

December 23, 2008

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 Steenstra called the meeting to order at 7:03 p.m.

SALUTE TO THE AMERICAN FLAG

The Salute to the American Flag was held.

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Steenstra
	Council President:	Jennifer Altfield
	Council Pres. Pro Tem:	Bernard H. Vroom
	Council Members:	Linda Huntley Thomas Marinaro Dean Specchio
Absent:	Councilman:	Henry D. Sloodmaker (Excused)
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy, RMC
	Borough Attorney:	Joseph V. MacMahon, Esq.
	Chief Financial Officer:	Donna Mollineaux

PUBLIC NOTICE STATEMENT

Mayor Steenstra 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 December 17, 2007.

EARLY PUBLIC COMMENT

Councilman Specchio moved that the meeting be opened to Early Public Comment; seconded by Councilman Vroom and carried on voice vote with all members present voting YES. ABSENT: Councilman Sloodmaker

Since there was no one who wished to speak under Public Comment, Councilman Vroom moved that it be closed; seconded by Councilman Marinaro and carried on voice vote with all members present voting YES. ABSENT: Councilman Sloodmaker

ADMINISTRATION OF OATH OF OFFICE TO PATROLMAN DAVID TERPSTRA

At this time, Police Chief Joseph Borell spoke in regard to the hiring of new Patrolman David Terpstra and his qualifications for the position and welcomed him into the Department.

Mayor Steenstra administered the Oath of Office to Patrolman Terpstra at this time and he was welcomed into the Department by all those in attendance.

PRESENTATION OF THE CITIZEN OF THE YEAR AWARD

At this time, Mayor Steenstra presented a Citizen of the Year Award plaque to Al Lavoie for his years of hard work and dedication as a member and Chairman of the Economic Development commission.

The presentation was roundly applauded by all those in attendance.

PRESENTATION TO BLOOMINGDALE POLICE DEPARTMENT

At this time DPW Superintendent Al Gallagher presented on behalf of himself and Water/Sewer employee Frank Neuberger a new patented item by one of the Riverdale police officers of a pen with a tool for their handcuffs at the end of it to the Police Department in appreciation for their hard work and help with the DPW.

RECESS

The Mayor recessed the meeting at 7:14 p.m.

RECONVENED

Mayor Steenstra reconvened the meeting at 7:30 p.m.

EARLY PUBLIC COMMENT

Councilman Specchio opened the meeting to Early Public Comment on non-agenda items; seconded by Councilwoman Altfield and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Sloomaker

Howard Mintz, President of the Board of Directors of Lakes Iosco, thanked the Mayor and Council for their help in restoring the dam in Lake Iosco and also the Borough Engineer for his help. Mr. Mintz also praised the DPW for their excellent service and also stated that it is a pleasure working with the Borough Administrator Ted Ehrenburg.

Judy and Larry Bertolla, 74 Morse Lakes Road, thanked the Mayor and Council for the work which was done at their home and especially the Borough Administrator and Borough Engineer for their assistance and professionalism.

Mrs. Bertolla also praised the DPW for their service and also for the efforts of Jon Dunleavy in the Recreation efforts for the Borough.

At this time, Councilman Specchio read into the record a letter from resident Karen Kirby of 1 Anna Rose Court, thanking DPW employee Frank Calabro for his assistance during the last snowstorm when her daughter was stuck in the snow.

He also read into the record a letter from Linda Shafer thanking the DPW for their excellent service.

Since there was no one else who wished to speak during Early Public comment, Councilwoman Altfield moved that it be closed; seconded by Councilman Specchio and carried on voice vote with all Council Members present voting Yes. ABSENT: councilman Sloomaker

PUBLIC HEARINGS ON ORDINANCE #23-2008

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AUTHORIZING THE EXECUTION AND DELIVERY OF THE 2008 AMENDMENT TO THE 1990 AMENDMENT TO THE 1985 SERVICE CONTRACT BETWEEN THE AUTHORITY AND THE BOROUGHS OF BLOOMINGDALE, BUTLER AND KINNELON was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice Statement.

Councilwoman Altfield moved that the ordinance be read by title; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting YES.

(SEE ORDINANCE SPREAD IN FULL ATTACHED)

Councilman Marinaro opened the meeting to a Public Hearing on this ordinance; seconded by Councilwoman Altfield and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Sloomaker

Robert Voorman, 110 Natalie Court, spoke as Chairman of the PRBRS and explained what this amendment will do in regard to facilitating the transfer of sewer capacity from Lincoln Park to Two Bridges for allocation to Riverdale. Mr. Voorman noted that this will have no affect whatsoever on Bloomingdale's capacity; benefit is that we will see \$25,000 in the debt service reduction and another 100,000 transfer December 31 and 100,000 the following year which will result in \$64,000.

Since there was no one else who wished to speak under the Public Hearing, Councilman Specchio moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Sloomaker

Councilwoman Altfield moved for the adoption of this ordinance; seconded by Councilman Vroom and carried as per the following roll call: Council Members: Altfield; Vroom; Huntley; Marinaro and Specchio all YES. ABSENT: Councilman Sloomaker

PENDING BUSINESS:

Ratables and Revenues Committee

Councilman Marinaro stated that the Smart Growth meeting has been scheduled for either January 16 or 17 in Trenton; he will email everyone with the final date. Mr. Lavoie noted that he would be willing to attend.

At this time, Councilwoman Huntley discussed the trailers at the DPW and fact that we did not officially authorize them and felt we should be using the Yuhas property rather than pay for trailer rental while the DPW building is being erected.

Borough Administrator Ehrenburg stated that it was his understanding that the Yuhas building was not going to be used prior to the police renovations. One of the trailers has been donated and the cost for the other is \$1,200 for three months.

Mayor Steenstra noted Councilwoman Huntley's concern.

INTRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2008-12.12: Payment of Municipal Obligations

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

**RESOLUTION - #2008 – 12.12
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	2,359,263.84	CURRENT	433,882.75
UTILITY	61,994.21	UTILITY	29,177.08
CAPITAL	31,403.35	UNEMPLOY.	56.92
UTILITY CAPITAL	3,000.00	RECYCLING	1,237.83
TRUST	12,170.55	CAPITAL	000.00
DOG	2,061.52	TRUST	6,424.48
RECREATION	1,902.26	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	00,000.00	RECREATION	000.00
ROSE FUND	16,491.94	UTILITY CAP.	0.00
RECYCLING	22.80	DOG	801.05
.			
TOTAL	2,488,310.47	TOTAL	471,580.11

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro; Specchio and Huntley all YES. ABSENT: Councilman Sloomaker

Adoption of Resolution #2008-12.13: Transfer of Appropriations

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

**RESOLUTION - #2008-12.13
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

RESOLUTION RE: Authorizing the Transfer of 2008 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 is and she is hereby authorized to make the following transfers in the FY2008 Budget.

FROM:			
Legal OE	8-01-20-155-001-028	\$	5,000.00
Roads S&W	8-01-26-290-001-011	\$	5,000.00
Tax Collector OE	8-01-20-145-001-042	\$	1,000.00
Tax Assessment OE	8-01-20-150-001-028	\$	3,000.00
Sanitation OE	8-01-32-465-001-201	\$	4,000.00
Total		\$	18,000.00
TO:			
Roads OE	8-01-26-290-001-059	\$	18,000.00
Total		\$	18,000.00

Councilman Specchio seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Marinaro; Specchio; Altfeld and Vroom all YES. ABSENT: Councilman Sloomaker

Adoption of Resolution: #2008-12.14: Authorization of Change Order #1 to Petillo Inc. for additional valves

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

RESOLUTION #2008-12.14

BOROUGH OF BLOOMINGDALE

BE IT RESOLVED that the Mayor and Council hereby approves

Change Order No.1 in connection with the

Morse Lakes Waterline Subs in the amount \$17,490.55

to Petillo construction of 167 Flanders-Netcong Road, Flanders,

NJ as recommended by the Borough Administrator and subject to the availability of funds.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Marinaro; Specchio; Altfield; Vroom and Huntley all Yes. ABSENT: Councilman Sloomaker

Adoption of Resolution #2008-12.15: Authorization of Assigned Vehicles to Borough Staff

At this time, Borough Attorney MacMahon spoke in regard to certain Borough employees who have been assigned vehicles to take home as they are on 24-hour call; they are the Police Chief, Fire Chief, DPW Superintendent; Construction Official and the Animal Control Officer.

Discussion followed in regard to policy decision as to use of Borough vehicles and various options.

Councilwoman Huntley noted that a vehicle was authorized for the Police Chief's use but the DPW Superintendent at the time turned it down; she also questioned why we purchased a Durango instead of a truck for the DPW. Noted that she does not have a problem using the vehicles during the day but does have a problem using them going to and from home.

Councilman Specchio disagreed and stated that these professionals are on 24-hour/day call.

Borough Attorney MacMahon stated that having a vehicle available 24 hours/day is more convenient than have to come to the yard and switch vehicles during a callout which may be an emergency.

Councilman Vroom stated that everyone who is an operator of the vehicles in question are members of OEM.

Councilwoman Altfield stated that many communities already have addressed this situation and have issued Borough vehicles on a 24 hour/day basis, especially for OEM.

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

**RESOLUTION #2008-12.15
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Designated Municipal Employees to Utilize Assigned Borough Vehicles in the Performance of Their Duties

WHEREAS, the Governing Body of the Borough of Bloomingdale is committed to ensuring that residents are provided with quality services and a safe community to the extent practicable ; and

WHEREAS, the Chief of Police, Fire Chief, Superintendent of the Department of Public Works, Construction Code Official, and Animal Control Officer provide services to residents on a twenty-four hour per day, seven days per week, on call basis; and

WHEREAS, the services provided by these designated individuals require the use of Borough-owned, Borough-insured vehicles in the performance of their duties; and

WHEREAS, the Governing Body has determined that permitting these designated individuals to maintain in their possession a Borough-owned, Borough-insured vehicle will maximize the services provided to residents and promote safety and the general welfare within the Borough and in those municipalities with which the Borough has entered into shares services agreements for provision of certain services; and

WHEREAS, the use of the assigned vehicles is limited to official Borough business only and not for personal use, thereby prohibiting abuse of access to the Borough-owned vehicles.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the assignment of Borough-owned, Borough-insured vehicles to the following designated Borough employees: (1) Chief of Police; (2) Fire Chief; (3) Superintendent of the Department of Public Works; (4) Construction Code Official; and (5) Animal Control Officer; and

BE IT FURTHER RESOLVED that the above named employees are permitted to maintain in their possession the assigned Borough-owned vehicles on a twenty-four hour per day, seven days per week basis for the purpose of performing Borough business only, it being expressly prohibited that the assigned vehicles be used for personal use.

Councilman Specchio seconded the motion and it carried as per the following roll call: Council Members: Specchio, YES; Altfield, YES; Vroom, YES; Huntley, NO and Marinaro, YES. ABSENT: Councilman Sloomaker

Adoption of Resolution #2008-12.16: Award of Contract to Atlantic Engineering LLC for engineering Services for DPW Garage Replacement and Foundation Plan

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

RESOLVED, that the contract with Atlantic Engineering, LLC of Kinnelon, NJ, in the amount as outlined in their November 17, 2008 letter to the Borough Engineer be approved.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Altfield; Vroom; Huntley; Marinaro and Specchio all Yes. ABSENT: Councilman Sloomaker

Adoption of Resolution #2008-12.17: Award of Snow Plowing Contract for Kampfe Lake and Lake Iosco

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

RESOLVED, that the proposal submitted by Mr. Fred Shortman of Kampfe Lake on December 23, 2008 for the 2008/2009 snowplowing year be approved and is on file with the Municipal Clerk's office.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro; Specchio and Altfeld all YES. ABSENT: Councilman Sloomaker

Report from Borough Administrator as to "Going Green"

Chief Financial Officer Donna Mollineaux asked that this be discussed at the January 13 Work Session when the Borough Administrator will be in attendance.

Public Health and Safety

Councilman Vroom asked that a discussion be held at the February 10 meeting with the Police Chief in attendance in regard to dispatchers.

PUBLIC HEARINGS ON ORDINANCES

Second and Final Reading and Public hearing of Ordinance #24-2008: An Ordinance Amending Certain Specified Fees

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CERTAIN SPECIFIED FEES was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice statement.

Councilman Specchio moved that the ordinance be read by title; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Sloomaker

The Municipal Clerk read the ordinance by title.

ORDINANCE No. 24-2008

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE
AMENDING CERTAIN SPECIFIED FEES***

WHEREAS, the Governing Body of the Borough of Bloomingdale has determined that it is in the interest of residents of the Borough of Bloomingdale to regulate the collection of fees for certain services within the Borough;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Bloomingdale, that the Revised General Ordinances Borough of Bloomingdale hereby is amended as follows:

Section 1. Chapter XIX, Solid Waste Management, Code Section 19-1.6, Separation Requirements, Subsection f, hereby is amended to provide as follows:

f. Noncommercial passenger motor vehicle tires will be collected by the Borough in accordance with a designated schedule upon payment of a fee of five (\$5.00) dollars per tire. Advance registration with the Borough Clerk and prepayment of the appropriate fee shall be made at least two (2) days prior to a designated pickup date. Commercial vehicle tires shall not be collected and shall not be deposited for collection at any time.

Section 2. Chapter II, Administration, Code Section 2-14.5, Recreation Center; Hours of Operation, hereby is deleted and replaced with the following new Code Section 2-14.5:

2-14.5 Recreation Center; Hours of Operation.

- a. The hours of operation of the Recreation Center shall be determined by the Recreation Commission. Notwithstanding the foregoing, the Recreation Center shall

be closed during the following periods, except as hereinafter provided by Subsection 2-14.5b: (1) Official municipal holidays; (2) Operation of the Summer Recreation Program; and, December 24 through December 31 of each calendar year.

- b. The Recreation Director hereby is authorized to rent out the Recreation Center, so long as such rental does not interfere with any Borough scheduled events, to third parties for a \$50.00 per event fee plus a \$100.00 security deposit. The fee and security deposit are to be paid prior to the scheduled event.

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 Altfield moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Sloomaker

Since there was no one else who wished to speak under the Public Hearing, Councilwoman Altfield moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Sloomaker

Councilman Vroom moved for the adoption of this ordinance; seconded by Councilman Specchio and carried as per the following roll call: Council Members: Huntley; Marinaro; Specchio; Altfield and Vroom all YES. ABSENT: Councilman Sloomaker

Second and Final Reading and Public hearing of Ordinance #25-2008: An Ordinance Amending Chapter XIX Solid Waste management

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XIX, SOLID WASTE MANAGEMENT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BLOOMINGDALE was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice statement.

Councilman Vroom moved that the ordinance be read by title; seconded by Councilman Specchio and carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Sloomaker

The Municipal Clerk read the ordinance by title.

ORDINANCE No. 25-2008

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE
AMENDING CHAPTER XIX, SOLID WASTE
MANAGEMENT, OF THE REVISED GENERAL
ORDINANCES BOROUGH OF BLOOMINGDALE***

WHEREAS, the Governing Body of the Borough of Bloomingdale has determined that it is in the interest of employees and the residents of the Borough of Bloomingdale to regulate the collection of solid waste within the Borough;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Bloomingdale, that Chapter XIX, Solid Waste Management, of the Revised General Ordinances Borough of Bloomingdale, hereby is amended as follows:

Section 1. Code Section 19-1.1, Definitions, hereby is amended to add the following definition for “Garbage Container:”

Garbage container shall mean a metal or plastic container of substantial construction with a capacity of not more than thirty-two (32) gallons and with a tight fitting lid and handles of sufficient size and strength to facilitate safe handling of the container when full or a dark-colored plastic bag, minimum of 0.85 mil thickness, with a capacity of not more than thirty-two (32) gallons, securely tied to prevent garbage from spilling out.

Section 2. Code Section 19-1.6, Separation Requirements, hereby is amended by adding a new Code Section 19-1.6j to provide as follows:

j. Solid waste shall be placed in a garbage container, with the maximum weight limit for each garbage container being forty (40) pounds.

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 Altfield moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Specchio and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Slootmaker

Since there was no one else who wished to speak under the Public Hearing, Councilwoman Altfield moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Slootmaker

Councilwoman Altfield moved for the adoption of this ordinance; seconded by Councilman Marinaro and carried as per the following roll call: Council Members: Marinaro; Specchio; Altfield; Vroom and Huntley all YES. ABSENT: Councilman Slootmaker

LATE PUBLIC COMMENT

Councilwoman Altfield opened the meeting to Late Public Comment; seconded by Councilman Specchio carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Slootmaker

Since there was no one who wished to speak under Late Public Comment, Councilwoman Altfield moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Slootmaker

ADJOURNMENT

Because there was no further public business to be conducted, Councilwoman Altfield moved to **ADJOURN** the meeting at 8:25 p.m.; seconded by Councilman Marinaro and carried on voice vote with all members present voting YES. ABSENT: Councilman Slootmaker

Municipal Clerk