

January 25, 2011

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike. Mayor Dunleavy called the meeting to order at 7:02 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

ROLL CALL

<i>In Attendance:</i>	Mayor:	Jon Dunleavy
	Council President:	Linda Huntley
	Council Members:	Bernie Vroom Jo-Ann Pituch Glenn Schiffman Linda Shortman Mark Conklin
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. "Joe" MacMahon, Esq.

PUBLIC NOTICE STATEMENT

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on January 5, 2011.

EARLY PUBLIC COMMENT

Councilman Vroom moved to open the meeting for Early Public Comment on agenda items; seconded by Councilman Schiffman and carried on voice vote with all Council Members voting YES.

Edward Ball, 13 Crane Avenue, spoke in regard to Truck #10 which was authorized to be repaired and noted that he and Councilman Schiffman were at the DPW and inspected the vehicle and the repairs that were authorized were not made as per the quote. Mr. Ball also noted that this should have been fixed as it was initially damaged in February and sent to our insurance carrier.

Borough Administrator stated that we did know the truck was damaged in February but was instructed that until we had an adopted budget, no repairs were to be done; the claim should and will be submitted to our insurance carrier. Mr. Ehrenburg addressed the Ad Hoc Committee which was formed to make recommendations as to our vehicles and he was not part of that Committee.

Borough Administrator stated he solicited quotes and authorization was given to have Precision repair the vehicle; we have not paid the vendor as we found out after the repair there were some issues.

Mayor Dunleavy agreed a claim should have been submitted and it will; in regard to the Ad Hoc Committee; they did not have authority; if a Committee is to be formed, it needs to be done by resolution outline their specific guidelines and responsibility.

Councilman Schiffman spoke in regard to having a crane come in and lift the salters out of the trucks; we can do it for \$495 for removing the two salters and \$495/year.

Mayor Dunleavy noted that the DPW should be sent a memo advising him to put \$990/year in his budget to make these trucks operational.

Mr. Ball stated that the Mayor and Council should not vote until they have something in writing.

Councilwoman Shortman stated that is why she has requested monthly reports; DPW should submit a report with information about the vehicles and maintenance records, etc.

At this time, Mayor Dunleavy stated that he would like to proceed with Item #7(E) under pending business: Discussion in regard to James Street repairs.

Kimberly White, Bill Scherer and Paul Tulli of Vreeland Avenue were back and reported to the ongoing deterioration of their access road (James Street) and reported on the public safety issues this is causing as to not being able to get to their homes. Ms. White also noted a recent Public Safety emergency whereby the emergency personnel were not able to access an elderly gentleman, Mr. Anderson, when he was unresponsive and explained that the delay caused have been disastrous but fortunately Mr. Anderson did recover but the situation is a dangerous one.

Mayor Dunleavy stated that the problem which occurred has been ownership of this road; Borough Engineer researched it and it was determined that the road was never dedicated to the Borough and we do not own the road, thus cannot provide the services. Estimate was \$12,000 for a "quick fix" for the road but this would not address the drainage issue, etc.

Mayor stated that the Borough Engineer should research the deeds supplied by Ms. White and come back again with a determination as to ownership in light of fact that that there is frontage that isn't owned by anyone. Must be determined who owns that property.

Mayor Dunleavy instructed the Borough Administrator to have the DPW maintain the road for the balance of the winter to solve their problem with access until a determination is made in regard to ownership.

DPW employees were in attendance and discussed the slope of the road and potential problem with getting vehicles up there and fact that there is a big hole in the road; Mayor noted that some fill should be put in there so that we do not damage our vehicles.

Jennifer Judd, Morse Lakes, commented on televising Council meetings and noted her support of this and hope it would be approved; Mayor stated that it is on the agenda and anticipates it being approved.

Since there was no one else who wished to speak under Public Comment, Councilman Schiffman moved that it be closed; seconded by Councilwoman Pituch and carried on voice vote.

Discussion in regard to Borough Website and Email Server

At this time, representatives from Law Technologies were in attendance and gave a presentation in regard to their proposal for email server and a website for the Borough.

It was noted that this would also be in compliance with the requirements of the Attorney General for the Police Department.

Mayor Dunleavy thanked the representatives for their presentation and noted that the Governing Body will go over all the proposals and come back with a recommendation.

APPROVAL OF CONSENT AGENDA

Mayor Dunleavy asked that approval for Brian Post as a member of the Fire Department be added to the Consent Agenda:

Councilman Vroom moved for the approval of the following Consent Agenda:

- A. Approval of Governing Body Minutes: Reorganization January 4, 2011; any others which may be in order to do so
- B. Informational Items List – December 2010 and January 13, 2011
- C. Authorization for Membership in Bloomingdale Fire Department: Bryan D’Amato and Brian Post as Regular Members.

Mayor Dunleavy spoke in regard to meeting which will be held in Trenton in regard to the 2% CAP and noted we should have representation; also noted that we received a letter from the League of Municipalities thanking the Borough Administrator for speaking at the Annual conference in regard to Shared Services.

Councilwoman Huntley seconded the motion and it carried on voice vote with all Council Members voting YES.

PENDING BUSINESS

Ordinance #1-2011: An Ordinance of the Borough of Bloomingdale amending borough Code Section 2-64: Board of Recreation Commissioners

The Municipal Clerk read the public notice statement.

Borough Attorney gave the explanatory statement as to the purpose of this ordinance.

Councilwoman Pituch moved that the ordinance be read by title; seconded by Councilman Schiffman and carried on voice vote.

ORDINANCE NO. 1 -2011

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 2-64, BOARD OF RECREATION COMMISSIONERS

WHEREAS, the Governing Body of the Borough of Bloomingdale has determined that it will continue to promote the public health, safety and welfare by maintaining a statutorily permitted Board of Recreation Commissioners to serve the residents of the Borough of Bloomingdale; and

WHEREAS, Borough Code Section 2-64, “Board of Recreation Commissioners,” was enacted by Ordinance No. 6-2000 and amended by Ordinance No. 3-2001 for the purpose of creating a Board of Recreation Commissioners; and

WHEREAS, Borough Code Section 2-64 in its present form is not in compliance with N.J.S.A. 40:12-1, the state enabling statute empowering municipalities to create boards of recreation commissioners:

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Bloomingdale as follows:

Section 1. Borough Code Section 2-64.2, Organization of the Board, Subsection 2-64.2a, hereby is deleted in its entirety and replaced with the following:

a. The Mayor may in his or her discretion appoint not less than three nor more than seven persons, citizens and residents of the municipality, as members of a board of recreation commissioners. The commissioners first appointed shall be appointed for terms of 1, 2, 3, 4 and 5 years respectively, in such manner that the term of at least one commissioner and not more than two commissioners shall expire in each year according to the number appointed as fixed by the Mayor. In case of the increase of a board from three to five members or in case of the increase of a board from five to seven members, the additional commissioners shall be appointed, one for 4 and one for 5 years and in case of the increase of a board from three to seven members, two of the additional commissioners shall be appointed for 4 years and two shall be appointed for 5 years. Thereafter all appointments shall be for the term of 3 years if the board consists of three members or 5 years if the board consists of five or seven members, according to

the number appointed to comprise the board, and vacancies shall be filled by the unexpired term only. The members shall serve until their respective successors are appointed and shall qualify. The members shall receive no compensation for their services.

Section 2. Borough Code Section 2-64.2, Organization of the Board, Subsection 2-64.2b, hereby is deleted in its entirety and replaced with the following:

- b. The Mayor shall be authorized, in his/her discretion, to appoint, subject to confirmation by an affirmative vote of at least three (3) members of the Borough Council, to the board of recreation commissioners not more than two alternate members. Alternate members shall be designated at the time of appointment as “Alternate No. 1” and “Alternate No. 2.” The length of the terms of the alternate members shall be the same as the length of the terms of the regular members of the board of recreation commissioners. If two alternates are appointed, their terms shall be staggered by the appointment of one of the alternates for an initial term that is a year less than a regular term. A vacancy occurring otherwise than by expiration of term shall be filled by the governing body for the unexpired term only. Alternate members shall serve until their respective successors are appointed and shall qualify.

Section 3. Borough Code Section 2-64.2, Organization of the Board, Subsection 2-64.2e, hereby is amended by addition of the following language: “Alternate members shall not be eligible to hold any of the officer positions of the Board, nor shall any alternate member be placed in a voting position except in the absence or disqualification of a regular member of the board of recreation commissioners.”

Section 4. Borough Code Section 2-64.3, Creation and Organization of Citizens’ Advisory Committees, and Borough Code Section 2-64.4, Terms of Offices, hereby are deleted in their entirety.

Section 5. In order to bring the constitution of the board of recreation commissioners into compliance with N.J.S.A. 40:12-1 and N.J.S.A. 40:12-1.1, the Bloomingdale Board of Recreation Commissioners constituted at the time of passage of this ordinance shall be dissolved upon the formation of a new Bloomingdale Board of Recreation Commissioners constituted consistent with the terms of this ordinance.

All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

This Ordinance shall take effect after publication and passage according to law.

Councilwoman Huntley moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Schiffman and carried on voice vote.

Since there was no one who wished to speak during the Public hearing, Councilwoman Huntley moved that it be closed; seconded by Councilman Schiffman and carried on voice vote.

Councilwoman Huntley moved for the adoption of this ordinance; seconded by Councilman Schiffman and carried as per the following roll call: Council Members: Conklin; Huntley; Pituch; Schiffman; Shortman and Vroom all YES.

Appointment of new Recreation Commission Members

Mayor Dunleavy made the following appointments to the new Recreation Commission:

Meg Gray	5 year term
Ray Yazdi	5 year term
John Darcey	4 year term

Michael Sondermeyer	4 year term
Robert Foncillino	3 year term
Gregory Tuck	2 year term
Michele Raineri	1 year term

Appointment of new Alternate Members to the Recreation Commission

Mayor Dunleavy nominated the following Alternates to the Recreation Commission:

Bill Verrico, Alternate I	1 year term
Drew Juhlian, Aternate II	2 year term

Councilwoman Huntley moved for the Confirmation of these appointments; seconded by Councilman Vroom and carried on voice vote with all Council Members voting YES.

Discussion and Action in regard to replacement of Sloan Park Bridge

Mayor and Council went over the estimates for the bridge and style of the bridge which is a Pioneer Bridge.

In response to Councilwoman Pituch, Mayor Dunleavy noted that no other entity uses the bridge other than our own departments; not the Borough of Butler nor Passaic Valley for access to any utilities.

Councilman Schiffman moved that the Borough Engineer be authorized to design and start the process for the replacement of the Sloan Park Bridge; seconded by Councilwoman Shortman and carried as per the following roll call: Council Members: Huntley; Pituch; Schiffman; Shortman; Vroom and Conklin all YES.

Authorization for Ryerson Avenue Project Bidding

Discussion followed in regard to grant from County and initial recommendation for this funding; noted that the Borough Engineer does not recommend Ryerson or Reeve due to the sanitary sewer situation and recommended that we move forward on the Henion Street paving and curbing.

Mayor spoke in regard to the deadline for another grant on March 18 where by we can apply for Reeve/Ryerson.

Adoption of Resolution #2011-1.23: Authorization to use grant monies received from the County for Henion Street not to exceed \$64,800

Councilman Vroom offered the following Resolution and moved for its adoption:

RESOLVED, that the Borough proceed with the paving and curbing on Henion Street and utilize the \$64,800 grant from the County of Passaic; seconded by Councilman Conklin and carried as per the following roll call: Council Members: Pituch; Schiffman; Shortman; Vroom; Conklin and Huntley all YES.

Adoption of Resolution #2011-1.24: Shared Services Agreement with Ringwood for Snake Den Road

Councilman Vroom offered the following Resolution and moved for its adoption:

RESOLUTION #2011-1.24 **OF THE GOVERNING BODY** **OF THE BOROUGH OF BLOOMINGDALE**

Shared Services Agreement with the Borough of Ringwood for Snake Den Road

BE IT RESOLVED, that authorization is given for the Borough of Bloomingdale to enter into a Shared Services Agreement with the Borough of Ringwood for Shared Services for Snake Den road effective January 1, 2011 through December 31, 2013 in the amount of \$32,500 for the first year and during the second year and each year thereafter, the Borough of Ringwood reserves the right to increase the amount paid by the Borough of Bloomingdale in an amount not to exceed 5 %; said agreement is on file in the Municipal Clerk's Office.

Councilman Schiffman seconded the motion, and it carried as per the following roll call:
Council Members: Schiffman; Shortman; Vroom; Conklin; Huntley and Pituch all YES.

PENDING APPOINTMENTS

Mayor Dunleavy spoke in regard to appointments that were heldover and as holdovers those who receive a salary will still have to be paid until another appointment is made.

Mayor Dunleavy stated that a representative needs to be appointed in regard to addressing the State COAH monitoring reports and recommended that the Borough Administrator be appointed.

Councilwoman Huntley moved that the Municipal Clerk be authorize to coordinate with the State to address the COAH monitoring reports along with HAS who is contracted as our COAH agent; seconded by Councilwoman Pituch and carried on voice vote with all Council Members voting YES.

Discussion in regard to 2011 By-laws

Mayor Dunleavy noted that this the 2011 By-laws were tabled at the Reorganization and felt that we should adopt a resolution stating that the 2010 By-laws are in effect until new ones are adopted. He also spoke in regard to Council President Pro-Tem fact that this was tabled also and it should be the most senior member. Discussion followed and it was stated that under State Statute the most senior member would be the third person in charge; Councilwoman Huntley stated that this does not have to be spelled out in the By-laws and these will be addressed at the February 8 meeting.

Discussion and action in regard to televising Borough Council meetings

Mayor Dunleavy discussed receipt of authorization letter received from the Borough of Butler stating they will televise our meetings for us as we will provide a tape; there will be no cost to the Borough and Mayor has two volunteers who have offered to film the meetings; i.e. Messrs. Pellegini and Dellaripa; we could seek donations from local vendors for a TV.

Adoption of Resolution #2011-1.25: Authorization to televise Council Meetings

RESOLUTION #2011-1.25 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Televising Borough Council Meetings

BE IT RESOLVED, that authorization is given for the Borough of Bloomingdale to begin televising their Council Meetings on Channel 77 and as per the requirements as outlined in the January 6, 2011 letter received from Jim Lampmann, Borough of Butler Administrator; and

BE IT FURTHER RESOLVED, that there will be no cost to the Borough for televising the Council meetings

Councilman Schiffman seconded the motion and it carried as per the following roll call: Council Members: Shortman; Vroom; Conklin; Huntley and Pituch all YES.

Pending List Items

Department Reports

Councilwoman Shortman stated that she would like reports from the various Departments monthly, i.e. reports from DPW as to maintenance on vehicles, property maintenance issues. Noted that the Police Department already gives reports and they are excellent.

Councilwoman Huntley stated that Liaisons to each Department will be appointed on February 8 and per the Mayor they can sit down with their respective Departments and devise a report format, etc.

2010 Salary Ordinance

Mayor Dunleavy noted that this is pending from last year and Councilwoman Huntley stated that there were statements that were left off the ordinance and some changed; she wants it to go back to stating what prior, i.e longevity etc was there. This will be addressed at the February 8 meeting.

Status of Water Tank

Discussion followed in regard to the status of the refurbishment and maintenance of the water tank and Mayor stated that authorization should be given that this goes out for bid with an Alternate for the maintenance.

Councilman Vroom moved that the borough Engineer be authorized to prepare the bid specifications and go out for bid for the refurbishment of the water tank with an alternate for the maintenance; seconded by Councilman Schiffman and carried on voice vote: Council Members: Vroom; Conklin; Huntley; Pituch; Schiffman and Shortman all YES.

Status of Energy Grant

Mayor Dunleavy noted we have not received any word yet; DPW employee Al Allegrino took the gentleman around and paperwork will be submitted shortly.

Shared Service for Reevaluation with Borough of Wanaque

Borough Administrator is meeting with the Administrator of Wanaque on January 26 and will report back at the February 8 meeting.

Letter from Passaic County as to interest in Shared Services

Mayor Dunleavy noted we have received a notice from the County as to their recent survey with the municipalities as to interests in Shared Services; if anyone has any ideas, we should address them with the County.

Request to renegotiate contracts for ACO services

Councilwoman Pituch moved that the Borough Administrator be authorized to reopen contract negotiations with the towns we service for Animal Control Services to help offset the costs for BASS; seconded by Councilman Schiffman and carried on voice vote with all members voting YES.

RECESS

Mayor Dunleavy recessed the meeting at this time.

RECONVENED

Mayor Dunleavy reconvened the meeting at 9:04 p.m.

Status of purchase of new DPW Van

Borough Administrator stated that as requested at the last meeting, he has researched it and found out that according to Resolution 2008-11.6 which authorized the cancellation of capital items, there is monies available for the purchase of a new DPW van as it states for vehicles in the bond. Discussion followed

Councilwoman Huntley stated that there is no interest in purchasing a new DPW van; the foreman's truck could be used for pickups; we have to stop the spending somewhere.

Councilman Schiffman stated that he would like to know the interest on the bond and noted that we have to curtail some of our spending.

Status of new Police Station

Mayor Dunleavy stated that he was made aware of a situation whereby the police did not have enough room for prisoners and had to handcuff one to a file cabinet; we need to address where we are going with the new Police Station and noted this will be an item for February 8.

Councilwoman Huntley stated that when the building was purchased, it was stated that they would not spend any taxpayer's money to refurbish it; they would seek grants.

INTRODUCTION OF NEW BUSINESS

Discussion in regard to Ethics Ordinance

Mayor Dunleavy stated that he received a copy of an Ordinance which was adopted by the Township of Wayne whereby they have every professional, employee sign that they have read and received and understand the Ethics Ordinance and felt we should implement the same.

Adoption of Resolution #2011-1.26: Ethics Ordinance Acknowledgment

Councilman Vroom offered the following Resolution and moved for its adoption:

**RESOLUTION #2011-1.26
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing all current and newly hired employees as well as appointed and elected officials to acknowledge receipt and understanding of the Ethics Code

BE IT RESOLVED, that all current and newly hired employees as well as elected and appointed officials of the Borough of Bloomingdale, shall, once a year, be given a copy of the Code of Ethics of the Borough of Bloomingdale as set forth in N.J.S.A. 40A:9-22.5 and shall sign the copy on or before March 1st of each year, thereby acknowledging their receipt and understanding of the Code; and

BE IT FURTHER RESOLVED this affidavit is mandatory and the failure to submit will result in disciplinary action.

Councilwoman Shortman seconded the motion, and it carried as per the following roll call: Council Members: Conklin; Huntley; Pituch; Schiffman; Shortman and Vroom all YES.

Appointments:

Appointment to Local Emergency Planning Council

Mayor Dunleavy appointed Fire Chief Michael Hudson as a Member of the Local Emergency Management Council for a one year term.

Councilman Vroom moved for the Confirmation of this appointment; seconded by Councilwoman Shortman and carried on voice vote with all members voting YES.

Appointment to Passaic County Film Commission

Mayor Dunleavy appointed Lynn Ferrara as the Liaison to the Passaic County Film commission.

Councilman Vroom moved for the Confirmation of this appointment; seconded by Councilman Schiffman and carried on voice vote with all Council Members voting YES.

Appointments to Municipal Alliance Board

Mayor Dunleavy appointed the following to the Municipal alliance Board:

Barbara Bott	1 year term
Lynn Ferrara	1 year term

Councilman Vroom moved for the Confirmation of these appointments; seconded by Councilwoman Shortman and carried on voice vote with all Council Members voting YES.

Appointment of Special Legal Counsel – Joseph MacMahon

Mayor Dunleavy noted that we should appoint Mr. MacMahon as special Legal Counsel in light of the fact that a new Borough Attorney will be appointed February 8 and Mr. MacMahon could handle the three pending litigation.

Councilwoman Huntley would like to table this until February 8.

Appointment of Council President Pro-Tem

Councilwoman Huntley stated that the state statute presides and the most senior member would be the Council President Pro-Tem; Mayor asked that this be addressed in the by-laws.

Status of Borough Professionals

Mayor Dunleavy stated that all the professionals have been heldover and in reviewing one of our ordinances, specifically 42-2006, it states that once there is cessation of a professional, there must be a bidding process followed; RFP's requested and position posted and advertised. This did not happen.

Councilwoman Huntley stated that Mayor Dunleavy made the appointment and they were not voted on; once the 30 days are up, then they can make an appointment; the state statute controls and does not require the process to be followed.

Mayor Dunleavy felt that the ordinance cannot be ignored and felt that new professionals should be appointed as holdovers and if appointed, you could be in violation of the statute.

Discussion followed and Councilwoman Huntley stated that they did do RFP's and interviews; Mayor Dunleavy stated that was not with the entire Governing Body and they were not posted, etc.

Introduction of Ordinance #2-2011: Amending Borough code Section 2-50; Environmental Commission

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 2-50, ENVIRONMENTAL COMMISSION was introduced by title by Councilwoman Huntley who moved that second and final reading and public hearing be held on February 8, 2011 at 7 p.m.

Councilwoman Pituch seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Pituch; Schiffman; Shortman; Vroom and Conklin all YES.

Introduction of Ordinance #3-2011: Amending Borough Code Section 2-65, Recreation and Open Space Establishment Trust Fund

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 2-65, RECREATION AND OPEN SPACE ESTABLISHMENT TRUST FUND (“ROSE FUND”) was introduced by title by Councilwoman Huntley who moved that second and final reading and public hearing be held on February 8 2011 at 7 p.m.

Councilwoman Pituch seconded the motion.

Mayor Dunleavy discussed his opposition to this amendment noting that any recommendations which are brought forth by the ROSE fund committee would have to be authorized by the Governing Body; these two ordinances will impose unnecessary costs to the Borough re advertising, codification, etc.

Councilwoman Huntley stated that we are just correcting the Environmental ordinance and the ROSE fund is adding two alternates. These will help the town run better and Councilwoman Shortman stated that the ROSE fund alternates would vote if someone was absent.

The motion carried as per the following roll call: Council Members: Pituch, YES; Schiffman, YES; Shortman, YES; Vroom, NO; Conklin, YES and Huntley, YES.

Introduction of Ordinance #4-2011: And Ordinance Amending Chapter 7; Traffic

AND ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, AMENDING CHAPTER 7, TRAFFIC, OF THE REVISED CODE OF THE BOROUGH OF BLOOMINGDALE was introduced by title by Councilman Vroom who moved that second and final reading and public hearing be held on February 8, 2011 at 7 p.m.

Councilwoman Shortman seconded the motion, and it carried as per the following roll call: Council Members: Schiffman, YES; Shortman, YES; Vroom, YES; Conklin, YES; Huntley, ABSTAIN; Pituch, YES.

Adoption of Resolution #2011-127: Temporary Budget Amendment

Councilwoman Huntley offered the following Resolution and moved for its adoption:

RESOLUTION #2011-1.27

***OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE***

Amending the 2011 Temporary Municipal Budget

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the FY2011 Temporary Municipal Budget was adopted on January 4, 2011, for the purpose of providing for temporary appropriations for the conduct of municipal governance; and

WHEREAS, the Governing Body has been advised by the Chief Financial Officer and the Borough Treasurer that additional temporary appropriations in the FY2011 Temporary Municipal Budget are required in order to provide funding for the conduct of municipal governance;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the FY2011 Temporary Municipal Budget be and is hereby amended to provide for the following additional temporary appropriations in the Current Account:

Recycling Tonnage Grant	Other Expenses	\$6,923.34
Total Current		

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the Chief Financial Officer and the Borough Treasurer for appropriate action in conformity

Councilman Schiffman seconded the motion, and it carried as per the following roll call: council Members: Vroom; Conklin; Huntley; Pituch; Schiffman and Shortman all YES.

Adoption of Resolution #2011-1.28: Redemption and Cancellation of TTL #455

Councilman Vroom offered the following Resolution and moved for its adoption:

**RESOLUTION #2011 -1.28
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #455

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on January 16, 2006, a lien was sold on, 448 GLENWILD AVENUE, BLOOMINGDALE, for delinquent year 2005 taxes, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 3, Lot 11, owned by CJR HOLDING CO, INC; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 455, which was sold to R. Rothman for a PREMIUM of \$ 5,100.00; and

WHEREAS, the Governing Body further finds and declares that JEFFREY M. KASSOVER, Attorney-at-law of property, has requested redemption of TTL # 455, and

WHEREAS, the Governing Body further finds and declares that Jeffrey M. Kassover, attorney-at-law, has paid all monies due on TTL # 455, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a checks in the amount of \$ 123,630.59 for the lien redemption and \$ 5,100.00 for return of the PREMIUM payable to R. Rothman, 411 Grand Avenue, Englewood, NJ 07631 for the redemption and cancellation of Tax Title Lien Certificate # 455.

1099 = \$ 35,843.82

Councilwoman Huntley seconded the motion and it carried as per the following roll call: council Members: Conklin; Huntley; Pituch; Schiffman; Shortman and Vroom all YES.

Adoption of Resolution #2011-1.____: Authorization for Shared Services for Fire Prevention Services with Borough of Butler

Councilman Vroom moved to TABLE this resolution; seconded by Councilwoman Huntley and carried on voice vote with all Council Members voting YES.

Adoption of Resolution #2011-1.29: Read Across America

Councilman Vroom offered the following Resolution and moved for its adoption:

**RESOLUTION #2011-1.29
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, the citizens of the Borough of Bloomingdale stand firmly committed to promoting reading as the catalyst for our students future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Bloomigdale has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America a national celebration of reading, will be conducted on march 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale calls on the citizens of Bloomingdale to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA's Read Across America and Read Across American-NJ and recommits our community to engage in programs and activities to make America's children the best readers in the world.

Councilman Schiffman seconded the motion, and it carried on voice vote with all Council Members voting YES.

Passaic County Block Grant meeting February 10, 2011

Mayor Dunleavy noted we could seek additional funding for Reeve or Ryerson and asked if anyone would like to attend.

Councilwoman Huntley stated that the information is already highlighted in the paperwork received for the grant; consensus that we will apply and meet the March 18 deadline.

Seminar in Trenton on January 29, 2011 in regard to "Collaborating on Real Solutions to the 2% Cap"

Mayor Dunleavy felt that the Budget Committee should attend this seminar.

Councilwoman Huntley noted that when she and Councilwomen Shortman and Pituch attended the seminars at the League, this information was covered and she noted that although Mayor had criticized her for attending League, she felt it very beneficial for those to attend and many people are able to attain continuing education credits.

Mayor Dunleavy stated that he did not criticize her attending; he objected to the Borough paying for it.

Passaic County Improvement Authority requests for Shared Services for the DCA Shared Services Grant

Mayor Dunleavy referred to this grant and the opportunity for us to apply for some shared services and felt the Council should consider this topic and give him any suggestions for the February 8 meeting in regard to shared services.

Butler High School Yearbook Ad

Councilman Schiffman moved that authorization be given for the Borough to take out a ½ page ad at the cost of \$160 in the Butler High School yearbook; seconded by Councilman Vroom and carried on voice vote with all council Members voting YES.

Adoption of Resolution #2011-1.30: payment of Municipal Obligations

Councilman Vroom offered the following Resolution and moved for its adoption:

**RESOLUTION - #2011-1.30
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Payment of Municipal Obligations

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts:

BILLS LIST		PREPAID LIST	
CURRENT	1,571,426.31	CURRENT	644,708.43
UTILITY	51,561.03	UTILITY	454,764.30
CAPITAL	7,058.06	UNEMPLOY.	246.35
UTILITY CAPITAL	000.00	RECYCLING	1,216.32
TRUST	10,032.21	CAPITAL	00,000.00
DOG	157.95	TRUST	6,480.00
RECREATION	115.00	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	0,000.00	RECREATION	000.00
ROSE FUND	11,427.56	UTILITY CAP	000.00
RECYCLING	6,204.64	DOG	000.00
TOTAL	1,657,982.76	TOTAL	1,107,415.40

Councilwoman Shortman seconded the motion.

Discussion followed as to some of the items on the bill list and two items were pulled:

Purchase Order #10-01723 and Purchase Order 10-01242

The motion carried with the two purchase orders pulled as per the following roll call: Council Members: Huntley; Pituch; Schiffman; Shortman; Vroom and Huntley all YES.

Adoption of Resolution #2011-1.31: Authorization for bidding for Oakwood Lake Walks

Discussion followed as to Borough Engineer's estimate of \$75,000 for sidewalks and curbing at Oakwood Lake. Councilwoman Huntley noted that she did not want pavers and Mayor Dunleavy noted that he felt this could be discussed later but we must authorize the bidding now.

Councilman Vroom offered the following Resolution and moved for its adoption:

RESOLVED, that the Borough Engineer be authorized to prepare and go out for bid for the Oakwood Lake Walks at an estimate of \$75,000 for sidewalk and curbs.

Councilwoman Huntley seconded the motion, and it carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Vroom; Conklin and Huntley all YES.

LATE PUBLIC COMMENT

Councilman Vroom moved that the meeting be open to Late Public Comment; seconded by Councilman Schiffman and carried on voice vote.

Meg Gray, 72 Star Lake Road, spoke in regard to statements which were made earlier in regard to professionals being appointed on February 8 and fact that there was not competitive bidding and asked how the lack of competitive bidding benefits the town.

Councilwoman Huntley reiterated the fact that they are following state statute and we will be getting professionals for less money.

Tea Brady, 124 Clark Street, also expressed her concern about the fact that the professionals which are going to be appointed on February 8 have not been named and asked why the secrecy; she also noted that she felt it was unnecessary to amend the two ordinances and unnecessary spending.

Ray Yazdi, 36 Bailey Avenue, expressed his opinion as to appointments made to the ROSE fund Board and concern if the Alternate Mr. Juhlian will be the Representative from the Board. Mr. Yazdi also expressed his disappointment as to shared services not being approve, i.e. with Kinnelon and the hold on the impound yard.

Councilwoman Huntley stated that the proposed shared service with Kinnelon for Administrator and Chief Financial Officer is not a true shared service and stated that if Kinnelon only needs and Administrator for 12 hours, then maybe we only need one for 12 hours also.

As far as the impound yard, the numbers proposed were wrong and we are waiting for true numbers.

Edward Ball, 13 Crane Avenue, asked when the lights on Main Street which are broken are going to be fixed and felt that if the money was received for those that were broken, and then they should be fixed.

Borough Administrator stated that he agrees with Mr. Ball, they should be fixed; the DPW Superintendent was awaiting quotes for the others as bolts have to be replaced. Mayor noted this will be on the February 8 agenda.

Mr. Ball asked for clarification on bidding for water tank and it was reiterated that it was for full refurbishment with an alternate for maintenance.

Mr. Ball spoke in regard to the water department plowing and felt that their time and wear and tear on vehicles should be charged back to the DPW budget.

Ron Caputo, 42 Bogue Drive, complemented the Mayor and Council on a certain amount of civility this evening; he also addressed Ms. Gray as to RFP's and stated that he does not remember any RFP's being done for the two attorneys appointed by the mayor.

Gail Galbraith, 12B Brookside Hts, Wanaque, NJ and Recreation Director stated that she would hope the mayor and Council continue working together for the town and its residents; a lot got done this evening. She also invited Mr. Caputo to a Municipal Alliance meeting.

Dawn Hudson, 12 Walnut Street, spoke in regard to the wonderful job which has been done in recent weeks by our DPW department in this horrendous weather conditions. Ms. Hudson spoke in regard to the impound yard and disappointed that this was not on agenda; felt that the council needs to think “outside of the box” and should consider the agreement for sharing administrator and Chief Financial Officer with Kinnelon.

Councilwoman Huntley noted that these two items were discussed quite a bit last year and we asked for more information but never received it. The impound yard is an open issue and we are awaiting additional information.

At this time, Mayor Dunleavy read a letter from Mrs. Connolly in regard to the excellent job by the DPW during these recent snow storms.

Lynn Ferrara, 164 Reeve Avenue, spoke in regard to how our recreation and our fields have improved over the years and hoped that we do not go back to the conditions we had years ago.

Councilwoman Shortman asked why the trash was not picked up on Friday; Borough Administrator will check and get an answer. He asked if she had called the DPW and she said she did and was told there were men out sick.

Since there was no one else who wished to speak during Late Public Comment, Councilman Schiffman moved that it be closed; seconded by councilman Vroom and carried on voice vote with all Council members voting YES.

At this time, Borough Attorney Joseph MacMahon noted that this is his last meeting and stated that it has been his pleasure to work for the Borough for the last eight years and noted that in his observation, it is remarkable how everyone works so hard for the Borough and its residents and thanked the council and prior councils for the opportunity to be the Borough Attorney.

Mayor Dunleavy expressed the sentiments of all as to Mr. MacMahon's integrity and fairness and noted that we will miss him and thanked him for his service.

Adoption of Resolution #2010-10.16: Authorization for Executive Session

Councilman Vroom, offered the following Resolution and moved for its adoption:

**RESOLUTION #2010-10.16
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Convening of an Executive Session

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Governing Body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey, as follows:

1. The public shall be excluded from discussion of, and action upon, the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

3. The general nature of the subject matter to be discussed is as follows:
 - A. Litigation – 1 matter
4. Minutes will be taken.
5. It is anticipated at this time that minutes of the above-referenced subject matter will be made public when it is in order to do so.
6. This Resolution shall take effect immediately.

Councilwoman Huntley seconded the motion and it carried on voice vote with all Council members voting YES.

(At this time, the Governing Body went into Executive Session and Councilman Schiffman was recused and left the meeting)

RECONVENED

Mayor Dunleavy reconvened the meeting at this time and noted that Councilman Specchio left at 11:40 p.m. and noted that no action was taken during the Executive Session.

ADJOURNMENT

Since there was no further business to be conducted, Councilwoman Shortman moved to ADJOURN the meeting at 11:40 p.m.; seconded by Councilman Conklin and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Schiffman

Jane McCarthy, RMC
Municipal Clerk

FINAL DRAFT – February 15, 2011