

**BOROUGH OF BLOOMSBURY  
COUNCIL MEETING MINUTES  
SEPTEMBER 27, 2011**

The regular meeting of the Mayor and Council was held on September 27, 2011 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.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 13, 2011 by the Publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

<b>ROLL CALL:</b>	Chris James – arrived 7:32	Martha Tersigni
	Vicky Papics	Eric Weger
	Steven Shelton - absent	Mark Peck, Mayor
		William Edleston, Esq.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

Mrs. Tersigni moved Council approve the Regular Meeting Minutes of July 26, 2011; seconded by Mrs. Papics. All ayes. Motion Carried.

Mr. Weger moved Council approve the Re-scheduled Meeting Minutes of September 8, 2011; seconded by Mrs. Papics. All ayes. Motion Carried.

Mrs. Papics moved Council approve the Executive Session Meeting Minutes of July 26, 2011; seconded by Mrs. Tersigni. All ayes. Motion Carried.

**TAX COLLECTOR'S REPORTS**

Mrs. Papics moved Council accept the Tax Collector's Monthly Reports dated July 31, 2011; and August 31, 2011; seconded by Mr. Weger.

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

**APPROVAL OF BILL LIST**

Council briefly discussed the reimbursement of Assessor's expenses line item on the bill list for \$333.91. Council will further consider the matter. Mr. Weger moved to accept the bill list of September 27, 2011; except for the Tax Assessor's expenses; seconded Mrs. Tersigni.

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

## **CODE ENFORCEMENT OFFICER'S REPORT**

Mr. Creveling stated that the property owner of the abandoned home next to the post office have been served notice for their property maintenance violation. He explained that he had been dealing with Bank of America property maintenance group who have scheduled estimates be done, but then it would rain and they said the grass could not mowed. This happened repeatedly and to date the lawn has still not been mowed. Discussion followed. Moving forward the property owners will receive a violation and a contractor will be hired to mow the property and the cost of the same will become a lien against the property.

Mr. Creveling and Mr. Edleston will meet to go over the Ordinances and discuss how to proceed.

## **CLERK/ADMINISTRATOR'S REPORT**

### Willow Avenue Flood Damage-

The Clerk reported that the Engineer obtained one quote for the Willow Avenue Project which came in at \$19,000. Mr. Francisco stated that the bid threshold is \$17,500 but that if necessary work is declared an emergency we can proceed with the work without going through the normal bid process.

Mr. Weger moved Council declare three Willow Avenue Road washout as an emergency repair; seconded by Mrs. Papics. All ayes. Motion carried.

Council reviewed the memo from Mr. Roseberry dated September 15, 2011.

### Woodland Terrace Stormdrain-

Mayor Peck explained that between 9 & 11 Woodland Terrace the man hole cover to a drainage basin has blown off several time, indicating there is a blockage further down the line. The Clerk stated that the area is totally overgrown and right now there is no access to the next catch basin. Mrs. Tersigni stated that we have been approached by another municipality who have equipment and may be able to assist with the land clearing and the clearing of that basin through a shared service. Mayor Peck will reach out to them.

Mayor Peck stated that the other issue seems to be on the Railroad tracks and affecting property owners on North Street. The Clerk stated with the unprecedented rain, sections of the tracks were covered with debris. She explained that she met with a representative from Norfolk Southern who is looking into who is responsible for the tracks. He stated that if Norfolk Southern still is that he would be able to get the cross pipes which may be blocked or clogged with debris cleared. He also said that if there was an appropriate location he may even be able to add another cross pipe. The Clerk explained that she is still waiting to hear back from him, but will reach out to him again next week if she does not.

Mrs. Koonce, 95 Main Street stated that they were in the middle of a river twice during the storm. She explained that the water came over the tracks, down the hill, across North Street and into their yard and basement. She stated that there is drainage ditch on the tracks which they feel is overgrown and questioned if it would be cleared. Discussion followed.

Mr. Koonce presented pictures of the flooding to Council. He said that the drainage pipe seems to have little water traveling through it. The Clerk stated that she will share these pictures with the Railroad representative if need be. Mr. Koonce stated that the flooding has cost them about \$2,000 to date and that they were denied by FEMA when he attempted to apply for funding online. Mrs. Papics will assist them by providing additional information on how to apply for possible funds which may become available. The Clerk will meet with Mr. Koonce and other Borough representatives for a site walk through.

Jim Price 11 Woodland Terrace - explained to Council that in the past year the manhole cover on the storm water basin has blown off a few times and water has rushed out causing some erosion on the bank. The Clerk stated that the Borough Engineer has also been out to the site and believes that in the near term a cover with a grate that would allow water com out should be installed- at least temporarily. She explained that according to the plans there is a second basin about 200' away through the thick brush and trees and they are working on getting someone with appropriate equipment in to try to gain access to that site.

Cathy Foulk Main Street - asked what will happen on Main Street where the water runs down the road. Discussion followed. Mayor Peck explained that the Borough has been received a grant to begin substantial work on Main Street and we are applying for a second round of funding- which would include drainage enhancements. He explained that as grant funding becomes available we hope to do one section per year and maybe in three years we will have made our way to that end of Main Street.

Ms. Foulk asked if in the mean time the Fire Department could re-route the water down to the river. Mayor Peck stated that he doesn't know how they would be able to do that. Ms. Foulk stated that they could pump t like they do basements. The Clerk will reach out to the Fire Department for an answer regarding the same.

Mayor Peck explained that as of right now the priority is restoring Willow Avenue because it is washed out, then the Woodland Terrace pipe, and whatever we can do on North Street and eventually Bethlehem Avenue.

Discussion followed.

Mayor Peck added that in the past he has had the Borough Engineer meet with the Engineer from Bethlehem Township and walk the development which is up the hill and they take the position that water runs down hill.

Mr., James joined Council at the table.

## **COMMITTEE REPORTS**

*V.Papics*

**BCC -**

- Mrs. Papics stated that the BCC will be hosting a Halloween Parade on Sunday Oct 30 2pm beginning at the school and ending at the Fire House.

#### **OEM -**

- Mrs. Papics reported that she has submitted preliminary damage assessment report for Hurricane Irene with the assistance of the Borough Engineer totally over \$27,000. The Tropical Storm Lee PDA submitted for retention basin for another \$12,000. Today she submitted a request for public assistance in order for the Borough to receive FEMA funding.

#### **Bloomsbury Hose Company-**

- Fall Fantasy will be held in November and as of September 12, 2011 they had 103 calls to date and between Irene and Lee they had over 20 pump outs. The Fire Department would like the Code Enforcement Officer to follow up on their request to have property owners clear low hanging branches from School Street so that they have access to homes with the new pumper should an emergency occur.

#### **Rescue Squad -**

- The Pohatcong Township football game issue has been cleared up. The Rescue Squad stated that they are looking for their paperwork which outlines their 99 year lease.

#### ***C. James:***

#### **Newsletter-**

- Mr. James reported that he believes his computer will be fixed soon and he will get the newsletter out.

#### **Environmental Commission-**

- An Environmental Commission Meeting will be held later this week.

#### ***M. Tersigni:***

#### **Planning Board -**

- Mrs. Tersigni stated that the September meeting was canceled due to lack of pending business. She explained that the Board is waiting for a draft solar and wind energy Ordinance from the attorney and they will forward the same to Council for their consideration hopefully in October.

#### **Finance –**

- Mrs. Tersigni requested that Council begin to develop a list of things that need to be completed by year end because Kim is looking at numbers and we may need to transfer

some funds. Council members will forward their recommendations and requests to the Clerk and then a subcommittee review and prioritize.

**Borough Equipment -**

- Mrs. Tersigni stated that the old leaf vac is now being stored outside of the garage and it is not useful even for parts. Mrs. Tersigni asked if Council would authorize having the DPW to take it for scrap. Discussion followed.

Mrs. Tersigni moved Council authorize the non-functioning leaf vac be taken to the junk yard for scrap; seconded by Mrs. Papics. All ayes. Motion carried.

**Recycling –**

- The Clerk will reach out to Steve Douglas requesting he provide Council with the 2011 recycling tonnage to date and a comparison between 2010 and 2011.

*M.Peck:*

**AQUA-**

- Mayor Peck reported that interconnection between Bloomsbury and Aqua’s line from Phillipsburg has been completed and on or about October 1, 2011 the reservoir will be taken off line to make necessary repairs. Work should be completed by Thanksgiving. Residential consumers should not experience any loss in pressure. Discussion followed.

**Fall Brush Clean Up –**

- Mayor Peck announced that fall brush pick up will be October 3 – 10, 2011.

**Leaf Pick Up -**

- Mayor Peck announced that fall leaf pick up will be October 17<sup>th</sup> – November 28, 2011.

An email alert Reminder will be sent out this week.

**STATE POLICE REPORT**

No report.

**OLD BUSINESS**

**Pine Hollow Reservoir Property – Holland Township**

Mayor Peck explained that he received an email from the County regarding our offer to donate this property to the County. The County will gladly accept the land but there are some title issues which need to be worked out.

Mr. Weger moved Council authorize Mr. Edleston to undertake such research which is necessary to accomplish the transfer of this land to the County; seconded by Mrs. Papics.  
ROLL CALL VOTE: James-aye; Papics-aye; Tersigni-aye; Weger-aye. Motion carried.

## **NEW BUSINESS**

### **RESOLUTION # 48-11 - RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO MAIN STREET - PHASE II**

**NOW, THEREFORE BE IT RESOLVED**, that the Common 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-2012 - Bloomsbury Borough - 00354 to the New Jersey Department of Transportation on behalf of the Borough of Bloomsbury.

**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 signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Weger moved Council adopt Resolution # 48-11; seconded by Mrs. Papics. All ayes.  
Motion carried.

## **BOROUGH PHONE CHAIN**

Mayor Peck explained he received an email request that Council look into the possibility of creating a phone chain or alert when important information needs to get out to the public. Mr. James will attempt to get information about the Honeywell system at work and report back to Council.

## **MAIN STREET PHASE I**

Council discussed status of the Main Street Phase I project new bid specs which are to include bid options. The Clerk will contact the Engineer to see where this matter stands.

## **CORRESPONDENCE**

Council reviewed correspondence.

## **PUBLIC COMMENT**

Karen Murray, 120 Willow Avenue reported that her son Aaron is working on installing the patio around the flag pole, a solar flag pole light is on order and hardware for the flag pole has been purchased. She stated that poison ivy has been removed, mums planted and bulbs have been ordered for planting. The old sign has been removed and taken to the Borough Park for use there

and the new sign is on order. The electric has been re-wired properly and an outlet has been installed under the tree for use for the annual tree lighting.

Mrs. Murray added that he will be hosting a flag raising ceremony at Point Park on Saturday, October 22, 2011 at 1:30 PM.

Ilse Goshen, 69 Main Street stated that Debbie Hill-Whipple who runs the DARE program at BES would like to have the kids plant red tulips at Point Park and when they bloom it will be alcohol awareness week. She requested permission from Council and Mrs. Murray to have the students plant them at Point Park. Discussion followed. Mrs. Goshen stated that they want to plant 175 bulbs in all between the ark and the school. The Clerk suggested that there may be space at Mayor Tuxhorn Park around the sign for them or in the beds at the Fire House. Mrs. Goshen will work with Mr. Heinrich, Mrs. Murray and the School to plant them in appropriate areas as discussed and Mrs. Hill-Whipple will coordinate everything through the Clerk.

Rick Koppe, Main Street asked if there was any location where grass clippings can be disposed of. Discussion followed. The Clerk will ask that Steve Douglas reach out to other local municipalities to see if they accept grass clippings and if so if a shared service could be arranged to allow Borough residents to recycle the same at their facility.

Mike Galuppo, 26 Main Street stated that a few weeks ago the town had a special meeting to reject the bids for the Main Street Phase I Project. He stated that he would like an explanation of what happened and if the bids were not up to state codes. Mayor Peck stated that Council has requested the Borough Engineer prepare a memo to explain why the bids came in significantly higher than the grant amount received.

Mr. Galuppo stated that at the meeting on August 1<sup>st</sup> that he specifically asked if he had done his due diligence and if the money appropriated will cover the bid spec and he said Mr. Roseberry said he was 100% confident that it would. Mr. Galuppo stated that when we find out what went wrong, because if we spent \$15,000 on an Engineer and he got it wrong, then we should look for a new Engineer. Discussion followed.

Mr. Galuppo stated after AQUA dug up the section of road to replace water service lines that it is worse than it was before. Mayor Peck stated that Council had no reason to believe that the road reconstruction project would not move forward and did not want to put in a nice new roadway only to have it torn up because utility work was needed.

Rebecca Petri, Main Street thanked the Mayor and Council for applying for the Grant and pursuing the project. She asked if there is time line for which the project must be completed before funding is lost. Discussion followed.

Mr. Weger stated that Council understood that this section of Main Street was the most difficult due to grade change and other issues, but that work had to begin at that end of Main Street so that drainage improvements can be made.

Marianne Trainer, 57 Main Street stated that the School Board sent a letter to all of the Town Council Members and asked if everyone got it. She then asked why it had not been included under correspondence and if everyone on Council agreed with the Mayor's response to the Board.

Marnie Carrick, 58 Main Street said she wondered when Council members got the letter and if they had a chance to look at the response from the Mayor. She said the letter was sent to the individual Council members, not to the Mayor and that his response was sent on Borough Letterhead.

Mrs. Tersigni stated that she picked up her packet on Friday but did not open it until 5:00 this evening. Mrs. Carrick stated that the letters went through the US mail to individual Council Members. The Clerk explained that they were mailed to Borough Hall and put into Council Members mailboxes when received and she could not say when Council members checked their mailboxes. Discussion followed.

Mayor Peck stated that the issues of services which are provided to the school by the Borough comes up every year and certain Council members say why are we doing it, and voice concerns about not being able to afford to do so and that this year, every group is taking funding hits. Mrs., Trainer asked if Council has agreed to no longer change the battery in the cross walk. Mayor Peck stated that if it is our obligation, that we will continue to do so. He said he is permitted to make an executive decision when needed and that we have not had a Council meeting since the subject came up. Mayor peck reiterated that the Governing Body will do that which we are obligated to do, but as for any extras which may have been done in the past, we are not in the position to do that anymore.

Mrs. Trainer told Mayor Peck that he said we will no longer provide services to the school because he was mad over a personal, and Mayor Peck stated that that was not the language he had used, but he had been angry and apologized for that.

Mrs. Carrick stated that Mayor Peck came to a School Board meeting and said certain things on the record and Mayor stated he did so as an individual and that he made that clear. Mrs. Carrick stated that the things he said to Marianne were as the mayor and Mayor Peck stated that was incorrect and that his comments were made as an individual, a tax payer and a parent. Discussion followed.

Mayor Peck stated that this discussion can be continued off line but that it is not germane to Council business. Mayor Peck stated again that anything that we statutorily or contractually need to provide, we will and that if Council disagrees and think we should continue to provide services that we are not obligated to provide in an era of very tight resources when everyone else is being cut, then say so. Discussion followed.

Mr. Weger moved Council go into executive session so that discussion can be held and a decision can be reached as a group. Mr. James stated that he through the Executive Session on the agenda was intended to handle this subject. Mrs. Tersigni stated that the executive Session listed on the agenda had nothing to do with this subject. Mayor Peck asked if this was a proper

subject for executive session and Mr. Edleston stated yes, as expenditure of public funds. Mayor Peck asked that that motion be held and asked if there was any other public comment.

Mr. Galuppo stated that when he was on the Board when the blinking light was installed there was a lot of discussion on who was responsible for it. He said the Borough and the Borough Engineer did take on the responsibility year after year, and asked if they now some sort of assumed responsibility now. Mayor Peck stated that in the past when we would receive an email or get a call to change the timing of the light, the Borough Engineer would do it.

Mrs. Tersigni stated that it is possible that the entire sign may have to be scrapped as it may not be repairable. The Clerk stated that she understands that the Engineer and Manufacturer do not think a new battery will fix it. Mr. Galuppo agreed that this would be whole different matter.

Mr. Koppe asked if the Borough received any FEMA funding for Hurricane damage. Mayor Peck stated that no funding has been received yet, but that OEM Coordinator has submitted applications for the same.

Mayor Peck stated there is a motion on the record to enter into Executive Session.

#### **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 the expenditure of public funds.

Mr. Weger made a motion to go into closed session, seconded by Mrs. Papics. All ayes, motion carried.

Discussion followed.

Council returned from executive session at approximately 9:25 PM.

Mrs. Papics moved Council re-enter regular session, seconded by Mr. Weger. All ayes. Motion carried.

Mayor Peck stated that the Agenda will be amended to include the letter from the Board of Education dated September 7, 2011 and the Mayor's letter of response of September 13, 2011.

Mayor Peck apologized to the Members of the Governing Body for bringing them into his personal matter and clearly he was acting in his personal interest and not on behalf of the town.

He further explained that he is appointing a sub-committee to reach out to meet with the board to discuss certain budgetary and shared service opportunities.

Mr. Weger and Mr. James volunteered to be in the sub-committee.

Mayor Peck reiterated to the public present that he has appointed Councilman Weger and Councilman James to reach out to the Board of Education to discuss services that we have traditionally provided, services that we must provide and to the extent that they are not statutorily or contractually mandated, if there is possible shared service opportunities where we can reciprocally assist each other.

**ADJOURNMENT**

There being no further business, a motion to adjourn was made by Mrs. Papis; seconded by Mr. Weger. All ayes, motion carried. Meeting adjourned at 9:30 PM.

Respectfully Submitted,

Lisa A. Burd, RMC  
Borough Clerk/Administrator