

November 22, 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:	Mark Semeraro, Esq.
	Asst. Borough Attorney:	Joseph P. 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 Councilwoman Huntley and carried on voice vote with all Council Members voting YES.

Sheldon Bross, 87 Wood Place, discussed the legal bills submitted by Borough Attorney Mark Semeraro, in particular the PBA arbitration and felt that they were excessive. He also stated that the former Borough Attorney did not charge us for duplicating costs and use of West Law; experience of associates. Mr. Bross felt that before the Borough pays these bills, they should be looked at.

Borough Attorney Semeraro addressed Mr. Bross noted that there were “banker boxes” of duplication necessary and outside copying was also necessary. In regard to Westlaw, less lawyer time is used when one accesses Westlaw.

Mr. Semeraro addressed the qualifications of his associates and also noted that he did in the past writeoff approximately \$10,000 of his bills and gave out of his own pocket more than anyone else in the Borough has.

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

REPORTS FROM THE MAYOR AND COUNCIL

League of Municipalities

Councilwoman Shortman felt that it would be a good idea of those who attended the League of Municipalities conference to write a report as to any items they may have learned. She felt the League is beneficial and employees and council members should attend.

Mayor stated that his issue this year was due to the financial constraints of the Borough and the fact that programs were cut, i.e. fireworks, they Council should have cut the Conference out of their budget.

Councilwoman Shortman stated that the Borough of Kinnelon is interested in partnering with us next year for fireworks.

She noted that she attended a Conference on Competitive Flooding at which the Mayor of Pompton Lakes was the speaker; discussion in regard to a regional approach and DEP would fund it.

Councilwoman Shortman congratulated Mayor Dunleavy on his being elected to the Executive board of the League of Municipalities and also the Council-members elect.

Butler/Bloomingdale Football Squad

Mayor stated that the "B" Squad won the superbowl and the "A" Squad Girls won the Farleigh Dickinson competition.

PROFESSIONAL REPORTS

Borough Attorney

Henion and Chestnut Projects

Borough Attorney stated that the two contracts will be completed this week and ready for execution.

Prompton Lakes Municipal Utilities Authority

This will be discussed in Executive Session.

Property Lien

This will be discussed in Executive Session as to an additional property lien.

DEPARTMENT REPORTS

Municipal Clerk

League of Municipalities

Municipal Clerk reported on Mayor Dunleavy being elected to the Executive Board of the League of Municipalities and congratulated him to this honor and fact that it will bring Bloomingdale's voice to the state.

Borough Administrator

James and High Street Projects

Borough Administrator stated that these projects should be started next week pending the weather.

Elevator

Borough Administrator stated that there is a problem with our elevator and this will be on the December 13 agenda for approval.

Fire Prevention Report

Borough Administrator stated that there are some fire extinguishers which were outdated and will be fixed.

The Fire Alarm at the BASS building will be discussed later in the meeting.

The Construction Office need to be hard wired for fire alarm and he will get prices for a strobe light outside and smoke detectors.

Chestnut Street Sinkhole

Borough Administrator stated that this will be done by Monday.
First Street

Borough Administrator stated that this will be discussed in Executive Session.

High Street

Noted that this project will commence when the contractor has finished with the Woodward Avenue Project.

APPROVAL OF CONSENT AGENDA

Councilman Schiffman moved that the following Consent Agenda be approved:

- A. Adoption of Resolution #2011-11.2: Recognizing a Day of Thanksgiving in the Borough of Bloomingdale

**RESOLUTION #2011-11.2
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINDALE**

Recognizing A Day of Thanksgiving in the Borough of Bloomingdale

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Thanksgiving was first celebrated with three days of prayer and feasting by the Plymouth colonists in 1621 for the purpose of giving thanks to their Creator for having reaped their first harvest and for having survived their first winter in the Massachusetts Bay Colony; and

WHEREAS, the Governing Body further finds and declares that the first national Thanksgiving Day was proclaimed by President George Washington and celebrated on November 26, 1789; and

WHEREAS, the Governing Body further finds and declares that Thanksgiving Day has been celebrated on the last Thursday in November since 1863, when it was commissioned by President Abraham Lincoln as a national holiday; and

WHEREAS, the Governing Body is thankful for the hard work and dedicated service of its staff and for the rewards that the people of the Borough have reaped this year because of that hard work and dedicated service;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby give thanks for the hard work and dedicated service of its staff and extends sincerest wishes to the staff and residents of the Borough for a happy and safe Thanksgiving Day celebration with family and friends.

- B. Approval of Minutes – Executive Session October 11, 2011
- C. Acceptance of Resignation of Vincent DiGerolamo, Jr. as a Member of Bloomingdale Fire Department Hook and Ladder
- D. Informational Items – Months of October 2011
- E. Letter from State of NJ DEP as to Deadline for Green Acres Recreational Trails Application – Deadline February 15, 2012

Councilman Vroom seconded the motion, and it carried on voice vote.

PENDING BUSINESS

Status of Utility Infrastructure Mapping Project

Mayor noted that this will stay on as a 2012 Pending Agenda item. The total cost is approximately \$173,000; Pompton Lakes MUA does not offer this services; we are awaiting a third quote. This will stay on the pending agenda.

Status of Properties to be Liened by the Borough

Borough Attorney stated that the list will be finalized this week. In regard to the foreclosures, we are moving forward with the entry default.

Adoption of Resolution #2011-11.3: Stipend for Tax Assessor Brian Townsend for Reevaluation Project

Councilman Vroom offered the following Resoltuion and moved for its adopton:

**RESOLUTION #2011-11.3
OF THE GOVERNING BODY
OF THE BOROUEH OF BLOOMINGDALE**

WHEREAS, the Borough of Bloomingdale has entered into a contract with Appraisal Systems, Inc. to perform a town wide revaluation; and

WHEREAS, the work to be performed by the in-house staff will be substantially increased by the revaluation process; and

WHEREAS, our part time Tax Assessor Brian Townsend will need to oversee this process which will require extra time dedicated to Bloomingdale; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Bloomingdale do hereby authorize Brian Townsend receive \$1,000.00 per month for the extent of the length of the revaluation process beginning August, 2011 through October, 2012.

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.

Discussion in regard to Resurfacing program for 2012

Councilwoman Shortman asked that portions of Glenwild Avenue be added to the list submitted by the Borough Administrator to the County as suggested roads to be resurfaced; he will notify the County.

Report on bids for Animal Shelter Services

Borough Attorney stated that one bid was received today and he will review it and report back for the December 13, 2011 meeting..

Status of Butler Debt Payment

Noted that once the transfer resolution is adopted; then payment can be made.

Status of request of Michael Azzolino for easement

Borough Attorney stated that he is awaiting some information from Administration to complete their analysis; preliminary analysis from the Planning Board.

Status of James Street

Borough Administrator stated that this will be done through the Morris County Co-op; Engineer has met with the contractor and will notify the residents by tomorrow as to when the work will commence.

Status of Oakwood project

Borough Administrator stated that this will be a spring project.

Status of Garbage Truck bids

Borough Administrator stated that one issue needs to be resolved and hope to complete it by tomorrow; this will remain as a pending item.

Second and Final reading and Public Hearing of Ordinance #16-2011

AN ORDINANCE AMENDING CHAPTER 92, THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, PASSAIC COUNTY, NEW JERSEY TO MODIFY THE PROVISION OF THE AH AFFORDABLE HOUSING ZONE TO CLARIFY THAT EITHER RENTAL OR FOR-SALE UNITS OR ANY COMBINATION THEREOF ARE PERMITTED IN THE AH ZONE WAS GIVEN SECOND AND FINAL READING AND CONSIDERATION FOR ADOPTION AT THIS TIME.

Councilman Vroom moved that the ordinance be read by title; seconded by Councilwoman Huntley and carried on voice vote. Councilwoman Huntley (RECUSED)

ORDINANCE 16-2011

AN ORDINANCE AMENDING CHAPTER 92, THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, PASSAIC COUNTY, NEW JERSEY TO MODIFY THE PROVISION OF THE AH AFFORDABLE HOUSING ZONE TO CLARIFY THAT EITHER RENTAL OR FOR-SALE UNITS OR ANY COMBINATION THEREOF ARE PERMITTED IN THE AH ZONE.

WHEREAS, on July 17, 2007, the Borough Council of the Borough of Bloomingdale adopted Ordinance 13-2007 entitled: “An Ordinance Amending Chapter 92, the Zoning Ordinance of the Borough of Bloomingdale, Passaic County, New Jersey to Establish a New AH Affordable Housing Zone Encompassing Designated Portions of Blocks 59 and 60”; and

WHEREAS, Ordinance 13-2007 rezoned for affordable housing purposes, property designated in said ordinance and owned by Meer Bloomingdale Estates and under contract to Bloomingdale Joint Venture (the “Meer Property”); and

WHEREAS, on or about June 1, 2010, Bloomingdale Borough filed an adopted Housing Element and Fair Share Plan with both COAH and the Highlands Council, said housing element retaining the Meer Property as an affordable housing site and requesting 72 units of credit for the affordable housing development permitted on the Meer Property pursuant to Ordinance 13-2007; and

WHEREAS, on September 7, 2011, Bloomingdale Joint Venture filed a motion for modification of the Builder’s Remedy Judgment for the Meer Property, requesting various changes to approvals and to Ordinance 13-2007 to permit rental units and/or for-sale market and affordable units on the Meer Property; and

WHEREAS, on October 11, 2011 in response to Bloomingdale Joint Venture’s motion, the Honorable Thomas F. Brogan, P.J.Cv. entered an Order requiring, among other things, adoption of revisions to Ordinance 13-2007; and

NOW, THEREFORE, BE IT ORDAINED that the Borough Council of Bloomingdale in the County of Passaic, State of New Jersey, in compliance with the Court Order of October 11, 2011, does hereby adopt the following amendments to Chapter 92, the Zoning Ordinance of the Borough of Bloomingdale:

Section 1. Amend subsection 92-61.E.1. to read as follows:

1. Maximum Yield for Zoning District – 360 rental or for-sale units, or any combination thereof, at the option of the developer. The permitted yield shall be constructed within the restricted area of disturbance.

Section 2. Amend subsection 92-61.F.11. to read as follows:

11. In the event that dwellings are offered for-sale, a homeowners' association or condominium association shall be incorporated as required by law. No association shall be required for rental units. Any homeowners' or condominium association created for for-sale units in the community shall be responsible for owning, maintaining, and repairing all common areas in the community. The residents in the community which includes for-sale units, shall be required to be members of the association. This requirement shall be set forth in the contract of sale and deed for each for-sale unit as well as in any public offering statement required by State law. The review of homeowner association documents shall be subject to the sole jurisdiction of the NJ Department of Community Affairs.

SECTION 3. Severability. If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any Court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon publication of Notice of Final Passage in the manner provided by law.

SECTION 5. Short Title. The short title of the above Ordinance shall be "An Ordinance Amending the AH Affordable Housing Zone Provisions of the Zoning Ordinance to Allow Rental Units".

SECTION 6. Repealer. All ordinances or parts thereof inconsistent herewith are hereby repealed as to the extent of such inconsistency only.

Councilman Vroom moved that a Public Hearing be open on this ordinance; seconded by Councilwoman Shortman and carried on voice vote. Councilwoman Huntley (RECUSED)

Robert Santee, 18 Van Dam Avenue, expressed concerns in regard to drainage and entry issues; Mayor noted that these issues can be addressed when the applicant comes to the Planning Board for approval.

Since there was no one else who wished to speak under the Public Hearing, Councilman Vroom moved that it be closed; seconded by Councilwoman Shortman and carried on voice vote. Councilwoman Huntley (RECUSED)

Councilman Vroom moved for the adoption of this ordinance; seconded by Councilwoman Pituch and carried as per the following roll call: council Members: Huntley, RECUSED; Pituch, YES; Schiffman, NO; Shortman, YES; Vroom, YES and Conklin, YES.

Second and final Reading and Public Hearing of Ordinance #17-2011: Amending Fees for Animal Control

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING SECTION 5-14 "FEES" OF CHAPTER V "ANIMAL CONTROL" was given second and final reading and consideration for adoption at this time.

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

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING SECTION 5-14 "FEES" OF CHAPTER V "ANIMAL CONTROL"

WHEREAS, the Governing Body of the Borough of Bloomingdale has considered changing the fees for cat licenses from two separate fees for neutered and unneutered cats to a flat fee of Eight (\$8.00) dollars, and thereby amending Section 5-14(a)(2) of the Ordinance of the Borough of Bloomingdale; and

WHEREAS, the Governing Body of the Borough of Bloomingdale finds that such amendment is warranted;

NOW, THEREFORE, it is thereby duly ordained:

Section 1: That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section 2: Section 5-14(a)(2) “Fees” for “Cats” as set forth in the Code of the Borough of Bloomingdale is hereby deleted, and shall read as follows:

2. Cats. (a) Eight (\$8.00) dollars.

Section 3: Severability – The provisions of this Ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof.

Section 4: This Ordinance Controls – In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinances of the Borough of Bloomingdale, the provisions hereof shall be determined to govern and control. All other parts, portions and provisions of Chapter V of the Code of the Borough of Bloomingdale “Animal Control” shall remain unchanged and unmodified, except where inconsistent with the terms hereof.

Section 5: Effective Date – This Ordinance shall take effect immediately upon final passage and publication according to law.

Discussion followed in regard to the framework from Sustainable NJ in regard to licensing cats and cateries and feral cats are exempt; felt we should hold this ordinance and adjust the fees accordingly.

Councilman Schiffman moved to amend the ordinance; seconded by Councilman Vroom and carried as per the following roll call: Council Members: Pituch; Schiffman; Sortman; Vroom; Conklin and Huntley all YES.

RECESS

The Mayor and Council recessed at this time.

RECONVENED

The Mayor reconvened the meeting at 8:21 p.m.

Discussion followed in regard to amending this ordinance to include the correct fees. Consensus that this ordinance as it is proposed now will be rejected and another ordinance

repared for December 13, 2011.

Councilwoman Huntley moved to REJECT the ordinance; seconded by Councilwoman Shortman and carried as per the following roll call: Council Members: Pituch; Schiffman; Sjortman; Vroom; conklin and Huntley all YES.

Second and final reading and public hearing of Ordinance #18-2011: Bond Ordinance for Various Capital Improvements

***BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC,
NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,800,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF*** was
given second and final reading and consideration for adoption at this time.

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

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Bloomingdale, in the

County of Passaic, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,800,000, including the aggregate sum of \$90,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payment for Section 3.1 (Recreation Items) is \$80,250, all of which is being provided by the Recreation and Open Space Trust Fund. The down payment for Section 3.2 (Non Recreation Items) is \$9,750 which is being provided by the Capital Improvement Fund.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,710,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1. Recreation Items			
a) Improvements to Sloan Park, including all work and materials necessary therefor and incidental thereto.	\$800,000	\$760,000	15 years
b) Improvements to Van Dam Avenue/Chestnut Street and Tice Street, including all work and materials necessary therefor and incidental thereto.	\$600,000	\$570,000	10 years
c) The cleaning of drains, improvements to Balston Culvert, desilt and desnag river/brooks and improvements to Delazier brook erosion, including all work and materials necessary therefor and incidental thereto.	\$205,000	\$194,750	15 years
Total for Recreation Items	<u>\$1,605,000</u>	<u>\$1,524,750</u>	

2. Non Recreation Items

a) Improvements to High Street erosion, 7 Knolls Road, Brandt Lane, and Catherine Street Culvert, including all work and materials necessary therefor and incidental thereto.	\$154,000	\$146,300	10 years
b) Improvements to the animal shelter, including all work and materials necessary therefor and incidental thereto	\$20,000	\$19,000	20 years
c) Improvements to Overlook sinkhole, including all work and materials necessary therefor and incidental thereto.	\$21,000	\$19,950	15 years
Total for Non Recreation Items	<u>\$195,000</u>	<u>\$185,250</u>	
GRAND TOTAL	<u>\$1,800,000</u>	<u>\$1,710,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as

may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.96 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,710,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$360,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to

comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof

Councilwoman Huntley moved that the meeting be opened 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 under Public Comment, Councilman Schiffman moved that it be closed; seconded by Councilman Vroom and carried on voice vote.

Councilman Vroom moved for the adoption of this ordinance; seconded by Councilman Schiffman and carried as per the following roll call: council members: Schiffman; Shortman; Vroom; Conklin; HNuntley and Pituch all YES.

Second and final reading and Public Hearing on Ordinance #19-2011: Refuse Container/Dumpster

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC

AND STATE OF NEW JERSEY AMENDING SECTION 19-2 “REFUSE CONTAINER/DUMPSTER REGULATION” OF CHAPTER XIX “SOLID WASTE MANAGEMENT” was given second and final reading and consideration for adoption at this time.

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

WHEREAS, the Governing Body of the Borough of Bloomingdale is desirous of providing screening to certain dumpsters to prevent public eyesores; and

WHEREAS, the Governing Body of the Borough of Bloomingdale has considered a proposed text amendment to Chapter XIX “Solid Waste Management” of the General Revised Code of the Borough of Bloomingdale; and

WHEREAS, the Governing Body of the Borough of Bloomingdale finds that such amendment is warranted, and that dumpsters which are at least three and a half (3 ½) yards shall be enclosed; and

NOW, THEREFORE, it is thereby duly ordained:

Section 1: All ordinances and portions of ordinances, except for section 12-5.11(h) “General Design Standards for Residential Development” for ARH Age Restricted Housing/Mixed Use Zone, which are in conflict herewith are hereby repealed.

Section 2: Section 19-2 “Refuse Containers/Dumpster Regulations” as set forth in the Code of the Borough of Bloomingdale is hereby amended as follows:

Insert:

Section 19-2.7 “General Design Standards for Dumpsters”

Each dumpster which is at a minimum three and one half (“3 ½”) yards shall be enclosed by a stockade fence or a cyclone fence with screening on all sides of the dumpster where access is not required. Required access doors shall be designed to screen the dumpsters from view.’

Section 3: Severability – The provisions of this Ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph,

subparagraph, provision, sentence, or part thereof.

Section 4: All other parts, portions and provisions of Chapter XIX of the Code of the Borough of Bloomingdale “Solid Waste Management” shall remain unchanged and unmodified, except where inconsistent with the terms hereof.

Section 5: Effective Date – This Ordinance shall take effect immediately upon final passage and publication according to law.

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

Since there was no one who wished to speak under the Public Hearing; councilman Vroom moved that it be closed; seconded by Councilwoman Huntley and carried on voice vote.

Councilwoman Huntley moved for the adoption of the ordinance; seconded by Councilman Schiffman and carried as per the following roll call: Council Members: Shortman; Vroom; Huntley; Pituch and Schiffman all YES. Councilman Conklin, NO.

INTRODUCTION OF NEW BUSINESS

Adoption of Resolution #2011-11.4: Payment of Bills

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

**RESOLUTION - #2011 –11.4
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	2,774,592.28	CURRENT	722,114.25
UTILITY	53,094.47	UTILITY	81,359.57
CAPITAL	12,390.00	UNEMPLOY.	1,860.93
UTILITY CAPITAL	3,710.00	RECYCLING	603.56
TRUST	17,213.14	CAPITAL	00,000.00
DOG	1,907.29	TRUST	210.00
RECREATION	6,509.76	SPEC. ASSESS.	0,000.00
000.00		UNEMPLOYMENT	
ROSE FUND	4,285.00	UTILITY CAP	000.00
RECYCLING	2,000.00	DOG	1,459.60
TOTAL	2,875,701.94	TOTAL	807,607.91

Councilman Vroom seconded the motion, and it carried as per the following roll call:

Council Members: Vroom; Conklin; Huntley; Pituch; Schiffman and Shorman all YES.

Adoption of Resolution #2011-11.5: Transfer Resolution

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

**RESOLUTION - #2011-11.5
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

RESOLUTION RE: Authorizing the Transfer of 2011 Appropriations

WHEREAS, Title 40A:4-58 provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess of those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer and Borough Administrator have determined that the following transfers are both necessary and

appropriate; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale that the Chief Financial Officer be and she is hereby authorized to make the following transfers in the FY2011 Budget.

FROM:		
Police S&W		\$8,000.00
Police OE		\$4,000.00
Buildings and Grounds		\$12,000.00
Public Events		\$12,000.00
Planning Board OE		\$8,000.00
Shade Tree OE		\$5,000.00
Board of Health OE		\$2,500.00
Water S&W		\$26,000.00
Total		\$77,500.00
TO:		
Dispatch S&W		\$4,000.00
Roads OE		\$9,000.00
Roads S&W		\$9,000.00
Sanitation S&W		\$9,000.00
Animal Control OE		\$2,500.00
Gasoline		\$9,000.00
Social Security		\$9,000.00
Water OE		\$26,000.00
Total		\$77,500.00

Councilman Schiffman seconded the motion.

Mayor Dunleavy stated that he has discussed this with the Chief Financial Officer and this does not include the shortfalls we spoke about previously, attorney bills, engineering, etc.

Councilwoman Huntley disagreed and noted she met with the Borough Auditor and he has stated that we have quite of bit extra money available.

Mayor stated that we will find out in November where we are at.

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

Adoption of Resolution #2011-11.6: Flexible Spending Account

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

**RESOLUTION #2011-11.6
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing a Contract with AFLAC to Manage Flexible Spending Account Pursuant to Internal Revenue Code Section 125

WHEREAS, the State of New Jersey per P.L. 2011 C.78 now requires municipalities to offer their employees voluntary deductions through payroll for unreimbursed medical expenses and child care costs; and

WHEREAS, the IRS allows the borough to implement a flexible spending account pursuant to Section 125 of the Internal Revenue Code; and

WHEREAS, AFLAC will administer this program and manage compliance with IRS code; and

WHEREAS, AFLAC currently offers and provides certain insurance products to Borough employees and has done so for the past several years; and

WHEREAS, the Borough has agree to permit AFLAC to provide information on their insurance products to employees during the orientation program for the Section 125 Flexible Spending Account enrollment process;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, in the county of Passaic, that the Governing Body adopts the Flexible Benefits Plan (consisting of flexible benefits plan document, the Adoption Agreement, and component benefit plans and policies) for the Borough and approves a contract with AFLAC for the above stated purpose.

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

Adoption of Resolution #2011-11.7: Tax Title Lien Certificate #000481

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

RESOLUTION #2011-11.7

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

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #000481

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on March 30, 2009, a lien was sold on,

10 STAR LAKE ROAD, BLOOMINGDALE, for delinquent year 2008 taxes, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 29, Lot 9, owned by WATER TECH IRRIGATION, INC; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 000481, which was sold to US BANK CUST/SASS MUNI V for a PREMIUM of \$ 13,900.00; and

WHEREAS, the Governing Body further finds and declares that the property owner, WATER TECH IRRIGATION, INC , has requested redemption of TTL # 000481, and

WHEREAS, the Governing Body further finds and declares that WATER TECH IRRIGATION,

INC, has paid all monies due on TTL # 000481, 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 \$ 50,616.45 for the lien redemption and \$ 13,900.00 for return of the PREMIUM payable to US BANK CUST/SASS MUNI V, 2 Liberty Place, 50 South 16th Street- Suite 1950, Philadelphia, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate # 000481.

1099 = \$ 8,466.95

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

Adoption of Resolution #2011-11.8: Tax Title Lien Certificate #10-00002

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

**RESOLUTION #2011 -11.8
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #10-00002

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 3, 2011, a lien was sold on,
57 REEVE AVENUE, BLOOMINGDALE, for delinquent year 2010 taxes, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 92, Lot 54, owned by DYLAN DEGRASSIE; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 10-00002, which was sold to Stonefield Investment Fund I, LLC for a PREMIUM of \$ 300.00; and

WHEREAS, the Governing Body further finds and declares that NATIONSTAR MORTGAGE,

Mortgage holder of the property, has requested redemption of TTL # 10-00002, and

WHEREAS, the Governing Body further finds and declares that NATIONSTAR MORTGAGE, has paid all monies due on TTL # 10-00002, 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 checks in the amount of \$ \$865.69 for the lien redemption and \$ 300.00 for return of the PREMIUM payable to Stonefield investment Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952 for the redemption and cancellation of Tax Title Lien Certificate # 10-00002.

1099 = \$ 28.52

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.

Adoption of Resolution #2011-11.9: State Tax Court Refund/Salvatore Pagiarulo

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

**RESOLUTION # 2011-11.9
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on October 28, 2011 the Municipality was notified of a State Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 82, Lot 33, known as 49 MAIN STREET, owned by SALVATORE PAGIARULO

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2009, 2010 & 2011 tax assessment for taxes, and that the 2009, 2010 & 2011 taxes have already been paid by the owner, and

WHEREAS, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiff's attorney, DANIEL G. KEOUGH, Trustee.

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 check in the amount of \$ 9,903.84 payable to Daniel G. Keough, Trustee, 783 Springfield Avenue, Summit, NJ 07901-2332

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

Adoption of Resolution #2011-11.10: State Tax Court Refund/Gervens

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

**RESOLUTION # 2011-11.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that on June 14, 2011 the Municipality Authorized and approved Gervens Enterprises a stipulated Tax Appeal Settlement per Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 27, Lot 45, known as 122 HAMBURG TURNPIKE, owned by GERVENS ENTERPRISES, INC

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2010 tax assessment for taxes, and that the 2010 taxes have already been paid in full by the owner, and

WHEREAS, per the directives of the RESOLUTION #2011-6.7 filed by the Mayor and Council authorizing and approving any refund of monies to be paid to the plaintiff, Gervens Enterprises, Inc.

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 check in the amount of \$4,673.25 payable to Gervens Enterprises, Inc. 122 Hamburg Turnpike, Bloomingdale, NJ 07403

Councilman Vroom 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 #2011-11.11: State Tax Court Refund/Loreng & Brugaletta

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

**RESOLUTION # 2011-11.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on October 28, 2011 the Municipality was notified of a State Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 89, Lot 23, known as 84 MAIN STREET, owned by LORENG & BRUGALETTA

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2009, 2010 & 2011 tax assessment for taxes, and that the 2009, 2010 & 2011 taxes have already been paid by the owner, and

WHEREAS, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiff’s attorney, DANIEL G.

KEOUGH, Trustee.

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 check in the amount of \$ 18,914.11 payable to Daniel G. Keough, Trustee, 783 Springfield Avenue, Summit, NJ 07901-2332

Councilman Schiffman 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 #2011-11.12: PJM Property Management, LLC

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

**RESOLUTION # 2011-11.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on October 28, 2011 the Municipality was notified of a State Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 89, Lot 19, known as 90 MAIN STREET, owned by PJM PROPERTY MANAGEMENT, LLC

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2009, 2010 & 2011 tax assessment for taxes, and that the 2009, 2010 & 2011 taxes have already been paid by the owner, and

WHEREAS, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiff’s attorney, DANIEL G. KEOUGH, Trustee.

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 check in the amount of \$ 16,505.67 payable to Daniel G. Keough, Trustee, 783 Springfield Avenue, Summit, NJ 07901-2332

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

Adoption of Resolution #2011-11.13: Chaptet #159 Body Armor Grant

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

**RESOLUTION #2011-11.13
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing the Insertion into the FY2011 Municipal Budget Pursuant to N.J.S.A. 40A:4-87
(Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a State of New Jersey
Body Armor Grant*

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (“Director”), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality; and

WHEREAS, the Governing Body further finds and declares that N.J.S.A. 40A:4-87 provides that the Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough’s FY2011 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough's FY2011 Municipal Budget of an item of revenue in the sum of \$1,863.32 which item is now available as revenue in the form of a State of New Jersey Current Fund – Body Armor Grant; and

BE IT FURTHER RESOLVED that a like sum of \$1,863.32 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations
Body Armor Grant*

AND BE IT FURTHER RESOLVED that three (3) certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services, within the State of New Jersey Department of Community Affairs, for this purpose.

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

Adoption of Resolution #2011-11.14: Sick Leave DPW Superintendent

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

**RESOLUTION #2011-11.14
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to DPW employee Albert Gallagher

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Albert Gallagher ("Employee") is an officer and employee of the Borough's Department of Public Works and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of November 30, 2011; and

WHEREAS, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee Albert Gallagher during the period of November 30, 2011, 2011 until no later than February 1, 2012; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify P.E.R.S. of said status and to cause the same to be included in the records maintained for said employee.

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

Acceptance of Resignation from Police Dispatcher Bryan McDowell

Councilman Vroom moved to accept with regret the resignation of Bryan McDowell as a Police Dispatcher; seconded by Councilman Schiffm and carried on voice vote.

Adoption of Resolution: Interlocal Services for ACO for emergency services with West Milford

Discussion followed as to having this reviewed by the Borough Attorney and identifying the actual costs, i.e. social security, fuel, etc.

This will be on the December 13 agenda; Borough Administrator will supply the information to the Borough Attorney before the December 13th meeting.

Discussion in regard to Fire Alarm on Brandt Lane

Borough Administrator noted that the Fire Alarm on Brandt Lane does not work; this was initially there when the building was a sewer plant; noted that decision has to be made to repair it or remove the alarm.

Councilwoman Huntley moved to remove the fire alarm as the building is no longer used for a sewer plant; seconded by Councilman Schiffman and carried as per the following roll call: council Members: Shortman; Vroom; Conklin; Huntley; Pituch and Schiffman all YES.

Discussion followed in regard to the electric work which needs to be done at the Ballston Street building at a price of \$3,700; DPW would do the framing and sidework would be an additional \$3,200; this will be on the December 13 meeting; certification of funds needed.

In regard to the fire issues at the Construction Office, Borough Administrator will install a strobe light outside for the fire alarm.

Phone System

In response to Councilwoman Shortman, the borough Administrator stated that this is ready to proceed; there were some issues which were not anticipated in regard to 911 and court interfacing; hope to have it up and operational before January 1, 2012.

Formation of 2012 Budget Committee

In response to the mayor's request to form a Committee, Councilwoman Huntley felt it is too soon; noted that she asked the Chief Financial Officer to start the process in October; concerned that we have two new members who will be on the Council in January.

Council Members Shortman and Pituch will think about the Committee; Councilwoman Huntley felt that the Chief Financial Officer and borough Administrator can start working on it.

Codification of Zoning Ordinances

Noted that we have received a preliminary price to do the codification of \$7,500; this will be a priority Pending Agenda item for next year. This will be in the Clerk's budget for codification.

Discussion in regard to establishing a date to auction off vehicles

Borough Administrator stated that the DPW mechanics are detailing a report; this can be auctioned on line and will be on the December 13, 2011 meeting with an inventory list.

Introduction of Ordinance #20-2011: Lights for Walter T. Bergen School

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF LIGHTING AT WALTER T. BERGEN SCHOOL IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$455,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$432,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF was introduced by title by Councilman Vroom who moved that second and final reading and Public Hearing be held on December 13, 2011 at 7:30 p.m.

Councilwoman Huntley 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 #2011-11.15: Payment to BASS

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

RESOLVED that payment in the amount of \$2,500.00 be authorized to BASS for administering shelter services for the month of November.

Councilwoman Pituch 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 #2011-11.16: Authorization of Butler Debt payment

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

RESOLVED, that authorization be given for the payment of \$26,000 to the Borough Butler for Bloomingdale's portion of the debt payment.

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

Approval of Amy Cook as a Member of the Bloomingdale Fire Department

Councilman Vroom moved for approval for membership in the Bloomingdale Fire Department of Amy Cook; seconded by Councilman Schiffman and carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Vroom; conkli and Huntley all YES.

Approval of Brian Klippel as a Member of the Bloomingdale Fire Department

Councilman Schiffman moved for approval for membership in the Bloomingdale Fire Department of Brian Klippel; seconded by Councilman Vroom and carried as per the following roll call: council Members: Schiffman; Shortman; Vroom; conklin; Huntley and Pituch all YES.

LATE PUBLIC COMMENT

LATE PUBLIC COMMENT

Adoption of Resolution #2011-5.38: Authorizing Executive Session

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

**RESOLUTION #2011-5.38
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. Contract negotiations – Two matters
 - B. Pending Tax Appeals – four Matters
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.

Councilman Schiffman seconded the motion, and it carried on voice vote.

(At this time, the Governing Body went into Executive Session)

RECONVENED

Mayor Dunleavy reconvened the meeting at 11:56 p.m. and noted that no action was taken during the Executive Session.

Adoption of Resolution #2011-5.39: Authorization to execute contract with Webmaster Jeannine Perry

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

RESOLVED, that a contract be awarded to Jeannine Perry to redesign our website at the rate of \$2,000 and she will be available for assistance and training at the rate of \$35/hr.

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

ADJOURNMENT

Since there was no further business to be conducted, Councilman Vroom moved to ADJOURN the meeting at 11:58 p.m.; seconded by councilman Schiffman and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk