September 25, 2018
October 23, 2018
November 27, 2018
December 18, 2018
2019 Re-organization - January 1, 2019 – 10AM

RESOLUTION # 2-18 - 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
Provident Bank, Phillipsburg, NJ
First Bank, Flemington, NJ

RESOLUTION # 3-18 - 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:

Jennifer Harrington, Deputy Tax Collector
Bonnie Fleming, Tax Collector

RESOLUTION # 4-18 - TEMPORARY BUDGET FOR 2018

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bloomsbury that the temporary budget for the year of 2018 is hereby adopted. Said budget shall be 25% of the regular budget for the year of 2017.

RESOLUTION # 5-18 - 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 # 6-18 - RESOLUTION AUTHORIZING SERVICE CHARGE 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 # 7-18 - PAYMENT OF TAXES

BE IT RESOLVED by the Mayor and Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey and approved by the Mayor that taxes shall be collected quarterly. Taxes are due on February 1, May 1, August 1, and November 1, of the current year.

BE IT FURTHER RESOLVED that interest will be charged at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the taxes were due until the date of actual payment. There will be a ten day (10) grace period after which unpaid taxes will be charged interest from the due date.

BE IT FURTHER RESOLVED that, pursuant to statute, if a tax delinquency is over \$10,000.00 at the end of the year, an additional flat penalty of 6% per annum shall be imposed on that delinquency.

BE IT FURTHER RESOLVED that, in the event that the Borough conducts a sale for unpaid municipal taxes, the interest rate on said tax certificate shall begin at a maximum of 18% per annum.

RESOLUTION # 8-18 - 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.

BE IT FURTHER RESOLVED, that the Municipal Tax Assessor and Municipal Attorney shall notify the Mayor, Borough Council, Clerk and CFO of all tax appeals filed with the Borough of Bloomsbury.

RESOLUTION # 9-18 - 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 2017.

RESOLUTION # 10-18 - SMALL BALANCES CANCELLATION

WHEREAS, the Borough of Bloomsbury has, from time to time, certain minimal tax overpayments and delinquencies; and

WHEREAS, P.L. 1996, Chapter 113 amended P.L. 1983, Chapter 568 allows for cancellation of a refund or delinquency of less than ten dollars (\$10.00).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon and in the State of New Jersey that the Tax Collector hereby authorized to cancel tax overpayments or tax delinquencies of less than ten dollars (\$10.00) that occur during the current year.

RESOLUTION # 11-18 - 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, 2018, 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 # 12-18 - 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 # 13-18 - RESOLUTION APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2018

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 2018.

RESOLUTION # 14-18 - 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 2017) 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 will earn a stipend of \$571.00.

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 # 15-18 - 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 2017, a term which expired on December 31, 2017;

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, 2018.

RESOLUTION #16-18 - 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 2018.

BE IT FURTHER RESOLVED, the Mayor and Council hereby set a stipend of \$200.00 be paid to the Deputy Registrar for 2018.

**RESOLUTION # 17-18 - RESOLUTION APPOINTING LISA A. BURD REINDEL
911 COORDINATOR FOR 2018**

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 2018.

RESOLUTION # 18-18 - 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.

RESOLUTION # 19-18 - ANIMAL CONTROL SERVICES 2018

WHEREAS, the Borough of Bloomsbury requires animal control services for the calendar year 2018,

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 Solutions LLC, 2 Marshall Drive, Flemington, NJ 08822, for the year 2018 for \$1,200, to be billed on a quarterly basis.

RESOLUTION # 20-18 - PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL OF MEMBERSHIP

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

WHEREAS, said renewal membership terminates as of January 1, 2018 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

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

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

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

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

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2018, and ending January 1, 2021 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Lisa A. Burd Reindel as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

Mr. Stiehler moved Resolutions #1-18 – #20-18 be adopted via consent agenda; seconded by Mr. Weger.

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

PAYMENT OF BILLS

Mr. Stiehler moved Council approve the bill lists of December 26, 2017 & January 1, 2018, seconded by Mrs. Papics.

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

OPEN TO THE PUBLIC

No public was present.

ADJOURNMENT

A motion to adjourn the reorganization meeting of the Bloomsbury Borough Common Council was made by Mr. Stiehler; seconded by Mr. Weger. 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 23, 2018**

The regular meeting of the Mayor and Council was held on January 23, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2018 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:	Todd Dangelo	Eric Weger - absent
	Vicky Papics	Martha Tersigni, Mayor - excused
	Chris Smith	William Edleston, Esq
	Al Stiehler	

FLAG SALUTE

APPROVAL OF MINUTES

The November Meeting Minutes were tabled until the February 27, 2018 meeting.

Mrs. Papics moved Council approve the Reorganization Meeting Minutes of January 1, 2018; seconded by Mr. Dangelo. All ayes. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly Report of November 30, 2017 seconded by Mr. Dangelo. All ayes. Motion carried.

Mrs. Papics moved Council approve the Tax Collector's Monthly Report of December 31, 2017 seconded by Mr. Smith. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Smith moved Council approve the Bill List of January 23, 2018; seconded by Mrs. Papics. ROLL CALL VOTE: Dangelo-aye; Smith-aye; Stiehler-aye; Papics-aye. Motion carried.

Mr. Francisco stated that he met with the Auditor on January 15, 2018 and they closed the books for 2017 outlining the following:

2017 Highlights

Expenses:

- There were no major unexpected expenses during 2017.
- We did not need a budget transfer during 2017.

Revenues:

- Court revenues were up by \$3,600 over 2016.
- We received a refund of \$3,148 of 2016 Court expenses.
- We collected all of 2016 outstanding taxes in 2017.
- There was no tax sale in 2017.
- The 2017 collection rate was over 98%.
- Interest income was up over 2016.
- We received an insurance refund of \$3,159 in 2017
- We received State OEM reimbursement of \$4,964 for prior year storm costs.
- We received over \$46,000 in cell tower leases.
- We collected \$35,000 in prepaid taxes during December.

Surplus:

- We used 206,100 of surplus in the 2017 budget.
- We replenished over \$300,000 in 2017.
- We should be able to have no tax increase in 2018.

Concerns for 2018:

- Two tax appeals in State Tax Court could have a major impact on ratable base.

PERRYVILLE STATE POLICE

Trooper Walsh reported that he received email correspondence forwarded to him by the Clerk which included a letter that was distributed to parents at BES reminding them of pick up and drop off rules. The Principal requested that the Zoning Officer try to be present occasionally to assist with enforcement. Trooper Walsh stated that he and his troopers will handle the same.

Trooper Walsh stated there was an incident at the school involving a parent who was upset about how the school handled a matter involving his child. He explained that the parent became angry and behaved very threateningly to not only school staff but also to the Troopers who responded. Trooper Walsh said even he was surprised and concerned by the behavior and that he met with school officials to go over their security procedures.

Trooper Walsh reported there has been quite a few burglaries locally in Greenwich, Union Township, Clinton Township and Lebanon Borough and that they are all believed to have been committed by the same crew called the Felony Lane Gang. He explained that they have been committing similar crimes from Florida up the east coast. He explained they are hitting Gyms and shopping centers where they break car windows and grab purses and bags that are visible.

The Clerk asked that Trooper Walsh share any information he may have so that she can send an email to residents.

ZONING/CODE ENFORCEMENT REPORT

Mr. Smith moved Council accept the Zoning/Code Enforcement reports of December 2017 and January 2018; seconded by Mrs. Papics. All ayes. Motion carried.

COMMITTEE REPORTS

Nothing to report.

CLERK/ADMINISTRATOR-

- 2018 Rabies Clinic was held on Sunday, January 21, 2018 from 2 – 3 pm and 47 pets were vaccinated. The Clerk thanked Vicky Papics, Eloise Hagaman, Lola Burd, Alyssa Reindel & Drew Reindel for again volunteering to help at the clinic this year. The Clerk thanked Bloomsbury Hose Company & Chief McNulty for allowing the use of the firehouse garage and helping with set up.
- Clerk received a second check from HC Probation in the amount of \$12 from Mr. Boffa.
- Elizabethtown Gas Franchise Renewal – The Clerk emailed correspondence to Council members yesterday when she received it. The Clerk will work with Mr. Edleston and expect to hold the Introduction at the February 27, 2018 meeting.
- New Law S-3558 signed by Governor Christie before he left office would strip NJSPCA of its animal cruelty enforcement powers and could potential push that burden onto municipalities. The Clerk stated her concern is the potential additional cost to the Borough. She explained a local Humane Law Enforcement Officer would need to be appointed in 7 months if the law stands. She will keep Council posted.
- Expired Solid Waste Contract Renewal Update with DEP - The Clerk contacted the DEP to let them know that the link they sent was broken and she is now working on this.

The Clerk stated she is waiting on several items from the Engineer.

- Still need sign plan for weight limit so that our ordinance can be enforced and Milford road resident who is concerned about the bridge is waiting for this as well.
- The Clerk asked the Engineer to look into a resident complaint about the crosswalk at Willow/Church. The resident reported that her child crosses to get the high school bus and it is dangerous. They requested additional signage and/or striping.
- A memo from Mr. Roseberry regarding new Stormwater regulations was distributed to Council for their review. The Clerk stated that additional categories have been added and more points are required each year.

The Clerk added that she has received the 2017 points summary from the Musconetcong Watershed Association and forwarded the same to Mr. Roseberry. She asked Council to consider renewing our membership for the Stormwater Education Program with Musconetcong Watershed Association for 2018.

Mr. Smith moved Council renew the Borough membership for 2018 for \$250; seconded by Mrs. Papics.

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

- A stop sign was hit and property damaged at the east end of Brunswick Avenue. The driver stated that he left the truck stop and made a right turn onto Route 173 and then saw the sign near Wilson Street which prohibits trucks over a certain weight limit. The driver then attempted to turn left onto Wilson and the Brunswick and could not make the turn. The Clerk has asked the Engineer to look into this matter and perhaps a sign could be placed at the exit of the truck stop to direct driver to make a left.
- A resident reported that large trucks are causing property damage due to the tight turn at the end of Musconetcong and requests that signs be installed to prohibit the same. I have asked Rick to look into the matter but understand one instance was a septic system repair and another was a moving truck when people were emptying their barn when moving.
- Mr. Roseberry sent a copy of Senate Bill 3233 to the Clerk along with his opinion that the Borough will need to amend their Municipal Land Use Law accordingly. The Clerk forwarded the information to Mr. Gruenberg and Mr. Edleston. Mr. Edleston stated that Council could initiate the process and then send it to the Planning Board for their consideration.

The Clerk stated that she has several items relating to the DPW for Council consideration.

- The Acting Supervisor reported that there are 8 Stop Signs that are faded and need to be replaced. The Clerk found new stop signs for \$44.85 each or can purchase new sign faces which then can be overlaid on the old aluminum sign blanks for \$26.71 each for a saving of about \$145. Additionally, George mentioned needing other new signs/refurbished signs and will be providing the Clerk with a list of the same. The Clerk asked Council to considering authorizing her make purchases as may be need for a cost not to exceed \$500.

Mrs. Papics moved Council authorize the Clerk to purchase new signs or refurbish old signs for a cost not to exceed \$500; seconded by Mr. Smith.

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

- A resident reported that the fire hydrant at Milford/Willow was plowed in and he shoveled it out. The DPW drivers reported that they did not do it, but that a privately owned plow truck was seen in the area clearing private property. The Clerk will ask the Code Enforcement Officer to send a letter to the property owner to advise that snow from private property can not be pushed into the street or in front of a fire hydrant.
- The Clerk received 2 applications for DPW Employment and interviews will scheduled in the near term.
- Anticipated truck expenses – The Acting DPW Supervisor reported that truck # 6 needs a new head gasket and a new heater coil hose and whatever else may be found. Steve from Bethlehem Township recommended Precision Diesel on Route 173. Steve thinks it may run between \$4000.00 and above.

The Clerk reported that she asked George to provide a summary of repair cost for both #5 & #6 in the past several years. He reported that Truck #5 is a 2001 with 24498 miles and repairs since 2015 have totaled \$13,000. Truck 6 is a 2003 with 19641 miles and repairs since 2015 totaled \$3200.

The Clerk stated that she would like to have the DPW drop off the truck and ask for a detailed estimate before authorizing any expenditure. Council agreed with the same.

- A set of curb guards were ordered and should be delivered this week.
- The Clerk reported that George stated the gas tank at the park is low and asked if he should order more. He stated he thinks they should continue to use the diesel tank, but consider eliminating the gas tank because they don't use a lot of gas and could go to Citgo and use the Borough credit card for gas for the pick up and the mowers.

Due to his inquiry, the Clerk suggested he get the current per gallon price from Van Doren for gas and diesel and compare to the cost at Citgo and the Truck Stop. George reported that gas was \$0.20 more per gallon from Van Doren than at Citgo and Diesel is \$0.07 less from Van Doren than the Truck Stop. Van Doren does not charge a delivery fee.

Discussion followed. Mr. Francisco stated that great effort went into getting the tanks installed at the garage for the convenience and availability and he feels not using them is like taking a step back. Council members voiced concerns for how fuel would be purchased and monitored if multiple employees needed credit cards in order to fuel up.

Council is not in favor of discontinuing use of the gas tank at the garage or distributing credit cards or gas cards to additional employees. The Clerk will let George know he should proceed with ordering gas for the garage tank.

- Mailbox damage – 3 Deer Path. The Clerk explained that a resident reported their mailbox was hit by a Borough plow truck driver during a recent storm. She added that a DPW Employee stated that he clipped the mailbox with the rear of the truck while plowing to the curb in the area. In accordance with Borough procedure, the Clerk reported the same to the Code Enforcement Officer and asked that he complete the required inspection of the mailbox.

Mr. Stiehler read the findings provided by Mr. Creveling to Council as follows:

- The mailbox height from the road surface to the bottom of the mailbox is 36 inches instead of the required 41-45 inches.
- The face of the mailbox extends outward toward the roadway beyond the curb edge where a six to eight inch setback is required.
- The support for the mailbox wooden post is a metal spiked device that does not appear to be set in the required hole filled with concrete.

Discussion followed. Mr. Stiehler asked if any receipts had been submitted. The Clerk stated that none had been received to her knowledge, but she understands the Mayor reached out to the property owner and suggested they get an estimate for repairs. Council agreed that the policy as outlined in resolution # 19-12 must be followed.

OLD BUSINESS-

SRTS –

Nothing new to report.

NORTH STREET/PICKEL LANE-

Nothing new to report.

COAH-

Mr. Edleston reported there is nothing new and this can be removed from the agenda for now.

BOROUGH OWNED PROPERTY-

Nothing new to report.

Mr. Smith stated that he will begin working to set up a meeting with residents to discuss what can be done with vacant and abandoned properties in the Borough. Mr. Edleston confirmed that this can be done provided there is not a quorum of Council members present and as long as no paid employees or professionals are included in the meetings without Council approval.

WOODLAND TERRACE PARKING-

Nothing new to report.

TAX APPEALS

Mr. Edleston stated that he is waiting for Eloise to provide the name of an appraiser she recommends and the cost to complete an appraisal of the Truck Stop. He added that this has to be done this week as he has to report to court on February 21, 2018. He will follow up with Eloise tomorrow morning to get this going.

NEW BUSINESS

INTRODUCTION - ORDINANCE 101-18 - AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2018

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 2018:

Section 2. Salary and wage ranges for the year 2018 are as follows:

- a. Borough Clerk/Administrator \$20,000 - \$50,000 per year, plus
\$28.00-\$42.00/hr for additional hours.
- b. Deputy Clerk \$9.00 - \$11.00 per hour
- c. Registrar \$1,000 - \$3,000 per year
- d. Deputy Registrar \$100 – \$500 per year
- e. Chief Financial Officer \$9,000 - \$22,000 per year
- f. Tax Assessor \$5,000 - \$11,500 per year
- g. Tax Collector \$2,000 - \$11,500 per year
- h. Deputy Tax Collector \$2,000 – \$10,000 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 \$22.00 – 25.00 per hour
- n. Public Works Laborer #1 \$15.00- \$20.00/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 - \$12.00/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. Smith moved Council Introduce Ordinance 101-18; seconded by Mr. Dangelo.
ROLL CALL VOTE: Dangelo-aye; Smith-aye; Stiehler-aye; Papis-abstain. Motion carried.

INTRODUCTION - ORDINANCE # 102-18 - CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.. 40A:4-45.14)

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

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

WHEREAS, the Governing Body of the Borough of Bloomsbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2018 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 1.0% increase in the budget for said year, amounting to \$6,604.19 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 2018 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 \$23,114.67, and that the CY 2018 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. Smith moved Council Introduce Ordinance 101-18; seconded by Mrs. Papics.
ROLL CALL VOTE: Dangelo-aye; Smith-aye; Stiehler-aye; Papics-aye. Motion carried.

CONSENT AGENDA

Mr. Stiehler asked that Resolutions #21-18, #22-18, #23-18 & #24-18 be considered by consent agenda.

**RESOLUTION # 21-18 - 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 2019 in the amount of:

DEDR: \$27,511.00
Cash Match: \$6,877.75
In-Kind: \$20,633.25

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION #22-18 - GOVERNING BODY CERTIFICATION OF COMPLIANCE
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction
Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title

VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Borough Council of the Borough of Bloomsbury, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

RESOLUTION # 23-18 - 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, 2019, 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 2018.

William Schroeder is appointed Borough Auditor for the calendar year 2018.

William Edleston, Esq. is appointed Borough Attorney for the calendar year 2018.

David Banisch, PP/AICP is appointed Municipal Planner for the calendar year 2018.

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.

RESOLUTION # 24-18 - LIEN REDEMPTION

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

NOW THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Bloomsbury this 23rd day of January, 2018 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #	AMOUNT
Borough of Bloomsbury	17/38	2014-003	\$346.22

Mr. Smith moved Council adopt Resolutions #21-18, #22-18, #23-18 & #24-18 be by consent agenda; seconded by Mr. Dangelo.
 ROLL CALL VOTE: Dangelo-aye; Smith-aye; Stiehler-aye; Papics-aye. Motion carried.

CROSSING GUARD APPOINTMENT TERM

Discussion is tabled until February.

APPOINTMENT OF 2018 ON-CALL EMPLOYEES

2017 appointments are carried forward and 2018 appointments will be made at the February meeting.

CORRESPONDENCE

There were no additional correspondence.

PUBLIC COMMENT

Mrs. Papics moved Council open public comment; seconded by Mr. Dangelo. All ayes. Motion carried.

Stan Prater, JCP&L stated he wanted to stop by at the start of the New Year and confirm Council member appointments to ensure everyone is getting his emails. The Clerk will email Mr. Prater additional emails.

Mr. Prater reported that tree trimming for Hawks Substation will be conducted next year as we are in the 3rd year of 4 year cycle. Mrs. Papics confirmed that that was the source of trouble for the Borough during Hurricane Sandy.

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

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mr. Dangelo. All ayes, motion carried. Meeting adjourned at 7:50 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
FEBRUARY 27, 2018**

The regular meeting of the Mayor and Council was held on February 27, 2018 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 11, 2018 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:	Todd Dangelo	Eric Weger
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	William Edleston, Esq.
	Al Stiehler – arrived 7:45	

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of November 28, 2017; seconded by Mr. Weger. All ayes. Dangelo-abstain. Motion carried.

Mrs. Papics moved Council approve the Regular Meeting Minutes of January 23, 2018; seconded by Mr. Dangelo. All ayes. Weger-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly Report of January 31, 2018 seconded by Mr. Weger. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Weger moved Council approve the Bill List of February 27, 2018; seconded by Mrs. Papics. ROLL CALL VOTE: Dangelo-aye; Papics-aye; Weger-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

Mr. Weger moved Council accept the Zoning/Code Enforcement report of February 15, 2018; seconded by Mrs. Papics. All ayes. Motion carried.

CLERK/ADMINISTRATOR REPORT

The Clerk stated she understands that the truck needs to have the fluids checked often and topped off as needed. Mr. Tuxhorn told her that Performance was recommended for a repair so she had asked him to get a detailed quote for the same. The quote was for \$6,000 so she advised the DPW they should continue to keep fluids topped off to avoid this costly repair.

COMMITTEE REPORTS

Nothing to report.

OLD BUSINESS-

SRTS –

Nothing new to report.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Nothing new to report.

WOODLAND TERRACE PARKING-

Nothing new to report.

NEW BUSINESS

ELIZABETHTOWN GAS – FRANCHISE RENEWAL

Mr. Edleston stated that Richard Valenti, Esq. is representing the applicant and the matter is before Council for the first public hearing regarding extension of municipal consent for another 10 years.

Mr. Valenti stated that in order for a utility to serve a municipality, the BPU requires that they appear before the municipality to renew their consent. He advised that they last appeared in 2005 and that consent actually expired in 2015. Mr. Valenti stated that the Ordinance mirrors the one that was adopted last time in that it does the following:

- It requires Elizabethtown Gas to restore any street that it opens to the same condition it was before they opened it.
- It requires that they get permission from the Municipality before opening any street.
- It requires them to post a performance bond in order to ensure the work is complete.
- It requires them to maintain liability insurance to protect the Borough with respect to their activities.
- It requires that they indemnify and defend the Borough with respect to anything they may do that could do harm to any property or person within the Borough.

Mr. Edleston asked if in the future there would be a possibility of extending service to other residents within the Borough that are not currently serviced by gas. Discussion followed. The Clerk will forward a mailing list so that a survey can be mailed to all residents.

Mr. Edleston asked if any member of the public has any comment on the first public hearing.

Craig Staible, Milford Road asked if service would be extended to Willow Avenue and Milford Road. Mrs. Tersigni stated that the entire town will be surveyed and we will find out. Mrs. Tersigni made a motion to close the public hearing.

Mr. Edleston stated that the first Public Hearing is declared closed.

INTRODUCTION – ORDINANCE # 103-18 – AN ORDINANCE GRANTING MUNICIPAL CONSENT TO PIVOTOL UTILITY HOLDINGS, INC d/b/a/ ELIZABETHTOWN GAS TO CONSTRUCT, MAINTAIN, AND OPERATE GAS LINES FOR THE DISTRIBUTION OF NATURAL AND MIXED GAS

BE IT HEREBY ORDAINED by the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey that **SECTION A280** of the Code of the Borough of Bloomsbury entitled “**Gas Franchise – Grant of Municipal Consent**” is hereby readopted to be incorporated in the Code as follows:

WHEREAS, Pivotal Utility Holdings, Inc. doing business as Elizabethtown Gas, a Corporation of the State of New Jersey and a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities, on February 7, 2018, filed a Petition with the Clerk of the Borough of Bloomsbury seeking renewal of the Municipal Consent to construct, operate and maintain natural and mixed gas distribution lines for public and private consumption throughout the Borough of Bloomsbury (the “Borough”).

WHEREAS, NUI Utilities, Inc. d/b/a Elizabethtown Gas Company, a predecessor of Elizabethtown Gas Company, was granted Municipal Consent to serve residents within the municipality and to construct, maintain, and operate a gas line for the distribution of natural and mixed gas in the Borough, pursuant to Ordinance adopted on May 24, 2005, and that Municipal Consent expired ten years thereafter.

WHEREAS, Representatives of the Petitioner appeared before the Mayor and Council to present their request for renewal of the Consent Ordinance within the Borough; and

WHEREAS, the Petitioner has provided public notice of such Petition through publication in the official newspaper of the Municipality, and notices of such Petition have been posted pursuant to Statute.

WHEREAS, the Borough has determined that it is reasonable and necessary for Elizabethtown Gas, its successors and assigns, to continue to provide for construction, maintenance, and operation of a gas line for the distribution of natural and mixed gas in the entire Borough.

WHEREAS, the Borough desires to extend the municipal consent to Elizabethtown Gas under the terms earlier set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bloomsbury:

Section I. Grant of Municipal Consent.

The Mayor and Council of the Borough of Bloomsbury hereby grant to Pivotal Utility Holdings, Inc. doing business as Elizabethtown Gas, a Corporation of the State of New Jersey (hereinafter "Elizabethtown") with principal offices located at 520 Green Lane, Union, New Jersey 07083, its successors and assigns, a nonexclusive consent, right and privilege for the use, without impairment of, or obstruction to the public use, of the public roads, streets, avenues, ways, and other public places of the Borough to construct, lay, maintain, and operate for a

period of ten (10) years, the necessary mains, conductors, pipes and concomitant appurtenances for the purpose of conveying, storing, supplying and distributing natural and mixed gas for heat, power, light and other purposes for public and private use and consumption, along, in, or under the following described service area: all the public roads, streets, avenues, highways, and public places within the Borough as they now exist or may be hereinafter be laid out by the municipal authorities of the Borough or dedicated to the Borough.

Section II. Conditions on Grant of Municipal Consent.

The Municipal Consent granted herein is expressly conditioned upon the following:

- (a) The written acceptance of Elizabethtown of the terms and conditions of this municipal Consent Ordinance within thirty (30) days of its final adoption.
- (b) The New Jersey Board of Public Utilities (hereinafter "N.J.B.P.U.") approval of the Consent herein granted and the issuance of such other grants or approvals as determined by the N.J.B.P.U.
- (c) Elizabethtown shall satisfy all Statutory requirements regarding the proper organization and operation of a Public Utilities engaged in the distribution of natural and mixed gas, and shall remain subject to the jurisdiction of and comply with all Rules and Regulations of the United States Department of Transportation, Office of Pipeline Safety and the N.J.B.P.U. as well as the Ordinance of the Borough.
- (d) Elizabethtown shall construct and continuously maintain and operate their distribution line within the service area in a safe and efficient manner, and maintain such gas distribution lines in a state of good operation and repair and including all streets, roads, and public rights-of-way within the Borough wherein its lines are located.
- (e) The construction, operation and maintenance of the gas distribution system within the rights-of-way of the Borough shall in no way place any obligation, financial or otherwise, or any liability of any kind, upon the Borough and no obligation is to attach for the construction, operation and maintenance of the said gas distribution system to the Borough.
- (f) Any and all regulating pits and venting structures or like facilities shall not be located within the public rights-of-way comprising the Service Area.

Section III. Construction; Installation; Restoration.

- A. Construction. In each and every case in which road openings or excavation of any nature are required or made for the purposes aforesaid, Elizabethtown shall restore, all such public and private lands or facilities to as good a condition as existed at the commencement of the said work or such better condition, at its sole cost and expense. All such openings and installation and maintenance shall be undertaken in strict compliance with the standards imposed by the N.J.B.P.U., any other regulatory agency, and all applicable Municipal Ordinances, with such work to be done in a

careful, prudent and workmanlike manner, and within such time limitations as shall be best for the proper safeguard of the public.

- B. Relocation. If at any time during the period of this Municipal consent, the Borough finds it necessary to alter or change the grade of any street, road or other public right-of-way or area, Elizabethtown shall, upon reasonable notice by the Municipality, remove and relocate its distribution line and pipes at the expense of Elizabethtown.
- C. Restoration. In the event that Elizabethtown shall refuse or neglect, after ten (10) days notice in writing by the representative of the Borough, to restore any disturbed area at its cost and expense, and in compliance with all applicable Municipal Ordinances in effect at the time, to its pre-existing or better condition, any street, road, pavement, driveway or other improvements after having made an opening or excavation, the necessary work to accomplish such restoration may be done by the Borough, and thereafter, Elizabethtown shall be liable for the actual and necessary costs thereof, and shall immediately pay such costs to the Borough upon receiving notice thereof.
- D. Preconditions to Undertaking Construction. Elizabethtown shall give to the Borough, through its duly designated representative, written notice of its intention to open or excavate any street or other public place in accordance with the Borough Ordinance regulating the excavation and opening of streets, roads and highways, with the exception that such notice requirement shall be waived in the event of an emergent circumstance such that such emergency will affect public health or safety. As soon as practically possible after the occurrence of such emergent circumstance, Elizabethtown shall give prompt written notice to the Borough of any emergency opening or excavation that Elizabethtown shall undertake.

Section IV. Indemnification, Performance Bond, Liability.

- A. Indemnification. Elizabethtown, its successors and assigns, by the acceptance of the grants, rights and privileges conferred by this ordinance, shall at all times and does hereby and will indemnify and hold harmless, the Borough and all of its subsidiary agencies, officials and employees for any and all claims of whatsoever kind or nature arising from or relating to the construction, installation, maintenance, laying, repairing, inspecting, or altering of mains conductors, pipes and appurtenances thereto, and any other facilities, and including, but not by way of limitation, any damages, penalties, costs, attorney's fees and charges for personal injury, property damage or otherwise, based upon Elizabethtown's negligence or the negligence of its agents, servants, employees or independent contractors.

- B. Performance Bond. Prior to the commencement or any construction or installation under this Municipal Consent, Elizabethtown shall execute and deliver to the Clerk of the Borough and subject to prior review and approval by the Borough Attorney, a Bond in the amount of \$10,000.00 guaranteeing the faithful performance of all of its obligations and undertakings under this Ordinance, which Bond shall be enlarged or renewed from time to time as the Committee may require.

- C. Liability Insurance. Elizabethtown agrees to maintain and keep in full force and effect, at its sole expense, and at all times during the terms and duration of this Municipal Consent, sufficient liability insurance naming the Borough as an additional insured party, and insuring and indemnifying the Township against any loss by any such claim, suite, judgment, execution or as follows:
 - (a) Elizabethtown shall carry Workman's Compensation Insurance with Statutory limits.

 - (b) Elizabethtown shall at all times, maintain a Comprehensive General Liability Insurance Policy with a single limit amount of \$1,000,000.00 covering liability for any death, personal injury, property damage or other liability arising out of its construction and operation of the gas distribution systems herein and in addition, an excess liability (or "umbrella") policy in the amount of \$3,000,000.00.

 - (c) Elizabethtown shall furnish to the Borough a certified copy or Certificate of Insurance of each of the Policies as set forth herein.

Section V. Duration of Consent.

- A. Term. The Limited Municipal consent granted to Elizabethtown herein is for a period of ten (10) years from the effective date of this Ordinance.

- B. Public Hearing. Immediately prior to the ten (10) year expiration of this Consent, the Borough shall conduct public hearings regarding the performance of Elizabethtown with the terms of this Municipal Consent. The public hearing shall be duly advertised and shall provide any opportunity for all interested persons to participate.

- C. Extension. Upon the conclusion of the public hearings as set forth herein, the Borough shall consider such extension and such additional conditions as the record of the public hearings may warrant.

- D. Transferability. The right of Elizabethtown to transfer or assign any and all of its rights and obligations under this Municipal Consent Ordinance shall only be permitted upon Elizabethtown providing to the Borough thirty (30) days advance written notice of such intent to transfer, and specifying the name of the assignee and other pertinent data as may be required by the Borough. No transfer or assignment shall be made without the prior written

consent of the Borough which consent shall not be unreasonably withheld. Any notice or request for assignment must contain the written acknowledgement of the proposed assignee to be bound by all the terms and conditions of this Municipal Consent Ordinance and shall require the posting of a replacement Performance Bond and satisfaction of the liability insurance requirements prior to any written consent to transfer by the Borough Mayor and Council.

- E. Notice of Proceedings. Elizabethtown shall give the Municipality timely written notice of at least thirty (30) days in advance of all proceedings initiated by Elizabethtown or the N.J.B.P.U. or other Regulatory Agency, when such proceedings may affect the commitments, this Municipal Consent or relationship between Elizabethtown and the Municipality, whether or not such notice is required by law. All submissions provided to such Regulatory Agency by Elizabethtown shall also be provided to the Borough.

Section VI. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or Competent jurisdiction, such Order or Judgment shall not effect or invalidate this remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section VII. Effective Date.

This Municipal Consent Ordinance shall become effective upon adoption and publication according to law, and only upon written acceptance of this Municipal Consent by Elizabethtown, which written consent shall be filed with the Clerk of the Municipality within thirty (30) days of the date after which Elizabethtown receives notice of the passage of this Ordinance.

Mr. Weger moved Council introduce Ordinance #103-18 on first reading; seconded by Mrs. Papics.

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

The Clerk will publish the Ordinance in accordance with law and submit the invoice to Mr. Valenti for reimbursement.

PERRYVILLE STATE POLICE

Trooper Finnerty stated that he and Tim Sanderson will be taking over for Brian Walsh as he has been promoted and is now working out of Washington. He explained that they are both local and familiar with Bloomsbury and the issues that we face. He added that they will be issued cell phones soon and will give that number out to the Mayor and Council at that time.

Craig Staible asked Trooper Finnerty if they are able to patrol Milford Road for speeding.

2018 BUDGET INTRODUCTION

Mr. Francisco stated that 2017 was a good year, we did not make any transfers and we ended with a healthy surplus.

The Budget remains much the same except the following:

- Increase salaries 2%
- Increase Clerk's Budget by \$3,500 for a new server
- Increase Public Works Budget by \$5,000 for truck repairs if needed
- New Garbage contract increase of \$2,700 over previous year.
- No Increase to state health benefits and our pension contribution actually went down.
- Increased budget for paving to \$17,000

Mr. Francisco state that the largest increase was \$15,000 for appraisals and professional fees for the State Tax Appeals and the Tax Assessor had felt this would be enough; however, in the last 48 hours, following discussions with the Attorney and professionals, it seem it is not enough. Mr. Francisco explained that he has included \$50,000 in the budget to cover this expense of defending these appeals in State Tax Court. He stated that it is \$5,000 for each appraisal, one for Browns and one for TA and there will be fees of \$175/hour for special Tax Appeal Attorney.

Mr. Francisco provided Council with a calculation of the potential impact of the TA Appeal. He stated that currently the truck stop is assessed at \$5,821,800 the truck stop is asking for a reduction of almost \$2,000,000 a year for 4 years. He explained that if they get what they have requested, the Borough would owe them \$244,064.79 for the 4 years. If they are successful and our total assessment for the Borough goes down over \$2,000,000 then based on last year's taxes, the average home would have to pay about an additional \$169 more to make up for the difference. This is why it is important to budget the \$50,000 to defend the assessment in court. He added that this is a worst case scenario.

Mr. Schroeder stated that our fund balance at the end of 2017 was up to \$744,000 explaining that it used to be right around \$250,000 but over the last 7 or 8 years it has more than doubled. He stated that we do not want to spend on this, but we have it. Mr. Edleston stated the court date is May 21st with a decision expected in July if the matter goes to trial. If it settles, then it should settle before May 21st. Brief discussion followed.

Mr. Schroeder stated that this year we are not self review so we will introduce the budget tonight and then next month we will hold the public hearing. Mr. Schroeder read the Budget Resolution aloud.

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

SECOND READING- ORDINANCE 101-18 - AN ORDINANCE SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2018

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 2018:

Section 2. Salary and wage ranges for the year 2018 are as follows:

a. Borough Clerk/Administrator	\$20,000 - \$50,000 per year, plus \$28.00-\$42.00/hr for additional hours.
b. Deputy Clerk	\$9.00 - \$11.00 per hour
c. Registrar	\$1,000 - \$3,000 per year
d. Deputy Registrar	\$100 – \$500 per year
e. Chief Financial Officer	\$9,000 - \$22,000 per year
f. Tax Assessor	\$5,000 - \$11,500 per year
g. Tax Collector	\$2,000 - \$11,500 per year
h. Deputy Tax Collector	\$2,000 – \$10,000 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	\$22.00 – 25.00 per hour
n. Public Works Laborer #1	\$15.00- \$20.00/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 - \$12.00/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 open the Public Hearing of Ordinance #101-18; seconded by Mrs. Papis. All ayes. Motion carried.

Mr. Staible asked if the Ordinance outlined salaries for everyone present. Mrs. Tersigni stated that it has the salaries for the Clerk and CFO but Council members are not paid.

Mr. Weger moved Council close the Public Hearing of Ordinance #101-18; seconded by Mr. Stiehler.

Mr. Stiehler moved Council Adopt Ordinance #101-18; seconded by Mr. Weger.

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

SECOND READING - ORDINANCE # 102-18 - CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.. 40A:4-45.14)

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

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

WHEREAS, the Governing Body of the Borough of Bloomsbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2018 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 1.0% increase in the budget for said year, amounting to \$6,604.19 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 2018 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 \$23,114.67, and that the CY 2018 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 open the Public Hearing of Ordinance #102-18; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Weger moved Council close the Public Hearing; seconded by Mrs. Papics.

Mr. Stiehler moved Council Adopt Ordinance #102-18; seconded by Mr. Weger.
ROLL CALL VOTE: Dangelo-aye; Stiehler-aye; Papics-aye; Weger-aye. Motion carried.

CONSENT AGENDA

RESOLUTION # 25-18 - 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 24, 2018 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 # 26-18 - 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 24, 2018 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.

RESOLUTION # 27-18 - 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 18, 2018 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 #28-18 - RESOLUTION OPPOSING THE PROPOSED BEEKEEPING RESOLUTIONS WHICH WOULD HAVE A DETRIMENTAL EFFECT ON BEEKEEPING ON THE BOROUGH OF BLOOMSBURY

WHEREAS, New Jersey's state insect is the honey bee; and

WHEREAS, honey bees are of benefit to mankind, and to New Jersey in particular, by providing plant pollination, recreation for the beekeeper, honey, wax, and other beneficial hive products; and

WHEREAS, even according to the Department of Agriculture's website, "without a healthy honey bee population, successful fruit and vegetable production would be at risk since New Jersey's 20,000 bee colonies, valued at \$350 per colony, represent a \$7 million honey bee industry for the State and contribute to successful production of nearly \$200 million worth of fruits and vegetable annually"; and

WHEREAS, domestic strains of honey bees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and non-aggressive behavior, which are all characteristics desirable for fostering and maintaining honey bee colonies within all populated areas; and

WHEREAS, gentle strains of honey bees can be maintained within populated areas in reasonable densities without creating a detriment to public health and safety if the bees are properly located, managed and maintained; and

WHEREAS, many New Jersey residents desire to provide sustainability and value for New Jersey's home gardeners, farms, and all homeowners with a variety of locally grown vegetables and fruits for New Jersey residents; and

WHEREAS, the honey bee assists the agricultural community to increase productivity and through sustained productivity maintain an environment that promotes agricultural land use as opposed to development; and

WHEREAS, these new regulations include a section on Apiary Standards which states that bee colony density will be regulated as follows: on a residential lot of less than one-quarter acre where agriculture has not otherwise been determined as permitted, new (not already in existence) hives are not permitted; on a residential lot of less than one-quarter acre where hives are in existence as of July 31, 2015, the hobbyist beekeeper must seek a formal waiver in order to continue to keep bees; on a residential lot of one-quarter acre to less than five acres, a person wishing to keep bees as a hobbyist may seek a formal waiver to keep two hives per lot: and

WHEREAS, these new regulations include a section on Apiary Standards which states that bee colony density will be regulated as follows: on a residential lot of less than one-quarter acre where agriculture has been determined as permitted, new (not already in existence) hives are not permitted; on a residential lot of less than one-quarter acre, where agriculture has been determined as permitted where hives are in existence as of July 31, 2015, the hobbyist beekeeper may seek a formal waiver; on a residential lot of one-quarter to less than five acres, where agriculture has been determined as permitted, a person wishing to keep bees as a hobbyist may keep two new hives; on a residential lot of one-quarter to less than five acres, where agriculture has been determined as permitted where hives are in existence as of July 31, 2015, a person wishing to keep bees as a hobbyist must seek a formal waiver to keep more than two hives; and

WHEREAS, these new regulations include a section on Location of Hives, which requires that all hives must be located at least 10 feet from any property line and at least 25 feet from any roadside, sidewalk, or path and 85 feet from any public place including playgrounds, sports fields, schools or churches, unless permission is granted for educational or research purposes, as well as establishing a Flyway Barrier at least six feet in height consisting of a solid wall, fence, or dense vegetation parallel to the property line and extending 10 feet beyond the colony in each direction; and

WHEREAS, the NJ Department of Agriculture is proposing beekeeping regulations that would severely restrict beekeeping in the State of New Jersey and consequently in the Borough of Bloomsbury; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Bloomsbury wishes to go on record with the New Jersey Department of Agriculture that the Borough of Bloomsbury is opposed to the proposed beekeeping regulations which would have a detrimental effect on beekeeping in the Borough of Bloomsbury as well as throughout New Jersey and urges the New Jersey State League of Municipalities to work towards creating legislation with straightforward regulations based on facts, science, and best management practices which will protect both beekeepers and non-beekeepers within the State of New Jersey; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the New Jersey State League of Municipalities; the New Jersey Beekeepers Association; and all Hunterdon County municipalities, urging them to oppose the adoption of the new beekeeping regulations as proposed by the New Jersey Department of Agriculture.

RESOLUTION #29-18 - RESOLUTION APPOINTING MICHAEL PFLUGFELDER TO THE POSITION OF PUBLIC WORKS LABORER #1

WHEREAS, the position of Public Works Laborer #1 is an annual appointment, and

WHEREAS, Michael Pflugfelder served as Public Works Laborer #1 from September 2017 through the end of the year;

BE IT IS HEREBY RESOLVED that the Common Council of the Borough of Bloomsbury does hereby appoint Michael Pflugfelder to the position of Public Works Laborer #1 for 2018

RESOLUTION # 30-18 - 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 2018 and shall be required to endorse the On-Call Employment Agreement.

Bob Clark

Steve Douglas

Scott Gonzalez

Aaron Murray

George Pflugfelder

Michael Venditti

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 # 31-18 - APPOINTMENT OF JENNIFER HARRINGTON AS TAX COLLECTOR

WHEREAS, Jennifer Harrington has served as deputy tax collector for the Borough of Bloomsbury since March 22, 2016,

WHEREAS, Jennifer Harrington successfully completed the required courses and passed the Certified Tax Collector Exam on December 18, 2017,

NOW THEREFORE, BE IT RESOLVED, Jennifer Harrington is hereby appointed Tax Collector for the Borough of Bloomsbury beginning March 1, 2018 to fill an unexpired term through 12/31/18.

BE IT FURTHER RESOLVED, the Annual Salary shall be \$6,243 for 2018.

Mrs. Tersigni stated that she would like council to consider Resolutions #25-18 - #31-18 by consent agenda.

Mr. Weger moved adopt Resolutions #25-18, #26-18, #27-18, #28-18, #29-18, #30-18 & #31-18 by consent agenda; seconded by Mr. Stiehler.

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

RESOLUTION #32-18 - A RESOLUTION SETTING THE SALARIES & WAGES FOR EMPLOYEES OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR THE YEAR 2018

WHEREAS, The Borough of Bloomsbury has adopted a salary ordinance # 101-18 setting salary and wage ranges for 2018, and

NOW THEREFORE, BE IT RESOLVED, this resolution will specify the specific 2018 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)	\$49,575 per year, plus \$41.02/hr for additional hours
b. Deputy Clerk	\$10.00 per hour
c. Registrar (Burd Reindel)	\$2,601 per year
d. Deputy Registrar (Maleki-Ruta)	\$200 per year
e. Chief Financial Officer (Francisco)	\$21,721 per year
f. Tax Assessor (Hagaman)	\$11,186 per year
g. Tax Collector (Fleming through February 28, 2018)	\$2,081 per year
h. Deputy Tax Collector (Harrington through February 28, 2018)	\$4,162 per year
i. Tax Clerk (Burd-Reindel)	\$2,691 per year
j. Public Works Supervisor (Tuxhorn)	\$22.44 per hour
k. Public Works Laborer #1(M. Pflugfelder)	\$18.87 per hour
l. On Call Laborer (Clark, Douglas, Gonzalez, Murray, G. Pflugfelder, Venditti)	\$17.57 per hour
m. Specialized Labor – snow plowing (Clark, Douglas, Gonzalez, G, Pflugfelder, M. Pflugfelder, Venditti)	\$20.40 per hour
n. Planning Bd. Secretary (Burd Reindel)	\$4,116 per year
o. Code Enforcement Officer (Creveling)	\$7,132 per year, plus \$25.00 per sidewalk inspection
p. Emergency Mgt. Coordinator (Papics)	\$2,126 per year, plus \$11.21/hr for FEMA related hours
q. Dog/Cat Licensing Official (Burd Reindel)	\$572 per year
r. School Crossing Guard (Hutchinson, Payne Galuppo)	\$14.57 per shift

NOW THEREFORE, BE IT FURTHER RESOLVED, the above salaries shall be retroactive to January 1, 2018, unless otherwise noted.

Mr. Stiehler moved adopt Resolution #32-18; seconded by Mr. Weger.

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

RESOLUTION # 33-18 - RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH CERTAIN BOROUGH PROFESSIONALS FOR CERTAIN TAX APPEAL MATTERS

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 a real estate appraiser and special tax counsel and that the bidding of same would be impracticable; and

WHEREAS, Robert Renaud Esq. of the firm of Palumbo, Renaud & Deappolonio LLC, is a duly licensed attorney of the State of New Jersey; and

WHEREAS, Timothy Hoffman is a certified general real estate appraiser licensed in 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 Robert Renaud and Timothy Hoffman 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, effective January 1, 2018, 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:

Robert Renaud, Esq. and the firm of Palumbo, Renaud & Deappolonio LLC is appointed special tax counsel for tax appeal years 2014 through 2018 regarding the tax appeal of HPT TA Properties Trust for Lot 3 Block 30 in the Borough of Bloomsbury and for the tax appeal of Brown Holdings LLC for tax appear years 2016, 2017 and 2018 regarding Lot 4 Block 30.

The foregoing firm's fees shall be compensated at the rate of \$175.00 per hour for attorneys and \$75.00 for paralegals, if paralegal time is utilized.

- B. Timothy Hoffman is appointed special tax appraiser to assist in the two foregoing tax appeals at a compensated rate of \$4,950.00 per property inclusive of all years under appeal for the purpose of preparing an appraisal report with additional services including

expert testimony, additional consultation or settlement conference appearances at the hourly rate of \$150.00 billed monthly.

- C. 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.
- D. This resolution shall be published once in the Hunterdon County Democrat.
- E. Copies of said professional agreements shall be maintained in the municipal offices of the Borough.

Mr. Stiehler moved adopt Resolution #33-18; seconded by Mrs. Papics.

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

Mr. Edleston will request and review contracts for Mr. Renaud and Mr. Hoffman and once satisfied he will forward the same to the Mayor and Clerk for execution.

CORRESPONDENCE

There were no additional correspondence.

PUBLIC COMMENT

Craig Staible asked if Eloise was appointed Tax Collector. Council explained that she is our Tax Assessor and Jennifer Harrington is Tax Collector.

Mr. Staible asked if \$17,500 was budgeted for pothole repair this year noting that Milford Road and Willow Avenue need many repaired.

Mr. Staible asked if there was an update about the weight limit sign plan. The Clerk stated that Engineer again responded that he is working on it. Mrs. Tersigni asked the Clerk if the sign plan needs to be added to our code. The Clerk stated that she does not believe so, that she thinks signs just need to be installed at either end of the approved streets.

Mr. Staible stated that people often park too close to the intersection in the yellow at the Pizza place. The Clerk will ask the DPW to check the distance of the yellow curb and signage in the area.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Stiehler; seconded by Mr. Dangelo. All ayes, motion carried. Meeting adjourned at 8:10 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
MARCH 27, 2018**

The regular meeting of the Mayor and Council was held on March 27, 2018 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 11, 2018 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:	Todd Dangelo	Eric Weger
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	William Edleston, Esq.
	Al Stiehler – excused	

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of February 27, 2018; seconded by Mr. Weger. All ayes. Motion carried.

TAX COLLECTOR'S REPORTS

Mr. Weger moved Council approve the Tax Collector's Monthly Report of February 28, 2018 and the Annual Report for 2017; seconded by Mrs. Papics.

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

APPROVAL OF BILL LIST

Mrs. Papics moved Council approve the Bill List of March 27, 2018; seconded by Mr. Weger.

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

ZONING/CODE ENFORCEMENT REPORT

Mrs. Papics moved Council accept the Zoning/Code Enforcement report of March 2018; seconded by Mr. Dangelo. All ayes. Motion carried.

COMMITTEE REPORTS

V. Papics –

OEM- Mrs. Papics reported that since we did not receive over record snow fall in Storms Quinn, Riley or Toby, they will not be reimbursing for plowing, salting or related costs.

CLERK/ADMINISTRATOR REPORT

The Clerk stated that she is working on a proposal for Council and the Planning to consider to eliminate the need for residents to obtain a Zoning Permit at a cost of \$5.00 for many of the things it is currently required for. She explained that many have nothing to do with zoning. She

stated that she was always told that it was in place so that the Tax Assessor would be aware of work that work that was being done, but she explained that the Tax assessor doesn't get a copy of the monthly report and she is already notified when State permits are closed for Electrical, Plumbing, Building, etc. The Clerk stated that she feels it is important to encourage residents to make repairs, and doesn't think they should be required to get a local permit for things like repairing a roof, replacing windows and doors, or other minor repairs as it is more of an annoyance than anything. The Clerk is working with the Zoning Officer to compile a list of things that should require a zoning permit and will present the same to Council at a future meeting.

M. Tersigni-

Mrs. Tersigni stated it appears that Aqua will be doing work on North Street and the Engineer will look into that.

Mr. Roseberry is looking into combining road projects as we have been denied for funding again this year.

I – 78 Route 22 committee on economic development and neither she or Mr. Stiehler can make the meeting this Thursday. She explained that they will be meeting quarterly and working with the head of Hunterdon County Economic Development.

Mrs. Tersigni stated that Mr. Francisco requested Council approval to attend the annual conference. Mrs. Papis moved Council authorize the CFO to attend the annual conference; seconded by Mr. Dangelo. All ayes. Motion carried.

WEIGHT LIMIT-

The Clerk stated that she finally received the sign plan from Mr. Roseberry and has directed the DPW to remove signs where they do not belong and install signs as needed in accordance with the same. She notified the State Police and the Court Administrator that the Ordinance is now enforceable.

PERRYVILLE STATE POLICE

Trooper Finnerty stated that Weight Limit Ordinance has been posted at the Station and Troopers are aware of the same.

He stated that he spoke to the Clerk about a resident on Church Street blocking a handicapped Space and that was quelled. If this continues the matter will be passed to NJSP for them to handle.

He added that residents should be reminded that as the warm weather approaches, more people will be outside walking and car break ins continue to be a concern. He stated that valuables should not be in plain sight and cars should be locked.

Mr. Weger asked if NJSP continue to patrol and keep an eye on 99 North Street. He confined the same. Mr. Weger stated that he noticed the other day that the back door is open again. Discussion followed. The Clerk will notify the DPW of the break in and ask that they re-secure the building.

OLD BUSINESS-

SRTS –

Nothing new to report.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Nothing new to report.

WOODLAND TERRACE PARKING-

Nothing new to report.

TAX APPEALS-

Mr. Edleston stated that the appraisals are done and although he has not seen them yet, he was told that they both came in favorably. He stated that he told both the Appraiser and the Attorney that they need to submit contracts so they can be paid. Mr. Edleston will forward the Appraisals when he receives them.

R-10 TIER B MUNICIPAL STORMWATER GENERAL PERMIT-

Mr. Dangelo moved Council appoint Mrs. Tersigni Municipal Stormwater Coordinator; seconded by Mrs. Papics. Ally. Motion carried.

Mr. Weger moved Council appoint Mr. Roseberry as the authorized representative; second by Mr. Dangelo. All ayes. Motion carried.

ANIMAL CRUELTY LAW UPDATE-

Nothing new to report.

NEW BUSINESS

2018 BUDGET ADOPTION

Mr. Schroeder stated that there is no municipal increase in the budget and due to a slight increase in retables, the average home should go down about \$7 per month for the local tax portion.

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

No public comment.

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

Mr. Weger moved Council adopt the 2018 Budget; seconded by Mr. Dangelo.

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

ELIZABETHTOWN GAS – FRANCHISE RENEWAL

SECOND READING – ORDINANCE # 103-18 – AN ORDINANCE GRANTING MUNICIPAL CONSENT TO PIVOTOL UTILITY HOLDINGS, INC d/b/a/ ELIZABETHTOWN GAS TO CONSTRUCT, MAINTAIN, AND OPERATE GAS LINES FOR THE DISTRIBUTION OF NATURAL AND MIXED GAS

BE IT HEREBY ORDAINED by the Common Council of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey that **SECTION A280** of the Code of the Borough of Bloomsbury entitled “**Gas Franchise – Grant of Municipal Consent**” is hereby readopted to be incorporated in the Code as follows:

WHEREAS, Pivotal Utility Holdings, Inc. doing business as Elizabethtown Gas, a Corporation of the State of New Jersey and a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities, on February 7, 2018, filed a Petition with the Clerk of the Borough of Bloomsbury seeking renewal of the Municipal Consent to construct, operate and maintain natural and mixed gas distribution lines for public and private consumption throughout the Borough of Bloomsbury (the “Borough”).

WHEREAS, NUI Utilities, Inc. d/b/a Elizabethtown Gas Company, a predecessor of Elizabethtown Gas Company, was granted Municipal Consent to serve residents within the municipality and to construct, maintain, and operate a gas line for the distribution of natural and mixed gas in the Borough, pursuant to Ordinance adopted on May 24, 2005, and that Municipal Consent expired ten years thereafter.

WHEREAS, Representatives of the Petitioner appeared before the Mayor and Council to present their request for renewal of the Consent Ordinance within the Borough; and

WHEREAS, the Petitioner has provided public notice of such Petition through publication in the official newspaper of the Municipality, and notices of such Petition have been posted pursuant to Statute.

WHEREAS, the Borough has determined that it is reasonable and necessary for Elizabethtown Gas, its successors and assigns, to continue to provide for construction, maintenance, and operation of a gas line for the distribution of natural and mixed gas in the entire Borough.

WHEREAS, the Borough desires to extend the municipal consent to Elizabethtown Gas under the terms earlier set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bloomsbury:

Section I. Grant of Municipal Consent.

The Mayor and Council of the Borough of Bloomsbury hereby grant to Pivotal Utility Holdings, Inc. doing business as Elizabethtown Gas, a Corporation of the State of New Jersey (hereinafter "Elizabethtown") with principal offices located at 520 Green Lane, Union, New Jersey 07083, its successors and assigns, a nonexclusive consent, right and privilege for the use, without impairment of, or obstruction to the public use, of the public roads, streets, avenues, ways, and other public places of the Borough to construct, lay, maintain, and operate for a period of ten (10) years, the necessary mains, conductors, pipes and concomitant appurtenances for the purpose of conveying, storing, supplying and distributing natural and mixed gas for heat,

power, light and other purposes for public and private use and consumption, along, in, or under the following described service area: all the public roads, streets, avenues, highways, and public places within the Borough as they now exist or may be hereinafter be laid out by the municipal authorities of the Borough or dedicated to the Borough.

Section II. Conditions on Grant of Municipal Consent.

The Municipal Consent granted herein is expressly conditioned upon the following:

- (g) The written acceptance of Elizabethtown of the terms and conditions of this municipal Consent Ordinance within thirty (30) days of its final adoption.
- (h) The New Jersey Board of Public Utilities (hereinafter "N.J.B.P.U.") approval of the Consent herein granted and the issuance of such other grants or approvals as determined by the N.J.B.P.U.
- (i) Elizabethtown shall satisfy all Statutory requirements regarding the proper organization and operation of a Public Utilities engaged in the distribution of natural and mixed gas, and shall remain subject to the jurisdiction of and comply with all Rules and Regulations of the United States Department of Transportation, Office of Pipeline Safety and the N.J.B.P.U. as well as the Ordinance of the Borough.
- (j) Elizabethtown shall construct and continuously maintain and operate their distribution line within the service area in a safe and efficient manner, and maintain such gas distribution lines in a state of good operation and repair and including all streets, roads, and public rights-of-way within the Borough wherein its lines are located.
- (k) The construction, operation and maintenance of the gas distribution system within the rights-of-way of the Borough shall in no way place any obligation, financial or otherwise, or any liability of any kind, upon the Borough and no obligation is to attach for the construction, operation and maintenance of the said gas distribution system to the Borough.
- (l) Any and all regulating pits and venting structures or like facilities shall not be located within the public rights-of-way comprising the Service Area.

Section III. Construction; Installation; Restoration.

- A. Construction. In each and every case in which road openings or excavation of any nature are required or made for the purposes aforesaid, Elizabethtown shall restore, all such public and private lands or facilities to as good a condition as existed at the commencement of the said work or such better condition, at its sole cost and expense. All such openings and installation and maintenance shall be undertaken in strict compliance with the standards imposed by the N.J.B.P.U., any other regulatory agency, and all applicable Municipal Ordinances, with such work to be done in a careful, prudent and workmanlike manner, and within such time limitations as shall be best for the proper safeguard of the public.

- B. Relocation. If at any time during the period of this Municipal consent, the Borough finds it necessary to alter or change the grade of any street, road or other public right-of-way or area, Elizabethtown shall, upon reasonable notice by the Municipality, remove and relocate its distribution line and pipes at the expense of Elizabethtown.
- C. Restoration. In the event that Elizabethtown shall refuse or neglect, after ten (10) days notice in writing by the representative of the Borough, to restore any disturbed area at its cost and expense, and in compliance with all applicable Municipal Ordinances in effect at the time, to its pre-existing or better condition, any street, road, pavement, driveway or other improvements after having made an opening or excavation, the necessary work to accomplish such restoration may be done by the Borough, and thereafter, Elizabethtown shall be liable for the actual and necessary costs thereof, and shall immediately pay such costs to the Borough upon receiving notice thereof.
- D. Preconditions to Undertaking Construction. Elizabethtown shall give to the Borough, through its duly designated representative, written notice of its intention to open or excavate any street or other public place in accordance with the Borough Ordinance regulating the excavation and opening of streets, roads and highways, with the exception that such notice requirement shall be waived in the event of an emergent circumstance such that such emergency will affect public health or safety. As soon as practically possible after the occurrence of such emergent circumstance, Elizabethtown shall give prompt written notice to the Borough of any emergency opening or excavation that Elizabethtown shall undertake.

Section IV. Indemnification, Performance Bond, Liability.

- A. Indemnification. Elizabethtown, its successors and assigns, by the acceptance of the grants, rights and privileges conferred by this ordinance, shall at all times and does hereby and will indemnify and hold harmless, the Borough and all of its subsidiary agencies, officials and employees for any and all claims of whatsoever kind or nature arising from or relating to the construction, installation, maintenance, laying, repairing, inspecting, or altering of mains conductors, pipes and appurtenances thereto, and any other facilities, and including, but not by way of limitation, any damages, penalties, costs, attorney's fees and charges for personal injury, property damage or otherwise, based upon Elizabethtown's negligence or the negligence of its agents, servants, employees or independent contractors.
- B. Performance Bond. Prior to the commencement or any construction or installation under this Municipal Consent, Elizabethtown shall execute and

deliver to the Clerk of the Borough and subject to prior review and approval by the Borough Attorney, a Bond in the amount of \$10,000.00 guaranteeing the faithful performance of all of its obligations and undertakings under this Ordinance, which Bond shall be enlarged or renewed from time to time as the Committee may require.

- C. Liability Insurance. Elizabethtown agrees to maintain and keep in full force and effect, at its sole expense, and at all times during the terms and duration of this Municipal Consent, sufficient liability insurance naming the Borough as an additional insured party, and insuring and indemnifying the Township against any loss by any such claim, suite, judgment, execution or as follows:
 - (d) Elizabethtown shall carry Workman's Compensation Insurance with Statutory limits.
 - (e) Elizabethtown shall at all times, maintain a Comprehensive General Liability Insurance Policy with a single limit amount of \$1,000,000.00 covering liability for any death, personal injury, property damage or other liability arising out of its construction and operation of the gas distribution systems herein and in addition, an excess liability (or "umbrella") policy in the amount of \$3,000,000.00.
 - (f) Elizabethtown shall furnish to the Borough a certified copy or Certificate of Insurance of each of the Policies as set forth herein.

Section V. Duration of Consent.

- F. Term. The Limited Municipal consent granted to Elizabethtown herein is for a period of ten (10) years from the effective date of this Ordinance.
- G. Public Hearing. Immediately prior to the ten (10) year expiration of this Consent, the Borough shall conduct public hearings regarding the performance of Elizabethtown with the terms of this Municipal Consent. The public hearing shall be duly advertised and shall provide any opportunity for all interested persons to participate.
- H. Extension. Upon the conclusion of the public hearings as set forth herein, the Borough shall consider such extension and such additional conditions as the record of the public hearings may warrant.
- I. Transferability. The right of Elizabethtown to transfer or assign any and all of its rights and obligations under this Municipal Consent Ordinance shall only be permitted upon Elizabethtown providing to the Borough thirty (30) days advance written notice of such intent to transfer, and specifying the name of the assignee and other pertinent data as may be required by the Borough. No transfer or assignment shall be made without the prior written consent of the Borough which consent shall not be unreasonably withheld. Any notice or request for assignment must contain the written

acknowledgement of the proposed assignee to be bound by all the terms and conditions of this Municipal Consent Ordinance and shall require the posting of a replacement Performance Bond and satisfaction of the liability insurance requirements prior to any written consent to transfer by the Borough Mayor and Council.

- J. Notice of Proceedings. Elizabethtown shall give the Municipality timely written notice of at least thirty (30) days in advance of all proceedings initiated by Elizabethtown or the N.J.B.P.U. or other Regulatory Agency, when such proceedings may affect the commitments, this Municipal Consent or relationship between Elizabethtown and the Municipality, whether or not such notice is required by law. All submissions provided to such Regulatory Agency by Elizabethtown shall also be provided to the Borough.

Section VI. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or Competent jurisdiction, such Order or Judgment shall not effect or invalidate this remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section VII. Effective Date.

This Municipal Consent Ordinance shall become effective upon adoption and publication according to law, and only upon written acceptance of this Municipal Consent by Elizabethtown, which written consent shall be filed with the Clerk of the Municipality within thirty (30) days of the date after which Elizabethtown receives notice of the passage of this Ordinance.

Mr. Edleston stated it would be a motion to introduce the Ordinance on Second Reading. Mr. Weger moved the same; seconded by Mr. Dangelo. All ayes. Motion carried.

Mr. Weger moved Council open the Public Hearing; seconded by Mrs. Papics.

Mr. Marmo stated that they mailed 322 surveys and have received only 12 responses back. The Clerk suggested they send the information and survey to her and she can send an email blast and ask that it be posted on the Borough website if possible.

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

Mrs. Papics moved Council adopt Ordinance #103-18; seconded by Mr. Dangelo.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Weger-aye. Motion carried.

**RESOLUTION #34-18 - RESOLUTION GRANTING CONSENT TO
ELIZABETHTOWN GAS TO TRANSFER AND ASSIGN ITS RIGHTS AND
OBLIGATIONS UNDER THE BLOOMSBURY BOROUGH MUNICIPAL CONSENT
ORDINANCE TO ETG ACQUISITION CORP.**

WHEREAS, Pivotal Utility Holdings Corporation, Inc. d/b/a Elizabethtown Gas (“Elizabethtown”) currently supplies natural gas and related services to customers within the Borough of Bloomsbury pursuant to a Municipal Consent Ordinance (the “Ordinance”) attached hereto as Exhibit A;

WHEREAS, Elizabethtown has provided written notice of Elizabethtown’s intent to transfer substantially all of Elizabethtown’s assets, including its rights and obligations under the Ordinance, to ETG Acquisition Corp. and has requested that the Borough of Bloomsbury (“Bloomsbury”) consent to the assignment and transfer to ETG Acquisition Corp. of substantially all of Elizabethtown’s rights and obligations under the Ordinance;

WHEREAS, Elizabethtown and ETG Acquisition Corp. have provided to Bloomsbury the written acknowledgment and agreement by ETG Acquisition Corp. that it will be bound by all terms and conditions of the Ordinance, will post the performance bond, and will satisfy the liability insurance requirements contained in the Ordinance if the assignment and transfer occurs;

WHEREAS, ETG Acquisition Corp. has provided to Bloomsbury information to establish that the proposed acquisition of Elizabethtown’s assets by ETG Acquisition Corp. can be accomplished such that ETG Acquisition Corp. will be able to honor the obligations of Elizabethtown under the Ordinance upon completion of Elizabethtown’s asset transfer to ETG Acquisition Corp., that ETG Acquisition Corp. will be bound by all terms and conditions of the Ordinance, and that the customers within Bloomsbury will continue to receive natural gas services in the same safe and reliable manner and pursuant to the same NJBPU approved rates and terms and conditions upon which they now receive such service at said rates.

NOW, THEREFORE, BE IT RESOLVED, that Elizabethtown has complied with the transfer/assignment requirements in the Ordinance for the transfer and assignment of Elizabethtown’s rights and obligations thereunder to ETG Acquisition Corp. and that the Borough of Bloomsbury hereby permits and consents to the transfer and assignment to ETG

Acquisition Corp. of all of Elizabethtown's rights and obligations under the Ordinance. This consent will only be effective upon completion of the acquisition of substantially all of Elizabethtown's assets by ETG Acquisition Corp. and compliance with the performance bond replacement and liability insurance requirements contained in the Ordinance. If that acquisition does not occur, this consent shall not be deemed to give consent to Elizabethtown's transfer or assignment of any of its rights and obligations under this Ordinance to any other entity.

Mr. Weger moved Council adopt Resolution #34-18; seconded by Mrs. Papics.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Weger-aye. Motion carried.

**RESOLUTION # 35-18 - RESOLUTION ENDORSING SEPTIC SYSTEM WAIVER
REQUEST BLOCK 20; LOT 7; 101 BRUNSWICK AVENUE**

WHEREAS, application has been received for a septic system waiver request for Block 20 Lot 7; 101 Brunswick Avenue to allow an advanced technology septic system alteration, and

WHEREAS, certain waivers are required in connection with same and are detailed in a letter from Hunterdon County Health Department dated March 9, 2018 as follows:

1. A minimum of two (2) soil logs are required for each disposal field. Only one soil log was performed on the property due to site limitations.
2. The proposed septic tank is less than the required 10 feet from the house. The proposed septic tank is shown 5 feet from the house and NJAC 7:9A allows for a reduction to five feet with special approval from the administrative authority.
3. The proposed disposal field is less than the required 50 feet to the neighboring disposal fields. The proposed disposal field is approximately 26 to the Lot 9 disposal area, approximately 37 feet to the Lot 4 disposal area and approximately 41 feet to the Lot 5 disposal area.

WHEREAS, the Borough Engineer, C. Richard Roseberry, PE provided a review letter dated March 21, 2018 to the Mayor and Borough Council, of which the applicant has agreed to all the recommendations contained in the letter.

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 comply with the requirements of N.J.A.C 7:9A-8.3 for advanced wastewater pretreatment components.
2. Photographs shall be provided of the curb and sidewalk prior to construction to the Borough. Any damage caused by the work will require the curb and sidewalk to be replaced. The contractor shall maintain safe access across the sidewalk at all times.
3. The applicant shall sign an indemnification agreement with the Borough accepting all risks and liability associated with the design and function of the proposed septic system.
4. Deed notice is required to indicate the required maintenance and reporting requirements. The deed notice shall also grant access to Borough personnel for the purpose of inspection of system functionality.
5. If the house is being sold, adequate provisions should be implemented to insure the new owners of the lot are aware of the system operation and limitations and the requirement to have a maintenance agreement with a licensed service provider.
6. The house should be retrofitted with low flow toilets, faucets, and showerheads to reduce the flow into the system. Additionally no garbage disposals are permitted with the proposed system.

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 #35-18; seconded by Mrs. Papics. All ayes. Motion carried.

APPLICATION FOR SOLICITATION PERMIT

The Clerk stated that Kaydeon Whidbee, a teacher at BES submitted an application for a solicitation permit. She explained that Ms. Whidbee, her husband and brother would like to go door to door asking for donations of gently used and new shoes to the non-profit, Urban Movement. The Clerk reported that she requested NJSP to run background checks on all of them and they came back favorably. Brief discussion followed.

Mr. Weger moved Council authorize the Clerk to issue the solicitation permit; seconded by Mrs. Papics. All ayes. Motion carried.

CORRESPONDENCE

No additional correspondence.

PUBLIC COMMENT

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Stiehler; seconded by Mr. Dangelo. All ayes, motion carried. Meeting adjourned at 8:10 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
APRIL 24, 2018**

The regular meeting of the Mayor and Council was held on April 24, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2018 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:	Todd Dangelo	Eric Weger - excused
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith	William Edleston, Esq.
	Al Stiehler – arrived 7:25	

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of March 27, 2018; seconded by Mr. Dangelo. All ayes. Smith-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly Report of March 31, 2018; seconded by Mr. Dangelo. All ayes. Motion carried.

APPROVAL OF BILL LIST

Mr. Smith moved Council approve the Bill List of April 24, 2018; seconded by Mrs. Papics. ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Tersigni-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

No report.

COMMITTEE REPORTS

C. Smith -

Recreation Committee-

Mr. Smith reported that the Recreation Committee held another successful Egg Hunt with 30 – 40 children attending this year.

Lacrosse is underway and two days of games have been held so far. They lined a small Lacrosse practice field by the softball field which is set apart from the play equipment.

V. Papics –

Fire Department- Mrs. Papics reported that the Chief is moving and has stepped down from his office. Mike Pflugfelder is currently filling in until official action can be taken.

CLERK/ADMINISTRATOR REPORT

BOFFA –

Received a check for \$109 from Anthony Boffa through the Probation office – this is our 3rd payment for a total to date of \$130.

FDS Reminder-

2018 Financial Disclosures are due on April 30th.

Radon-

The Clerk completed the necessary paperwork and we received \$2,000 Reimbursement for the Radon Kits- many left if anyone is in need.

E-Town –

The Clerk submitted the bill and received reimbursement from Elizabethtown Gas for Publication Approx. \$169

Solicitation Permit –

The Clerk received a request to extend the solicitation permit which I did for an additional 2 weeks thru 4/30.

KIA Flag –

We applied for and received a free Killed in Action flag from the County which is to be flown at all Municipal Offices.

ZONING PERMIT- REQUEST FOR CONSIDERATION –

The Clerk would like Council to consider eliminating the need for residents to obtain a zoning permit for repairs and general maintenance and to modify the code as may be necessary. She reviewed reports for 2017 and 38 Permits Issued of which she believes 2, possibly 3 should have been reviewed by Larry relating to zoning matters.

She explained she was always told that the reason for requiring a zoning permit for anything was to ensure that the Tax Assessor was aware of work that was being done in town. Years ago, new requirement was even imposed for Larry to provide a written report each month about permits issued – this report is never given to the Tax Assessor.

When the work being done requires an inspection by State Code, closed permits are given to Larry, who files a copy and gives a copy to Eloise that she can then use to adjust an assessment if need be.

The other reason this was supposedly imposed and a fee charged was to help offset the Zoning Officer's Salary. For 2017, she found 38 issued @ \$5.00 for a total revenue of \$190, which is not offsetting Larry's salary.

She strongly feels that this is an unnecessary, additional step and additional expense for residents. She asked Council consider the following:

Zoning Permits only be required when:

- Adding to the existing foot print
- Finishing a basement or attic where living space is being added.
- Adding a story to a house or garage
- Adding a garage or expanding foot print of a garage

We may considering requiring a permit for Sheds so we can ensure they are 100 sq. ft. less and that setbacks are met.

Concrete sidewalk replacement and repair of two sections or more already has a separate permit & Fee that covers Larry's inspection.

According to the State they no longer need to inspect decks if they replace like with like.

No permit or inspection of paver patios.

No permit or inspection for replacing a roof – only if you add a roof (like add a roof over a deck)

The Clerk requested Council consider the matter and respond to her with comments and/or concerns no later than May 8, 2018 so that she may address and incorporate the same in her memo to the Planning Board in May.

M. Tersigni-

Mrs. Tersigni that our Stormwater Improvement Funding was denied. Mr. Roseberry was given a list of things that we can do next year to improve our changes at receiving a reward. Since we did not receive funding this year we will be given a higher priority next year. Instead of submitted separate phases, we submit as one project.

Playground inspection –

Mrs. Tersigni stated that the slide has a 14' crack in the base of the column of the slide. Caution tape has been installed and Mr. Tuxhorn will look into repair or replacement.

Mrs. Tersigni stated that the other element is the swings which was brought to our attention last year. She explained that they removed the swings from that section. The Clerk stated that she understood that they were going to try to add a plate on top of the bracket last year and then the insurance company would do a re-inspection to confirm if the repair was adequate. Mrs. Tersigni stated they are going to work on it Thursday. Discussion followed. The Clerk asked Mr. Francisco if we have money budgeted for the Park. He confirmed there is about \$12,000 budgeted. The Clerk suggested that Council could authorize repairs for a cost not to exceed \$4,000 and if that is not sufficient for both repairs we could at least fix one and make it safe. Mr. Smith agreed with same.

Mr. Smith moved Council authorize needed repairs on the slide and swings for a cost not to exceed \$4,400; seconded by Mr. Papics.

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

Route 78 Corridor meeting was held and the next is scheduled for the end of May.

Mrs. Tersigni stated we continue to receive requests for water flow control on Milford Road, repairs to Lance & North Street due to the winter weather.

PERRYVILLE STATE POLICE

No report.

OLD BUSINESS-

SRTS –

Nothing new to report.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Nothing new to report.

WOODLAND TERRACE PARKING-

Nothing new to report.

TAX APPEALS-

Mr. Edleston stated that the appraisals are completed and the Mayor and Clerk have copies. He suggested that if Council Member would like to review it, they can see the Clerk. He stated that the appraisals from our side are very favorable. May 21st is the trial date and he expects that there will be settlement discussions between our Tax Attorney and the Attorney for Travel Centers prior to that date.

Mr. Edleston will contact the Attorney and Appraiser to finalize contract submissions.

R-10 TIER B MUNICIPAL STORMWATER GENERAL PERMIT-

Nothing new to report.

ANIMAL CRUELTY LAW UPDATE-

Nothing new to report.

NEW BUSINESS

CONSENT AGENDA

Mrs. Tersigni stated she would like Council to consider Resolutions # 36-18 & #37-18 by consent agenda.

RESOLUTION # 36-18- 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 6-9 pm on June 1, 2018; 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.

RESOLUTION # 37-18 - CHURCH OF THE ANNUNCIATION 50/50 RAFFLE

WHEREAS, the Church of the Annunciation is the licensee on the application to conduct an On-Premise 50/50 Raffle, to be held on June 6, 2018 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 applications are approved contingent to the Legalized Games of Chance Control Commission approving said application.

Mr. Stiehler moved Council adopt Resolutions # 36-18 & #37-18 by consent agenda; seconded by Mrs. Papics. All ayes. Motion carried.

AUDIT OF 2017

Mr. Francisco stated it was good Audit, we have one recommendation regarding segregation of duties which we have every year due to the size of the Borough. He explained that ideally we would have more employees so that we could spread responsibilities around. We cannot afford to hire different people to do handle each responsibility and we do the best we can.

RESOLUTION # 38-18 - 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 2017 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.

Mrs. Papics moved Council adopt Resolution #38-18; seconded by Mr. Smith.

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

CODIFICATION UPDATE

Mr. Smith moved Council authorize the Clerk to execute the agreement with General Code for updates to the Borough Code for a cost not to exceed \$2,215; seconded by Mrs. Papics.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

CROSSING GUARD

Mrs. Tersigni stated that we are down to one crossing guard and have no substitute. She added that we have advertised, posted on the Borough website, published in the Borough Newsletter, sent emails and have no interest. Mrs. Tersigni stated that she has no confidence in our ability to cover the position. She stated that the feedback she got back from the crossing guard is that not too many people cross there, but if you do cross there, it is a dangerous spot.

Mr. Edleston stated that there is an old memo that he doesn't agree with that states it is the Borough's responsibility to provide crossing guards. He stated that he doesn't see that that is the case and thinks it is clearly up to the school to provide for it if they want to have it. Mr. Edleston stated that he feels it is time for us to get out of having to provide crossing guard.

Crossing Guards fall under Municipal Police but there is nothing that says that we have to have a crossing guard.

Mrs. Papics asked if the Borough could try finding someone through a temp service. Discussion followed.

The Clerk asked if the current crossing Guard had agreed to cover through the end of the year. Mrs. Tersigni stated that it is extremely reluctantly.

Mrs. Tersigni stated that if we do get through to the end of the school year she is not confident that we will have adequate coverage for next year.

Discussion called.

Mrs. Tersigni will send a letter and relay our concerns to the County.

Mr. Edleston will draft another letter to the School.

CORRESPONDENCE

No additional correspondence.

PUBLIC COMMENT

Michele Evanowski, 59 Main Street stated that she would like to better understand the status of the vacant and abandoned properties in the Borough. As a home owner, she knows many residents who are concerned about the empty houses. She wondered if they are all owned by banks and what we can do as a community. Discussion followed.

Mrs. Evanowski thanked the Council for their service and all that they do.

Ann Ferrero, 54 Main Street asked why a bank or mortgage company would not want to sell a property. Mrs. Tersigni stated that on paper the property would be worth \$400,000 but with fines

and fees its actual value is much less and they do not take a loss until they sell it. Mr. Edleston stated that if a property is FHA insured the government will actually reimburse a bank for fees. Discussion followed.

Mr. Smith will be organizing an informal discussion in the future. Ms. Ferrero and Mrs. Evanowski offered to help if possible.

The Clerk will follow up with the Zoning Officer to obtain a list of known vacant or abandoned properties.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:00 PM.

Respectfully Submitted,

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

May – no meeting

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
JUNE 26, 2018**

The regular meeting of the Mayor and Council was held on June 26, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2018 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:	Todd Dangelo	Eric Weger - excused
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith - excused	William Edleston, Esq.
	Al Stiehler	

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Papics moved Council approve the Regular Meeting Minutes of April 24, 2018; seconded by Mr. Stiehler. All ayes. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly Reports of April 30, 2018 and May 31, 2018; seconded by Mr. Stiehler. All ayes. Motion carried.

APPROVAL OF BILL LISTS

Mr. Stiehler moved Council approve the Bill Lists of May 22, 2018 and June 26, 2018; seconded by Mr. Dangelo.

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

ZONING/CODE ENFORCEMENT REPORT

Mr. Stiehler moved Council accept the Zoning/Code Enforcement Reports dated May & June, 2018; second by Mrs. Papics. All ayes. Motion carried.

COMMITTEE REPORTS

V. Papics-

Fire Department-

Mrs. Papics reported that Mike Pflugfelder in the new Chief and Dave Hintenach is Deputy Chief.

M. Tersigni-

Truck Repairs –

An estimate from Brennan Motor Works for brake repair work in the amount of \$1,476.63 was presented to Council. Discussion followed. Mrs. Tersigni will request a second estimate be and a cost for towing be obtained.

Pavilion-

Mrs. Tersigni stated that the pavilion power is still out. The Clerk will ask for an estimate for necessary repairs from Scott at RSG Electric.

Tree removal-

Mrs. Tersigni stated that the DPW obtained two estimates for removal of a dead tree at Point Park. Discussion followed.

Mr. Stiehler moved Council approve the Clerk authorize the work be complete by the contractor with the lowest bid for a cost not to exceed \$2,000; seconded by Mrs. Papics.

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

PERRYVILLE STATE POLICE

No report.

OLD BUSINESS

SRTS –

Mrs. Tersigni provided the Clerk with a letter addressed to Governor Murphy and requested the same be distributed accordingly.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Mrs. Tersigni provided the Clerk with sample Resolutions for Council consideration and requested the Clerk distribute the same accordingly.

BOROUGH OWNED PARKING LOTS-

Mrs. Tersigni stated that she drafted an Ordinance to regulate parking in Borough owned lots.

She stated that some vehicles do not belong to any residents, some are missing ignition and they do not have license plates. Discussion followed.

The Clerk stated that selling the lots that we are not using will eliminate part of the problem, and asked Mr. Edleston if a Resolution could be adopted and immediately enforceable stating that if you do not live in the Borough, you cannot leave a vehicle in Borough Lots.

Mr. Edleston agreed, stating this could be done by Resolution. Discussion followed. Mr. Edleston drafted Resolution #41-18 as follows:

RESOLUTION #41-18 – PARKING IN BOROUGH OWNED PARKING LOTS

WHEREAS there have been complaints regarding vehicles which are parked on public property which appear to be abandoned since they have remained on the property for an extended period of time, and

WHEREAS these vehicles may be inoperable or unregistered, and

WHEREAS, use of Borough owned lots should be restricted to Borough residents, and

WHEREAS, the Borough is of the opinion that if these vehicles are not removed by the owners within 10 days of receiving notice from the New Jersey State Police, they will be considered abandoned, and

WHEREAS the New Jersey State Police will be called upon to exercise their powers to have the vehicles towed and removed;

NOW THEREFORE, BE IT RESOLVED, the Common Council of the Borough of Bloomsbury does hereby adopt this resolution and implementation of these procedures will become effective immediately.

WOODLAND TERRACE PARKING-

Nothing new to report.

TAX APPEALS-

Mr. Edleston stated that the hearing should be held in late July.

R-10 TIER B MUNICIPAL STORMWATER GENERAL PERMIT-

Nothing new to report.

ANIMAL CRUELTY LAW UPDATE-

Nothing new to report.

TAX ASSESSOR –

Mrs. Tersigni reported that the Tax Assessor, Eloise Hagaman will be retiring December 31, 2018 and an advertisement for her position will be drafted.

CROSSING GUARD-

The Borough was unable to fill the open Crossing Guard position this year.

The Clerk voiced concern about requiring that there be different coverage for AM & PM shifts noting that the job may be more appealing if an employee can work both shifts. Discussion followed. The Borough will make one more attempt to advertise for the position of Crossing Guard and alternate Crossing Guard in advance of next school year.

Mrs. Tersigni reported that the County has installed a temporary speed monitoring sign on Church Street that seems to be slowing traffic. She suggested that if

Crossing Guard positions cannot be filled for next year, perhaps a similar sign can be purchased and installed.

PLAYGROUND EQUIPMENT-

Mrs. Papics moved Council approve the purchase of a wire mesh enclosure from Liberty Parks & Playground for a cost to exceed \$523.59 provided an attempt is made to reduce the cost of \$192.71 for shipping; seconded by Mr. Stiehler.

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

NEW BUSINESS

RESOLUTION #39-18 - BLOOMSBURY HOSE COMPANY LIQUOR LICENSE 2018

WHEREAS, the Bloomsbury Hose Company is the holder of a liquor license which is to expire June 30, 2018,

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, 2018 and terminating June 30, 2019.
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.

Mr. Stieher moved Council adopt Resolution #39-18; seconded by Mrs. Papics. All ayes. Motion carried.

RESOLUTION # 40-18 - RESOLUTION ENDORSING SEPTIC SYSTEM WAIVER REQUEST BLOCK 19 LOT 1.02; 49 CENTER STREET

WHEREAS, an application has been received for a septic system waiver request for Block 19 Lot 1.02; 49 Center Street for a septic system alteration, and

WHEREAS, a waiver is required in connection with same and is detailed in a letter from Hunterdon County Health Department dated June 12, 2018 as follows:

4. The proposed disposal bed is less than the required 25 feet from the existing dwelling. The proposed disposal bed is shown 20 feet from the existing dwelling.

WHEREAS, the Borough Engineer, C. Richard Roseberry, PE provided a review letter dated June 25, 2018 to the Mayor and Borough Council, recommending the approval of the septic system subject to several conditions;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the proposed septic system is hereby endorsed and the requested waiver is hereby granted in accordance with Code Standards subject to the applicant's compliance with all conditions as outlined in C. Richard Roseberry's letter dated June 25, 2018 a copy of which is attached hereto.

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. Stieher moved Council adopt Resolution #40-18; seconded by Mrs. Papics. Mrs. Tersigni-abstain. All ayes. Motion carried.

PROPOSED ORDINANCE - AMENDING CHAPTER 270, ZONING, SECTION 23 PERFORMANCE AND MAINTENANCE BONDS AND OTHER SECURITY.

Council reviewed the proposed Ordinance drafted by Mr. Gruenberg and sent to the Council from the Planning Board. Discussion followed.

Mr. Dangelo moved Council send the Ordinance back to the Planning Board for their review for conformance with the Master Plan; seconded by Mr. Stiehler. All ayes. Motion carried.

CORRESPONDENCE

No additional correspondence.

PUBLIC COMMENT

Eva Baranowski, 82 Brunswick asked if there are any community events planned in the Borough. Mrs. Papics stated that it she and one other resident are all that remain on the Celebrations Committee. They welcome ideas and volunteers.

Karen Murray, 120 Willow Avenue asked if Mr. Smith had made any progress with planning an informal meeting with the public to discuss vacant properties. The Clerk stated that to date none have been scheduled to her knowledge.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 7:59 PM.

Respectfully Submitted,

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

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
JULY 24, 2018**

The regular meeting of the Mayor and Council was held on July 24, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2018 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:	Todd Dangelo	Eric Weger - excused
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith	William Edleston, Esq.
	Al Stiehler – arrived 7:01	

FLAG SALUTE

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 a pending litigation.

Mr. Smith moved Council enter executive session at 7:02 pm; seconded by Mr. Stiehler. All ayes. Motion carried.

Council met with Mr. Renaud and Eloise Hagaman in executive session to discuss the Travel Centers Tax Appeal.

Mr. Smith moved Council return to regular session at 7:24 pm; seconded by Mrs. Papics. All ayes. Motion carried.

APPROVAL OF MINUTES

Mr. Stiehler moved Council approve the Regular Meeting Minutes of June 26, 2018; seconded by Mrs. Papics. All ayes. Smith-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mr. Stiehler moved Council approve the Tax Collector's Monthly Reports of June 30, 2018; seconded by Mr. Dangelo. All ayes. Motion carried.

RESOLUTION # 42-18 - RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT ON TAXES

WHEREAS, the Bloomsbury Tax Collector has received duplicate funds for the same tax payment; and

WHEREAS, the property taxes for 2017 were up to date prior to receipt of said payment(s) or a credit balance has existed on the account for prior years, or the amount received exceeded the amount due.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomsbury in the County of Hunterdon that the CFO is hereby authorized to issue said refund of overpayment as follows:

<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>	<u>Issued To:</u>	<u>Amount Due:</u>
9		9.08	Citro, Bernard	\$1,822.86

Mr. Stiehler moved Council adopt Resolution #42-18; seconded by Mr. Smith.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

APPROVAL OF BILL LISTS

Mr. Smith moved Council approve the Bill Lists of July 24, 2018; seconded by Mr. Stiehler.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

Mr. Stiehler moved Council accept the Zoning/Code Enforcement Report of July, 2018; seconded by Mrs. Papics. All ayes. Motion carried.

EMERGENCY SERVICES REPORTS-

The Pattenburg Rescue Squad annual presentation was provided by Chief Mark Mason.
Discussion followed.

The Bloomsbury Hose Company annual presentation was provided by Chief Mike Pflugfelder.
Discussion followed.

COMMITTEE REPORTS

V. Papics-

Fire Department-

Mrs. Papics reported that the Fire Department requested the Council consider paying for a shredding event to be held for two hours at their Open House. Discussion followed.

Mr. Stiehler moved Council authorize payment of \$440 for a two hour shredding event; seconded by Mr. Smith.

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

CLERK/ADMINISTRATOR REPORT –

The Clerk reported that she received a \$12.00 payment from Anthony Boffa through the Probation Department.

The Clerk reported that Greenwich Township has agreed to pay for ½ of the annual MCANJ Membership and she will be requesting they share the cost of her annual conference attendance.

M. Tersigni-

Truck Repairs –

An amended estimate from Brennan Motor Works for brake repair work in the amount of \$1,744.53 was presented to Council. Discussion followed.

Mr. Smith moved Council authorize the truck repairs for \$1,744.53; seconded by Mrs. Papics. ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

Tree removal-

Mrs. Tersigni reported that Council approved tree removal for a cost no to exceed \$2,000 at the last meeting; however, all estimates far exceed that amount. This matter will be tabled.

No applications have been received for either the Crossing Guard or Tax Assessor positions.

Clean Up Day-

They filled 8 – 30 yard dumpsters, one was metal but we will get a bill for the additional garbage dumpster.

Mrs. Tersigni asked that any comments to her draft truck traffic letter be provided by August 13th.

C. Smith –

Pavilion-

Mr. Smith asked Council to consider an estimate for necessary repairs to the electric at the pavilion from Scott at RSG Electric. Discussion followed.

Mr. Stiehler moved Council authorize the work be complete by the contractor for a cost not to exceed \$800.00; seconded by Mr. Smith.

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

PERRYVILLE STATE POLICE

No report.

OLD BUSINESS

SRTS –

Mrs. Tersigni has not received a response to her letter to date.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Mrs. Tersigni asked Council provide comments to the draft resolution to the Clerk by August 13th.

The Zoning Officer received an email regarding the dilapidated home at 51 Brunswick offering to give the property to the Borough. Discussion followed. The Clerk will respond to the email and decline the offer. She will suggest that they sell it for \$1 to adjoining property owner or anyone interested.

BOROUGH OWNED PARKING LOTS-

Mr. Edleston will amend the resolution regarding parking on municipal lots which was adopted at the June meeting.

WOODLAND TERRACE PARKING-

Nothing new to report.

TAX APPEALS-

Mr. Edleston stated there is nothing additional to report.

R-10 TIER B MUNICIPAL STORMWATER GENERAL PERMIT-

Nothing new to report.

ANIMAL CRUELTY LAW UPDATE-

Nothing new to report.

NEW BUSINESS

RESOLUTION # 43-18 – RESOLUTION TO EXTEND GRACE PERIOD FOR PAYMENT OF TAX

WHEREAS, the 2017 final and 2018 preliminary tax bills will be mailed out beyond the June 14, 2018 statutory date, NJSA 54:4-64 as a result of a delay in obtaining the Municipal Tax Rate, and;

WHEREAS, the law of 1994 known as A179 requires a minimum of a twenty –five day payment period for either estimated or final tax bills.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Bloomsbury this 24th day of July 2018, that the grace period allowed for payment of the August 1, 2018 tax quarter be extended to August 30, 2018 and any payment received after said date will be charged interest from the original August 1, 2018 due date.

Mr. Stiehler moved Council adopt Resolution #43-18; seconded by Mrs. Papics.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Stiehler-aye. Motion carried.

PROPOSED ORDINANCE - AMENDING CHAPTER 270, ZONING, SECTION 23 PERFORMANCE AND MAINTENANCE BONDS AND OTHER SECURITY.

The Clerk reported that the July Planning Board meeting was canceled so there is no update.

PAIC EMPLOYMENT PRACTICES LIABILITY PROGRAM

Mr. Edleston and the Clerk will work to complete this as needed.

STATE AID – SCHOOL FUNDING

Mrs. Tersigni stated that she and Mr. Francisco met with the President and Vice President of the Board of Education who reported they were hit with a 37.3% reduction in State Aid or \$503,574.00. They appear to have reserves to cover the next school year and they plan to appeal.

CORRESPONDENCE

No additional correspondence.

PUBLIC COMMENT

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mrs. Papics; seconded by Mr. Stiehler. All ayes, motion carried. Meeting adjourned at 8:20 PM.

Respectfully Submitted,

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

Aug
September

**BOROUGH OF BLOOMSBURY
COUNCIL MEETING MINUTES
OCTOBER 23, 2018**

The regular meeting of the Mayor and Council was held on October 23, 2018 at Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey. The meeting was called to order at 7:00 PM by the reading of the Sunshine Law by Lisa Burd Reindel.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 11, 2018 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:	Todd Dangelo	Eric Weger
	Vicky Papics	Martha Tersigni, Mayor
	Chris Smith	William Edleston, Esq.
	Al Stiehler – excused	

FLAG SALUTE

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.

Mrs. Papics moved Council enter executive session at 7:02 pm; seconded by Mr. Dangelo. All ayes. Motion carried.

Council met in executive session to discuss the status of the Travel Centers Tax Appeal and recommendations from Borough Professionals and to discuss pending litigation relating to an OPRA request.

Mr. Weger moved Council return to regular session at 7:33 pm; seconded by Mrs. Papics. All ayes. Motion carried.

RESOLUTION # 48-18 - RESOLUTION AUTHORIZING APPEAL OF JUDGEMENTS

WHEREAS, on September 28, 2018, the Tax Court entered judgments in HPT TA Properties Trust v. Bloomsbury Borough, Docket No.: 008898-2014, 002900-2015, 001751-2016

and 004400-2017, reducing the assessments on the subject premises, Block 30, Lot 3 and Block 30, Lot 4.01; and

WHEREAS, the governing body of the Borough of Bloomsbury desires to appeal from such judgments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bloomsbury that Palumbo Renaud & DeAppolonio LLC, attorneys for the Borough of Bloomsbury in connection with the above tax appeals, be and hereby authorized and directed to appeal from the judgments entered in HPT TA Properties Trust v. Bloomsbury Borough, Docket No.: 008898-2014, 002900-2015, 001751-2016 and 004400-2017.

Mr. Smith made a motion to adopt Resolution #48-18; seconded by Mr. Weger.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

PENDING LITIGATION

Mr. Edleston stated that the Borough was the recipient of another lawsuit filed by an attorney for an individual who made a request on 9/23/18 for the names and addresses of all dog owners in the Borough. Mr. Edleston explained that the reason for the request is for business purposes because they want to solicit business from dog owners for invisible fences.

Privacy concerns arise as someone could determine that if there is no dog that a house could be easier to break into; OPRA law should not be used for soliciting business and once the info is disclosed there is no way to stop them from passing it on to someone else.

Mr. Edleston stated that we denied the request for all of these reasons. A law suit was filed quickly and if successful they usually get their attorney fees. The Borough has been provided a copy of the Judge's Order and it directs the municipality to file to show cause by December 19th as to why we should not respond to this request.

The Clerk stated that the Borough has been denying this type of request for 15 years.

Mr. Edleston is waiting on a response from the GRC regarding this matter.

Mr. Edleston stated the alternatives are:

1. Contact the attorney to see if we can resolve this matter; although he would probably not resolve it without being paid some sort of legal fee.
2. We could file a response to what the courts order to show cause indicating our reasons for denial.
3. We could turn it over to our insurance carrier and see if they would defend us.

Lengthy discussion followed.

Mr. Weger made a motion to authorize Mr. Edleston to reach out to the attorney to attempt to resolve the matter and if need be for Mr. Edleston or the Borough Insurance Company to file a response with the court for an estimated cost of \$500-\$600; seconded by Mrs. Papics.

APPROVAL OF MINUTES

Mr. Weger moved Council approve the Regular Meeting Minutes of September 25, 2018; seconded by Mrs. Papics. All ayes. Smith-abstain. Motion carried.

TAX COLLECTOR'S REPORTS

Mrs. Papics moved Council approve the Tax Collector's Monthly Report of September 30, 2018; seconded by Mr. Smith. All ayes. Motion carried.

APPROVAL OF BILL LISTS

Mr. Smith moved Council approve the Bill Lists of October 23, 2018; seconded by Mr. Dangelo. ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

ZONING/CODE ENFORCEMENT REPORT

Mr. Weger moved Council accept the Zoning/Code Enforcement Report of October 2018; seconded by Mr. Smith. All ayes. Motion carried.

COMMITTEE REPORTS

V. Papics –

Mrs. Papics stated that the paper shredding event went well with 830 pound of paper being shredded and recycled.

C. Smith –

Mr. Smith stated that now the Borough Park will not be used for soccer.

CLERK/ADMINISTRATOR REPORT –

Rabies Clinic –

The Clerk reported that the Free Rabies Clinic has been scheduled for Sunday January 20th from 2 -3 PM.

Animal Cruelty Law-

The Clerk explained that new state requirement to include a copy of the Animal Cruelty Laws with every license issue. It is 7 pages long and will increase the cost of mailing. Discussion followed.

Animal Control-

The Clerk reminded Council that as reported last month, our animal control contract went from \$1,200/year to \$2,640 a year of we agree to a three year contract. She explained that she polled

many towns and found all towns pay more than the Borough does. The lowest quote remains Animal Control Solutions with a three year contract for \$2,640/year. Discussion followed.

MSI Quote-

The Clerk stated that she received a quote from MSI for a laptop for the new assessor and a laptop for the DPW garage and that it came in over the cost not to exceed by \$594.00. The Clerk suggested Council move forward with the purchase for the Tax Assessor and have Vital installed on the same for an additional cost of \$250.00, stating that an inexpensive laptop could be purchased for the garage. Discussion followed.

Mr. Weger made a motion to authorize the Clerk purchase the laptop for the Assessor; seconded by Mr. Smith.

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

Fawn Run -

The resident at 11 Fawn Run has again asked whether the Borough can sell/give the property along the tracks to the adjacent property owners.

M. Tersigni-

Point Park Tree-

Mrs. Tersigni stated that the DOT will be working to cut down the unhealthy ash tree at the point which was killed by the emerald ash borer and will be removed at no cost to us.

2003 F-350 Truck –

Mrs. Tersigni reported that repairs are needed and the gas tank needs to be replaced. A quote has been obtained for \$2,351.05. Discussion followed.

Mrs. Papics made a motion to authorize the repairs for a cost not to exceed \$2,351.05; seconded by Mr. Smith.

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

Truck Parking-

Mrs. Tersigni stated that the Resolution and pictures have been submitted to the NJDOT for their consideration.

Cell Tower-

Mr. Francisco reported that the Borough will receive an additional \$200 per month for the Cell Tower Lease.

PERRYVILLE STATE POLICE

No report.

OLD BUSINESS

SRTS –

Nothing new to report.

NORTH STREET/PICKEL LANE-

Nothing new to report.

BOROUGH OWNED PROPERTY-

Mr. Edleston stated he will send out samples used in other towns.

WOODLAND TERRACE PARKING-

Nothing new to report.

R-10 TIER B MUNICIPAL STORMWATER GENERAL PERMIT-

Nothing new to report.

ANIMAL CRUELTY LAW UPDATE-

Nothing new to report.

**SHARED SERVICE AGREEMENT FOR MUNICIPAL COURT
– BOROUGH OF LEBANON**

Mr. Weger moved Council authorize the Mayor and Clerk to execute the shared Court Agreement with the Borough of Lebanon; seconded by Mr. Dangelo.

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

NEW BUSINESS

SECOND READING – ORDINANCE #104-18 -MENDING CHAPTER 270, ZONING, SECTION 23 PERFORMANCE AND MAINTENANCE BONDS AND OTHER SECURITY

Section 1. Chapter 270: Zoning, § 270-23 is hereby repealed and replaced with the following new Performance Guarantees and Maintenance Bonds and Other Security section to comply with amendments in the Municipal Land Use Law, N.J.S.A. 40:55D-53 as follows:

§ 270-23 Performance Guarantees and Maintenance Bonds and Other Security.

A. General. The developer shall furnish a performance guarantee in favor of the municipality in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer’s agreement, ordinance, or regulation to be dedicated to the public entity, and that have not yet been installed, which cost shall be determined by the municipal engineer, according to the method of calculation set forth in N.J.S.A. 40:55D-53.4, for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's

monuments, as shown on the final map and required by "the map filing law," N.J.S.A.46:23-9.9 et seq.; repealed by section 2 of P.L.2011, c.217) or N.J.S.46:26B-1 through N.J.S.46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements. The municipal engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor.

B. Privately-owned perimeter buffer landscaping. The performance guarantee shall include, within an approved phase or section of a development, privately-owned perimeter buffer landscaping, as required by ordinance or imposed as a condition of approval. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping.

C. Temporary Certificate of Occupancy Bond. In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy bond," in favor of the municipality in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, building or phase of development. Upon posting of a "temporary certificate of occupancy bond," all sums remaining under a performance guarantee, required pursuant to § 270-23 (A) which relate to the development, unit, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. At no time shall the municipality hold more than one guarantee or bond of any type with respect to the same line item. The temporary certificate of occupancy bond shall be released upon the issuance of a permanent certificate of occupancy with regard to the development, unit, building, or phase as to which the temporary certificate of occupancy relates.

D. Safety and Stabilization Bond. In addition to a performance guarantee required pursuant to § 270-23 (A), a developer shall furnish to the municipality a separate guarantee, referred to herein as a "safety and stabilization bond," in favor of the municipality, to be available to the municipality solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

- (1) site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and
- (2) work has not recommenced within 30 days following the provision of written notice by the municipality to the developer of the municipality's intent to claim payment under the bond.

- (3) The municipality shall not provide notice of its intent to claim payment under a "safety and stabilization bond" until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The municipality shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt.
- (4) The amount of a "safety and stabilization bond" for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.
- (5) The amount of a "safety and stabilization bond" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows: \$5,000 for the first \$100,000 of bonded improvement costs, plus two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent of bonded improvement costs in excess of \$1,000,000.

E. Extension of Time. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by the governing body by resolution. As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation, which cost shall be determined by the municipal engineer according to the method of calculation set forth in N.J.S.A. 40:55D-53.4 as of the time of the passage of the resolution.

F. Liability. If the required bonded improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the municipality for the reasonable cost of the improvements not completed or corrected and the municipality may either prior to or after the receipt of the proceeds thereof complete such improvements. Such completion or correction of improvements shall be subject to the public bidding requirements of the "Local Public Contracts Law," N.J.S.A. 40A:11-1 et seq.

G. Request for List of Uncompleted or Unsatisfactory Completed Improvements. Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements, and the connection of same to the public system, the obligor may request of the governing body in writing, by certified mail addressed in care of the municipal clerk, that the municipal engineer prepare, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to § 270-23 (A), a list of all uncompleted or unsatisfactory completed improvements. If such a request is made, the obligor shall send a copy of the request to the municipal engineer. The request shall indicate which improvements have been completed and which improvements remain uncompleted in the judgment of the obligor. Thereupon the municipal engineer shall inspect all bonded improvements covered by obligor's request and shall file a detailed list and report, in writing, with the governing body, and shall

simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request. The list prepared by the municipal engineer shall state, in detail, with respect to each bonded improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of, and remedy for, the unsatisfactory state of each completed improvement determined to be unsatisfactory. The report prepared by the municipal engineer shall identify each improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the performance guarantee relating to the completed and satisfactory improvement, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to § 270-23 (A).

H. Action by Governing Body. The governing body, by resolution, shall either approve the bonded improvements determined to be complete and satisfactory by the municipal engineer, or reject any or all of these improvements upon the establishment in the resolution of cause for rejection, and shall approve and authorize the amount of reduction to be made in the performance guarantee and the “safety and stabilization bond” relating to the improvements accepted, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to § 270-23 (A). This resolution shall be adopted not later than 45 days after receipt of the list and report prepared by the municipal engineer. Upon adoption of the resolution by the governing body, the obligor shall be released from all liability pursuant to its performance guarantee and “safety and stabilization bond,” with respect to those approved bonded improvements, except for that portion adequately sufficient to secure completion or correction of the improvements not yet approved; provided that 30% of the amount of the total performance guarantee and “safety and stabilization bond” posted may be retained to ensure completion and acceptability of all improvements. For the purpose of releasing the obligor from liability pursuant to its performance guarantee and “safety and stabilization bond,” the amount of the performance guarantee and “safety and stabilization bond” attributable to each approved bonded improvement shall be reduced by the total amount for each such improvement, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section, including any contingency factor applied to the cost of installation. If the sum of the approved bonded improvements would exceed 70 percent of the total amount of the performance guarantee, then the municipality may retain 30 percent of the amount of the total performance guarantee and “safety and stabilization bond” to ensure completion and acceptability of all improvements, as provided above, except that any amount of the performance guarantee attributable to bonded improvements for which a “temporary certificate of occupancy bond” has been posted shall be released from the performance guarantee even if such release would reduce the amount held by the municipality below 30 percent. If any portion of the required improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification, as set forth in this section shall be followed.

I. Maintenance Guarantees. The developer shall post with the municipality, prior to the release of a performance guarantee required pursuant to § 270-23 (A) or § 270-23 (B) or both § 270-23 (A) and (B) a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.

(1) Amount of Maintenance Guarantee. The developer shall post with the municipality, upon the inspection and issuance of final approval of the following private site improvements by the municipal engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following private site improvements: stormwater management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the stormwater management system, if any, which cost shall be determined according to the method of calculation set forth in N.J.S.A. 40:55D-53.4.

(2) Term. The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

J. Engineering inspection fees - The obligor shall reimburse the municipality for reasonable inspection fees paid to the municipal engineer for the foregoing inspection of improvements: which fees shall not exceed the sum of the amounts set forth in subparagraphs (1) and (2) of this paragraph. The developer shall post the inspection fees in escrow in an amount:

(1) not to exceed 5% of the cost of bonded improvements that are subject to a performance guarantee under § 270-23 (A) or § 270-23 (B) or both § 270-23 (A) and (B); and

(2) not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee under § 270-23 (A), which cost shall be determined pursuant to N.J.S.A. 40:55D-53.4.

K. Installments . For those developments for which the inspection fees total less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited in escrow by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspections, the developer shall deposit the remaining 50% of the inspection fees. For those developments for which the inspection fees total \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited in escrow by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspection, the developer shall make additional deposits of 25% of the inspection fees.

L. Request for Additional Deposit. If the municipality determines that the amount in escrow for the payment of inspection fees, as calculated pursuant to subparagraphs (1) and (2) of paragraph (A) of this subsection, is insufficient to cover the cost of additional required inspections, the municipality may require the developer to deposit additional funds in escrow provided that the municipality delivers to the developer a written inspection escrow deposit request, signed by the municipal engineer, which: informs the developer of the need for additional inspections, details the items or undertakings that require inspection,

estimates the time required for those inspections, and estimates the cost of performing those inspections.

Section 2. All other provisions of Chapter 270 not modified herein shall remain unchanged and in full force and effect.

Section 3. 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 4. This ordinance may be renumbered for codification purposes.

Section 5. Effective Date. This Ordinance shall take effect immediately upon final passage, publication according to law, and filing with the Hunterdon County Planning Board.

Mrs. Papics made a motion to open the public hearing on Ordinance #104-18; seconded by Mr. Weger. All ayes. Motion carried.

No Public Comment.

Mr. Weger made a motion to close the public hearing on Ordinance #104-18; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Smith made a motion to adopt Ordinance #104-18; seconded by Mr. Weger.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

RESOLUTION # 47-18 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2019- MAIN STREET IMPROVEMENTS PHASE IV-00593 PROJECT

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Bloomsbury, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019 –Main Street Improvements Phase IV-00593 to the New Jersey Department of Transportation on behalf of Bloomsbury Borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Bloomsbury and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Weger made a motion to adopt Resolution #47-18; seconded by Mr. Smith.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

TREE LIGHTING-

The Clerk explained that a few residents expressed interest in bringing back the annual tree lighting. The Clerk suggested they contact Vicky Papics and involve the Celebrations Committee. They are hoping to hold the event at the Fire House on December 1st from 6 – 8 PM. Discussion followed.

Mr. Weger made a motion to authorize that a portion of Brunswick Avenue be closed during the tree lighting event on December 1, 2018 from 6 – 8 PM; seconded by Mr. Smith. All ayes. Motion carried.

PUBLIC COMMENT-

Karen Murray – 120 Willow Avenue – thanked whoever is maintaining the flower beds at Point Park. She added that she thinks the outlet may be broken.

Mrs. Papics moved public comment be closed; seconded by Mr. Smith. All ayes. Motion carried.

RESOLUTION FOR AN EXECUTIVE SESSION

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

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

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

Mr. Smith moved Council enter executive session at 8:38 pm; seconded by Mrs. Papics. All ayes. Motion carried.

Council met in executive session to discuss the municipal court contract and the personnel matter related to the Tax Assessor position.

Mr. Weger moved Council return to regular session at 8:57 pm; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Weger made a motion to authorize Kim Francisco and the Mayor to enter discussions to potentially modify the existing Glen Gardner Contract; seconded by Mr. Dangelo.
ROLL CALL VOTE: Dangelo-aye; Papics-aye; Smith-aye; Weger-aye. Motion carried.

The Clerk will contact Kevin Polumbo and offer the Tax Assessor position beginning on December 1, 2018 for a starting salary of \$8,000.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Smith; seconded by Mr. Weger. All ayes, motion carried. Meeting adjourned at 8:59 PM.

Respectfully Submitted,

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

Nov
Dec