

**WORK SESSION OF
THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

January 5, 2010

Mayor Steenstra called the meeting to order at 7:34 p.m.

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Streenstra
	Council President:	Dean Specchio
	Council President Pro Tem:	Bernie Vroom
	Council Members:	Linda J. Huntley Jo-Ann Pituch Glenn Schiffman
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy, RMC
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. MacMahon, Esq.
	Chief Financial Officer:	Donna Mollineaux

SALUTE TO THE AMERICAN FLAG

Mayor Steenstra led the Salute to the Flag.

PUBLIC NOTICE STATEMENT

Mayor Steenstra stated that on December 17, 2009, publication notification of the date, time and place of this Official Meeting was faxed and mailed to all local news media and posted in the Bloomingdale Municipal Building.

ADMINISTRATION OF OATH OF OFFICE TO OFFICERS OF THE BLOOMINGDALE FIRE DEPARTMENT

At this time, the Mayor administered the Oath of Office to the following Officers of the Bloomingdale Fire Department and thanked them for their service to the citizens of Bloomingdale which was roundly applauded by all those in attendance:

Chief:	John D'Amato
First Deputy Chief:	Mike Hudson
Second Deputy Chief:	Mark Lime
Third Deputy Chief:	Tony Marciano
Captain Chem. Co.	Michael Westdyk
1 st Lt. Chem. Co.	Eric Tuason
2 nd Lt. Chem. Co.	Carlo Leduc
Captain Hook & Lad. Co.	Robert Beek
1 st Lt. Hook & Lad. Co.	Frank Neuberger
2 nd Lt. Hook & Lad. Co.	Chris Neuberger

EARLY PUBLIC COMMENT

Councilman Specchio opened the meeting up to Public Comment; seconded by Councilman Marinaro and carried on voice vote with all Council Members voting YES.

Diane McKernan, 112 Star Lake Road, spoke about a water buildup and icing condition in front of her home which she feels is coming from Star Lake Road. The Borough Attorney felt that this might be a private property issue.

The Borough Administrator will visit the property and report back.

Since there was no one else who wished to speak under Public Comment, Councilman Specchio moved that it be closed; seconded by Councilman Marinaro and carried on voice vote with all Council Members voting YES.

Adoption of Resolution #2010-1.2: Establishing 2010 Borough Council By-Laws

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

**RESOLUTION #2010-1.2
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE,
PASSAIC COUNTY, NEW JERSEY**

Adopting 2010 By-Laws

WHEREAS, it is the prerogative of the Borough Council of the Borough of Bloomingdale (“Borough Council”) to adopt By-Laws for the orderly, efficient and public-friendly performance of its official duties as the Governing Body of the Borough of Bloomingdale (“Borough”); and

WHEREAS, the Borough Council hereby finds that the adoption of By-Laws will foster the orderly, efficient and public-friendly performance of its official duties as the Governing Body of the Borough;;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that any and all By-Laws heretofore adopted by the Borough Council be and are hereby repealed; and

BE IT FURTHER RESOLVED that the By-Laws set forth hereinafter be and are hereby adopted by the Borough Council as the By-Laws governing the proceedings of meetings of the Borough Council for the calendar year of 2010:

**BY-LAWS FOR THE YEAR 2010
OF THE BOROUGH COUNCIL
OF THE BOROUGH OF BLOOMINGDALE**

ARTICLE I

Definitions

Section 1.1

The term “Borough” shall mean the Borough of Bloomingdale.

Section 1.2

The term “Borough Clerk” shall mean the Borough Clerk of the Borough of Bloomingdale.

Section 1.3

The term “Committee” shall mean a duly appointed and constituted Standing Committee of the Borough Council of the Borough of Bloomingdale.

Section 1.4

The term “Council” shall mean the Borough Council of the Borough of Bloomingdale.

Section 1.5

The term “Mayor” shall mean the Mayor of the Borough of Bloomingdale.

Section 1.6

The term “President” shall mean the President of the Borough Council of the Borough of Bloomingdale.

Section 1.7

The term “President *Pro Tem*” shall mean the President *Pro Tem* of the Borough Council of the Borough of Bloomingdale.

Section 1.8

The term “Select Committee” shall mean a duly appointed and constituted Select Committee of the Borough Council of the Borough of Bloomingdale.

ARTICLE II

Governing Rules of Order

Except as otherwise provided by provision of the succeeding By-Laws, it is hereby determined and declared that *Robert’s Rules of Order* shall be the controlling source of authority for all matters of procedural governance of all meetings of the Council.

ARTICLE III

Meetings of the Council

Section 3.1

At or prior to its Annual Reorganization Meeting, the Council shall by Resolution establish a regular schedule of Work Session and Regular Business Meetings of the Council for the succeeding year. Unless otherwise determined to be necessary and/or appropriate by the Presiding Officer or by a majority of the full membership of the Council, official business shall be reserved for transaction at Regular Business Meetings of the Council.

Section 3.2

The Mayor shall have the discretion and authority to call a Special Meeting of the Council by directing the Borough Clerk to notify in writing the members of the Council of such Special Meeting.

Section 3.3

Notwithstanding the foregoing, four (4) members of the Council may call a Special Meeting of the Council by directing the Borough Clerk to serve upon the Mayor and each member of the Council a written notice signed by each of the four (4) members.

Section 3.4

Any notice of a Special Meeting of the Council shall specify the time, purpose and place within the Borough of any such Special Meeting and shall be delivered to the Mayor and to each member of the Council no less than 48 hours prior to the time set forth in said notice.

Section 3.5

Emergency Meetings of the Council shall be convened in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10A:4-6, *et seq.*

Section 3.6

No vote shall be taken and recorded with respect to any matter until it shall first have been reviewed by a Committee or Select Committee of the Council, which shall make by vote of its members a recommendation thereon to the full Council, except that a matter may be voted upon when a majority of the Committee or Select Committee with jurisdiction over said matter waives its jurisdiction and either (i) the Presiding Officer determines in his discretion that prompt action should be taken or (ii) a majority of the full membership of the Council determines that prompt action should be taken.

Section 3.7

The Mayor or any member of the Council shall have the right to request a recess of any meeting of the Council for the purpose of convening a caucus.

Section 3.8

The Council shall be permitted to engage in confidential deliberations during its meetings by convening an “executive session,” which shall not be open to attendance by any person who is not a member of the Council unless a majority of the members of the Council in attendance permits any such person to attend any such executive session.

Section 3.9

The subject matter of an executive session shall be limited to such topics as are permitted to be discussed in confidential deliberations by the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12(b).

Section 3.10

Provision shall be made for a reasonable period of time for public comment at all meetings of the Council not otherwise reserved for meetings of committees and/or select committees, including prior to any vote being taken and recorded on any motion and/or resolution arising or resulting from an executive session of the Council.

ARTICLE IV

Officers of the Council

Section 4.1

The Presiding Officer shall be responsible for ensuring an orderly and productive flow of Official Business at meetings of the Council and shall have the authority to render rulings with respect to matters of procedure and decorum at such meetings.

Section 4.2

A ruling of the Presiding Officer shall control unless a majority of the full membership of the Council shall, by roll call vote, override any such ruling.

Section 4.3

The Mayor shall serve as the Presiding Officer of all meetings of the Council.

Section 4.4

In the event of the absence of the Mayor from any meeting of the Council, the President shall serve as the Presiding Officer of any such meeting.

Section 4.5

In the event of the absence of the Mayor and the President from any meeting of the Council, the President *Pro Tem* shall serve as the Presiding Officer of any such meeting.

Section 4.6

In the event of the absence of the Mayor, the President and the President *Pro Tem* from any meeting of the Council, the members of the majority party shall designate a member of the Council to serve as the Presiding Officer of any such meeting.

Section 4.7

The Borough Clerk shall be responsible for recording, in writing or by electronic means, the discussions and votes cast at all meetings of the Council, including executive sessions as described in Section 3.8.

Section 4.8

In the event of the absence of the Borough Clerk from any meeting of the Council, the Presiding Officer shall appoint a Clerk *Pro Tem* for any such meeting.

Section 4.9

The Borough Clerk shall prepare and distribute to the Mayor and to each member of the Council for review and revision, where appropriate, a draft copy of the minutes compiled of each meeting of the Council.

Section 4.10

Minutes of the meetings of the Council shall be reviewed, revised and approved by the members of the Council by no later than at each succeeding month's Regular Business Meeting of the Council or as soon thereafter as shall be reasonably practicable to do so.

ARTICLE V

Quorum of the Council

Section 5.1

A quorum shall be necessary to transact official business of the Borough at meetings of the Council and shall be established when the Mayor and at least three (3) members of the Council are present, or at least four (4) members of the Council are present.

Section 5.2

A quorum shall no longer exist, and no official business of the Borough shall be conducted, in the absence of any of the circumstances set forth in Section 5.1.

Section 5.3

Notwithstanding the provisions of Section 5.1 and provided that no quorum is thereby established as provided in Section 5.1, individual members of the Council shall be permitted to meet to discuss and debate matters of governance of the Borough, including by attendance at meetings of either Committees or Select Committees as well as at public or private events.

ARTICLE VI

Business of the Council

Section 6.1

Except as otherwise determined by the Presiding Officer, or a majority of the Borough Council, the Regular Order of Business at all Work Session Meetings of the Council shall be as follows:

- (a) Call to Order by the Presiding Officer (*Call to Order*)
- (b) Roll Call of Members by the Borough Clerk and Recognition by the Presiding Officer of Borough Officials in attendance (*Roll Call*)
- (c) Salute to the American Flag and, whenever appropriate, a Moment of Silence (*Flag Salute*)
- (d) Announcement of Prior Public Notification of Meeting by the Presiding Officer (*Public Notice Statement*)
- (e) Early Public Comment [Reserved for Agenda Items]
- (f) Presentations to the Council (*Presentations*)
- (g) Presentation of Professional Reports (*Professional Reports*)
- (h) Presentation of Pending Business of the Council by Committee and/or Professional Report (*Pending Business*)
- (i) Presentation of New Business of the Council by Committee and/or Professional Report (*Introduction of New Business*)
- (j) Action on New Business Presented to the Council (*Formal Action on New Business*)
- (k) Late Public Comment Period [Reserved for Official Business of the Governing Body] (*Late Public Comment*)
- (l) Presentations and Liaison/Keyperson Reports by the Mayor and/or Members of the Council (*Reports from the Mayor and Council*)
- (m) Executive Session
- (n) Introduction and Consideration with Public Comment of Essential Executive Session Items (*Consideration of Executive Session Business with Public Comment*)
- (p) Announcement of Governing Body Meeting Schedule (*Governing Body Schedule*)
- (q) Adjournment (*Adjournment*)

Section 6.2

Except as otherwise determined by the Presiding Officer, or a majority of the Borough Council, the Regular Order of Business at all Regular Business Meetings of the Council shall be as follows:

- (a) Call to Order by the Presiding Officer (*Call to Order*)
- (b) Roll Call of Members by the Borough Clerk and Recognition by the Presiding Officer of Borough Officials in attendance (*Roll Call*)
- (c) Salute to the American Flag, Recitation of the Governing Body Prayer and, whenever appropriate, a Moment of Silence (*Flag Salute and Governing Body Prayer*)
- (d) Announcement of Prior Public Notification of Meeting by the Presiding Officer (*Public Notice Statement*)
- (e) Early Public Comment [Reserved for Agenda Items]
- (f) Presentations to the Council (*Presentations*)
- (g) Presentation of Professional Reports (*Professional Reports*)
- (h) Presentation and Consideration of the Consent Agenda of the Council (*Consent Agenda*)
- (i) Presentation and Consideration of Pending Business Agenda of the Council (*Pending Business*)
- (j) Presentation and Consideration of New Business Agenda of the Council (*Introduction of New Business*)
- (k) Presentation of Non-Agenda Business of the Council (*Introduction of Non-Agenda Business*)
- (l) Late Public Comment Period [Reserved for Official Business of the Governing Body] (*Late Public Comment*)
- (m) Consideration of Non-Agenda Business of the Council (*Formal Action on Non-Agenda Business*)
- (n) Referral of New Matters to Committee and/or Select Committee (*Referral of New Matters*)
- (o) Executive Session (*Late Executive Session*)

- (p) Introduction and Consideration with Public Comment of Executive Session Items (*Consideration of Executive Session Business with Public Comment*)
- (q) Announcement of Governing Body Meeting Schedule (*Governing Body Schedule*)
- (r) Adjournment (*Adjournment*)

Section 6.3

Following the Early Executive Session and upon resumption of the public meeting of the Council, the Presiding Officer shall indicate what action, if any, is intended to be taken with respect to any such executive session item by the Council and that such action shall be taken during that portion of the meeting designated for “Pending Business” unless otherwise indicated.

Section 6.4

At the discretion of the Presiding Officer or by unanimous consent of those members of the Council in attendance, a member of the general public may be permitted to speak to a non-agenda item during the Early Public Comment Period.

Section 6.5

The Consent Agenda shall include any and all items as to which it is determined that there shall be no need for public discussion by the Council, including, but not limited to, the following:

- (a) Approval of Certified Minutes of Council Meetings
- (b) Internal Communications of Borough Departments and Professionals
- (c) Communications generated and/or received by the Council
- (d) Approval of unanimous resolutions of the Council

Section 6.6

The Mayor or any member of the Council shall be permitted to unilaterally request that any item be removed from the Consent Agenda and reserved for discussion by the Council during that portion of its meeting designated for “Introduction of New Business”.

Section 6.7

- (a) Pending Business of the Council shall be presented in the following order:
 - (1) Committee Reports by the respective Committee or Select Committee Chairperson (or, in his absence, by the Ranking Majority Committee Member)
 - (2) Council Action based upon the recommendations of the respective Committee or Select Committee

(b) Committee Reports and Council Action thereon shall be introduced and considered by the Council in the following order:

- (1) Select Budget Committee
- (2) Governmental Operations Committee
- (3) Public Health & Safety Committee
- (4) Ordinance Review Committee
- (5) Shared Services Committee
- (7) Grant Writing Committee
- (6) Any other Select Committee

Section 6.8

Council Liaisons and Keypersons shall issue their reports to the Mayor and Council in accordance with the provisions of Sections 8.9 and 8.11, respectively.

Section 6.9

The Presiding Officer shall have the authority to reserve any portion of the meeting of the Council, designated for Public Comment, for the presentation and discussion of issues of official business of the Borough or of the Council.

Section 6.10

The Borough Administrator and the Municipal Clerk shall be responsible for the establishment and distribution of an agenda in a form consistent with the provisions of Article VI. The Mayor or any member of the Council shall have the right to place on a meeting agenda and/or to introduce at a meeting of the Council a matter of Official Business of the Council, provided that the provisions of Section 3.6 are not violated thereby.

Section 6.11

Nothing herein shall prohibit any dialogue during any Public Comment Period between a citizen and the Mayor or a member of the Council provided that at all times any such commentary is directed to and through the Presiding Officer.

Section 6.12

A written agenda of each meeting of the Council shall be prepared and delivered to the Mayor and to each member of the Council no less than two (2) business days prior to the time established for such meeting or as reasonably practicable prior to such meeting as circumstances may otherwise permit.

Section 6.13

Any item requested to be placed on a written meeting agenda shall be submitted no less than three (3) business days prior to the time established for such meeting, or as reasonably practicable prior to such meeting as circumstances may otherwise permit.

Section 6.14

Any item not placed on a written meeting agenda may be entertained by the Council upon unanimous consent of the Mayor and Council, or by majority vote of the full membership of the Council in the absence of such unanimous consent.

ARTICLE VII

Voting of the Council

Section 7.1

Unless otherwise determined by unanimous consent, and except for matters involving the expenditure of public funds which shall always be resolved by formal roll call vote, all matters brought before the Council for decision shall be resolved by a call by the Presiding Officer for a formal motion and/or resolution, which must be duly seconded to be entitled to a vote and which only then shall be voted upon by the members of the Council.

Section 7.2

A vote of the Council shall be taken and recorded with respect to a particular motion and/or resolution whenever a member of the Council “calls the question” on any such motion and/or resolution.

Section 7.3

Proxy voting shall not be permitted.

Section 7.4

All matters of procedure at meetings of the Council shall be governed by the principle of unanimous consent and shall be resolved by voice vote of the members of the Council unless objection from any member is heard, in which event a roll call vote shall be ordered and taken with respect to such matter upon motion having been duly made and seconded.

Section 7.5

All matters of substantive decision-making of the Council, including matters of general or special appropriation or expenditure of Borough funds, shall be governed by the principle of majority rule and shall be recorded by roll call vote of the members of the Council.

Section 7.6

(a) Voting of members of the Council shall be conducted on a rotating basis, with the first vote at each Council meeting being taken and recorded in the following order:

- (1) Council President
- (2) Council President *Pro Tem*
- (3) Ranking Senior Member in terms of longevity on the Council
- (4) Next Ranking Member in terms of longevity on the Council
- (5) Next Ranking Member in terms of longevity on the Council
- (6) Least Ranking Member in terms of longevity on the Council

(b) In the event that two members both qualify as “Ranking Senior Member” or “Next Ranking Member”, the order of their voting shall be determined by mutual consent of the respective members, or in the absence of such mutual consent, then by the Presiding Officer.

(c) Each succeeding vote shall be taken and recorded by having, on a rotating basis, the first voting member become the last voting member and each next voting member moving one position closer to becoming the first voting member.

Section 7.7

When asked to cast a vote, members of the Council shall be permitted the following options:

- (a) Yes;
- (b) No;
- (c) Abstain;
- (d) Present; or
- (e) Pass

Section 7.8

A “Yes” vote shall be recorded as an affirmative vote in favor of the motion or resolution as to which the vote has been taken.

Section 7.9

A “No” vote shall be recorded as a negative vote against the motion or resolution as to which the vote has been taken.

Section 7.10

A vote of Abstention shall be counted for purposes of establishing a quorum, but shall not be recorded as an affirmative or negative vote.

Section 7.11

A vote of “Present” shall be counted for purposes of establishing a quorum and shall be recorded as indicating that the Member so voting was present at the time that the recorded vote was taken, but declined to express an opinion as to the merits of the matter then under consideration.

Section 7.12

A vote of “Pass” shall signify that the Member is not prepared to vote when called upon to do so and shall require the Borough Clerk to recall the Member for the purpose of voting once each other Member who has cast a “non-Pass” vote has voted. A member who upon being recalled again votes by way of a “Pass” shall be recorded as having been “Present”.

ARTICLE VIII

Committees & Representatives of the Council

Section 8.1

The Council hereby establishes the following Committees and areas of jurisdictional authority:

(a) Shared Services Committee: Explores opportunities for the Borough to enter into shared services agreements with other municipalities and/or governmentally controlled entities to share municipal services in a cost effective manner that is beneficial to the residents of the Borough;

(b) Governmental Operations Committee: Regulates Borough finances and personnel matters; reviews proposed ordinances; and monitors procedures and operations of administration, public works, utilities and Governing Body;

(c) Ordinance Review Committee: Reviews zoning ordinances, implements Master Plan and Main Street revitalization, administers business affairs, monitors construction-related departments and property maintenance;

(d) Public Health & Safety Committee: Monitors operations of Borough public health & safety departments, including police department, fire department, board of health and animal control

(e) Grant Writing Committee: Explore opportunities for the Borough to obtain grants from the County, State and Federal governments, or other public funding sources, and oversee the preparation of grant applications submitted by the Borough to the appropriate funding authorities.

Section 8.2

(a) The Council shall create such other Select Committees as it may from time to time find and determine to be necessary and beneficial to the efficient and effective conduct of the Official Business of the Borough and operation of the Council.

(b) The jurisdiction of a Select Committee shall be determined by the Council and, to the extent permitted, shall supersede the jurisdiction of a Standing Committee with respect to any issue as to which said Select Committee is given jurisdiction.

Section 8.3

In the event that more than one Committee seeks to exercise jurisdiction over a matter or where there is uncertainty as to which Committee shall exercise jurisdiction over a matter, then any such dispute or uncertainty shall be resolved by a majority vote of the full membership of the Council or, in the absence thereof, by the Presiding Officer.

Section 8.4

Each Committee shall have at least two members but no more than three members, one of whom shall be appointed as Committee Chairperson. The Mayor may appoint, subject to the advice and consent of the Council, such Committee members who are not members of the Council as is determined to be appropriate and in the interest of the citizens of the Borough.

Section 8.5

(a) Each Committee shall meet at least monthly unless its Chairperson determines that there is no Official Business of the Borough or of the Council warranting such a meeting.

(b) Each Select Committee shall meet at such time as its Chairperson or the Presiding Officer shall determine is necessary to consider Official Business of the Borough falling within the scope of its jurisdiction.

Section 8.6

All Committees shall maintain a written record of the subject matter discussed and recommendations made during each Committee meeting, which record shall be prepared and presented by the Committee Chairperson at the next Work Session Meeting of the Council next succeeding the Committee meeting to which the report pertains.

Section 8.7

The Mayor shall have the authority to nominate members of the Council for appointment to Committee or Select Committee positions, which nominations shall be subject to the advice and consent of the Council by a recorded, roll call, majority vote. In the event that a Mayoral nominee for a particular position does not receive a majority vote, then any member of the Council may move another nominee for the same position and, upon obtaining a second for any such motion, request a recorded, roll call vote of the full membership of the Council.

Section 8.8

The Mayor shall appoint, subject to the advice and consent of the Council, members and/or designees of the Council to serve as non-voting Liaisons to such municipal boards, commissions and/or committees and to such civic, business, governmental or other entities as may be determined to be in the best interests of the Borough and/or the Council.

Section 8.9

A Council Liaison shall be responsible for communicating, and establishing a good-working relationship, with those entities as to which such liaison may serve and shall regularly report any and all activities of such entities to the Mayor and Council.

Section 8.10

The Mayor shall appoint, subject to the advice and consent of the Council, members of the Council to serve as Keypersons with respect to such matters of importance to the Borough or to the Council as may be determined to be necessary to effectuate the work of the Borough and/or the Council.

Section 8.11

A Council Keyperson shall be responsible for monitoring all matters to which he shall have been assigned and for regularly reporting upon the same to the Mayor and Council.

Section 8.12

The Mayor shall have the authority to make nominations with respect to other positions the appointment of which is not otherwise provided for by State Statute or Borough Ordinance, subject to the provisions of Section 8.7.

ARTICLE IX

Appropriations by the Council

Section 9.1

Bills, invoices or other claims for payment by the Borough shall be considered for such payment by the Council in accordance with Borough Code and State Law.

Section 9.2

Each resolution directing the payment of any bill, invoice or other claim for payment shall be deemed to require that the Borough Treasurer must certify the availability of funding before any such bill, invoice or other claim for payment can be satisfied.

ARTICLE X

Official Seal of the Borough

Section 10.1

The Official Seal of the Borough shall be circular in form and shall contain the following information:

THE BOROUGH OF BLOOMINGDALE

1918

PASSAIC COUNTY, NEW JERSEY

Section 10.2

The Borough Clerk shall maintain custody of the Official Seal of the Borough, which shall be affixed by the Borough Clerk to all documents upon which the Official Seal is legally required to be affixed as well as upon any other such documents as the Council may from time to time so direct be affixed with the Official Seal.

ARTICLE XI

Amendment of the By-Laws

Section 11.1

The By-Laws set forth herein shall not be amended or otherwise altered except as permitted herein.

Section 11.2

Notwithstanding the provisions of Section 3.6, all proposed amendments, additions, repealers or other alterations of the By-Laws set forth herein shall be submitted in writing to the Governmental Operations Committee, which shall, upon review and consideration of the same, make an affirmative or negative recommendation thereupon for action by the Council.

Section 11.3

The By-Laws set forth herein shall not be amended or otherwise altered except upon a two-thirds (2/3) vote of the full membership of the Council.

Councilwoman Specchio seconded the motion.

Councilwoman Huntley stated that she would like to revise the By-Laws in Section 8.4 to reflect what it was in 2008.

Borough Attorney stated that the motion on the floor is to adopt the by-laws as is and this would have to be rescinded.

The motion to adopt the 2010 By-laws as stated was carried as per the following roll call: Huntley, NO; Marinaro, YES; Pituch, NO; Schiffman, NO; Specchio, YES; Vroom, YES, Mayor Steenstra, YES.

Councilwoman Huntley questioned the legality of the vote and Borough Attorney reiterated that it carries as is and it is his opinion as the Borough Attorney that it carries.

Mayor Steenstra made the following appointments:

APPOINTMENTS:

A. Municipal Officers

<u>Office</u>	<u>Term</u>	<u>Nominee</u>
Animal Cruelty Investigator	1 year	Lisa Perry
Assessment Search Officer	1 year	Jane McCarthy
CERT Coordinator	1 year	Councilman Vroom
Clean Communities Coordinator	1 year	Jonathan Dunleavy
Clean Comm. Coordinator (Alt.)	1 year	Councilman Marinaro
Fire Prevention Secretary	1 year	Robert Westdyk
Fire Prevention Official	1 year	Mark Lime
Joint Insurance Fund Comm.	1 year	Ted Ehrenburg
Joint Ins. Fund. Comm. (Alt.)	1 year	Donna Mollineaux
License Water System Operator	1 year	Jose Martinez
Licensed Sewer System Operator	1 year	Jose Martinez
LOSAP Plan Administrator	1 year	Ted Ehrenburg
Passaic County Brownfields Comm.	1 year	Steve Ramiza
Pension Certification Officer	1 year	Donna Mollineaux
Property Maintenance Official	1 year	William Tyson
Public Agency Comp. Officer	1 year	Jane McCarthy
Public Events Coordinator	1 year	Jonathan Dunleavy
Recycling Coordinator	1 year	Al Gallagher
Recycling Coordinator (Alt.)	1 year	Ted Ehrenburg

Safety Coordinator	1 year	Donna Mollineaux
Special Police Officer Class I	1 year	Leonard Hasson
Special Police Officer Class I	1 year	Andrew Smith
Special Police Officer Class II	1 year	Paul Pampinella
Special Police Officer Class II	1 year	Thomas Smith
Stormwater Management Coordinator	1 year	Ted Ehrenburg
SWAC Representative	1 year	Ted Ehrenburg
SWAC Representative (Alt.)	1 year	councilwoman Huntley
Tax Search Officer	1 year	Cora Wright
Zoning Official	1 year	Dan Hagberg
Fire Subcode/Building Inspector	1 year	William Fleck
Plumbing Inspector	1 year	Craig Smith
Certified Public Works Manager	1 year	Ben Steltzer
Electrical Official	4 years	Chris Walthour
Deputy Municipal Clerk	1 year	Terry Sauer
Treasurer	4 years	Sherry Gallagher
Search & Rescue Team	1 year	Councilman Vroom
Search & Rescue Team	1 year	Kevin Branvall
Search & Rescue Team	1 year	Al Saint Jacques
Search & Rescue Team	1 year	Darin Miller
Search & Rescue Team	1 year	Harvey Miller, Jr.
Search & Rescue Team	1 year	Bruce Bridge
Search & Rescue Team	1 year	Chris Synol
Search & Rescue Team	1 year	Charles Manella
Municipal Risk Consultant	1 year	Vozza Insurance
Acting Tax Collector	1 year	Cora Wright
Borough Engineer	1 year	Vacancy

Councilman Schiffman moved for the CONFIRMATION of these appointments; seconded by councilman Vroom and carried as per the following roll call: Council Members: Marinaro; Pituch; Schiffman; Specchio; Vroom and Huntley all YES.

B. Municipal Boards and Commissions (Direct Mayoral Appointments)

Mayor Steenstra made the following appointments:

<u>Office</u>	<u>Term</u>	<u>Nominee</u>
Economic Development Comm.	5 years	Jiteh Parikh
Economic Development Comm.	1 year	Jennifer Altfield
Environmental commission	3 years	Frank O'Reilly
Environmental Commission	3 years	Carol Jagiello
Environmental Commission	3 years	Mark Crum

Library Board of Trustees	5 years	Karen Kirby
Library Board of Trustees	5 years	Ed Simoni
Library Board of Trustees	1 year unexp.	Beth Tracey
Library Bd. Of Trustees Mayor Rep.	1 year	Dan Tuzzio
Library Bd. Of Trustees Supt. Rep.	1 year	Dennis DiLorenzo
Planning Board Class IV	4 years	Jennifer Altfield
Planning Board Class IV	4 years	Catherine Hecht
Planning Board Class II	2 years	Mark Crum
Planning Board Alt. II	2 years	Barry Greenburg
Planning Board Alt. IV	2 years	John Hoerman
Planning Board Alt. I	1 year unexp.	Carolyn Bross
Planning Board Mayor's Rep.	1 year	Pete Croop

C. Municipal Boards and Commission (With Council Confirmation)

Mayor Steenstra made the following appointments:

<u>Office</u>	<u>Term</u>	<u>Nominee</u>
Board of Health	3 years	Mary Ann Fallon
Board of Health	3 years	Maria Gopin
Board of Health Alt. I	3 years	Vacancy
Local Emergency Plan. Council	1 year Deputy	Ray Muller
Local Emergency Plan. Council	1 year Deputy	Eric Hubner
Local Emergency Plan. Council	1 year	Mayor Steenstra
Local Emergency Plan. Council	1 year	Ted Ehrenburg
Local Emergency Plan. Council	1 year	Robert Voorman
Local Emergency Plan. Council	1 year	Councilman Vroom
Local Emergency Plan. Council	1 year	Al Gallagher
Local Emergency Plan. Council	1 year	Jane McCarthy
Local Emergency Plan. Council	1 year	Gayle Dunlap
Local Emergency Plan. Council	1 year	George Hagl
Local Emergency Plan. Council	1 year	Joseph Borrel
Local Emergency Plan. Council	1 year	Dan Hagberg
Local Emergency Plan Council	1 year	John D'Amato
Local Emergency Plan. Council	1 year	John Riker
Local Emergency Plan. Council	1 year	Vacancy
Local Emergency Plan. Council	1 year	Vacancy
Municipal Alliance Coordinator	1 year	Linda Daly
Municipal Alliance Member	1 year	Karen Burke
Municipal Alliance Member	1 year	Anna Marie O'Loughlin
Municipal Alliance Member	1 year	Debbie DuHaime
Municipal Alliance Member	1 year	Gail Galbraith

Municipal Alliance Member	1 year	John Darcey
Municipal Alliance Member	1 year	Renee DeJohn
Municipal Alliance Member	1 year	Maryann Vroom
ROSE Trust Fund Advisory Board	3 years	Michael Naipawer
Senior Citizen Advisory Comm.	3 years	Kathleen Pogwist
Senior Citizen Advisory Comm.	3 years	Luria Hayes
Senior Citizen Advisory Comm.	3 years	Maryann Rickelman
Senior Citizen Advisory Comm.	1 year unexp.	Frank Blacksmith
Senior Cit. Adv. Mayor's Rep.	1 year	Doris Migliorino
CERT Team Coordinator	1 year	Councilman Vroom
CERT Team Member	1 year	Kevin Branvall
CERT Team Member	1 year	Al Saint Jacques
CERT Team Member	1 year	Darin Miller
CERT Team Member	1 year	Harvey Miller, Jr.
CERT Team Member	1 year	Bruce Bridge
CERT Team Member	1 year	Christopher Synol
CERT Team Member	1 year	Tom Fuchs
CERT Team Member	1 year	Peter Brand
CERT Team Member	1 year	John Descafano
CERT Team Member	1 year	William Plog
CERT Team Member	1 year	Charles Manela
CERT Team Member	1 year	Alan Bird
CERT Team Member	1 year	Susan Popp
CERT Team Member	1 year	Maryann Vroom
CERT Team Member	1 year	Dean Specchio
Recreation Member	5 years	Ray Yazdi
Recreation Member	5 years	Michele Rainieri
Recreation Member	2 years unexp.	Mike Sondemeyer
Recreation Member Alt. II	2 years	Yocelyn Verrico
Recreation Member Alt. I	2 years	Vacancy

Councilman Vroom moved for the CONFIRMATION of these appointments; seconded by Councilman Marinaro and carried as per the following roll call: Council Members: Pituch; Schiffman; Specchio; Vroom; Huntley and Marinaro all YES.

Adoption of Resolution #2010-1.5: Appointment of Planning Board Class III Member

Councilwoman Huntley nominated Councilman Schiffman as Planning Board class III Member for a one year term; seconded by councilman Vroom and carried as per the following roll call: Council Members: Schiffman; Specchio; Vroom; Huntley; Marinaro and Pituch all YES.

D. Appointment of Governing Body Committees

Councilwoman Pituch noted that she felt since Councilwoman Huntley is a Certified Public Accountant she should be on the Budget committee. Mayor Steenstra stated that we have put council members on for two years and then switched it around and she has already served on the committee.

Councilwoman Huntley stated she did not want to serve on the Budget committee in 2010.

FY2010 Budget Committee

Mayor Steenstra appointed the following Members to the FY2010 Budget Committee:

Chairperson – Councilwoman Pituch
Members: Council Members: Schiffman and Marinaro
Citizen Member – Mark Crum

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by Councilman Marinaro.

Councilwoman Pituch stated that she would prefer not being the Chairperson; discussion followed and consensus was that the Committee would pick the Chairperson.

The motion carried as per the following roll call: Council Members: Specchio; Vroom; Huntley; Marinaro; Pituch and Schiffman all YES.

Governmental Operations Committee

Mayor Steenstra appointed the following Members to the 2010 Governmental Operations Committee:

Chairperson – Councilman Vroom
Members: Council members: Specchio and Marinaro

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by councilman Vroom and carried as per the following roll: Council Members; Vroom, YES; Huntley, NO; Marinaro, YES; Pituch, NO; Schiffman, NO; Specchio, YES; Mayor Steenstra, YES.

Public Health & Safety Committee

Mayor Steenstra appointed the following Members to the 2010 Public Health & Safety Committee:

Chairperson: Councilman Vroom
Members: Council Members: Specchio and Marinaro

Councilman Marinaro moved for the CONFIRMATION of these appointments; seconded by Councilman Specchio and carried as per the following roll call: Council Members: Huntley, NO; Marinaro, YES; Pituch, NO; Schiffman, NO; Specchio, YES; Vroom, YES and Mayor Steenstra, Yes.

Ordinance Review Committee

Mayor Steenstra appointed the following Members to the 2010 Ordinance Review Committee:

Chairperson: Councilman Vroom
Members: Council Members: Steenstra and Huntley

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by Councilman Vroom and carried as per the following roll call: Council Members: Marinaro; Pituch; Schiffman; Specchio; Vroom and Huntley all YES.

Shared Services Committee

Mayor Steenstra appointed the following Members to the 2010 Shared Services Committee:

Chairperson: Councilman Specchio
Members: council Members: Marinaro and Vroom

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by councilman Vroom and carried as per the following roll call: council Members: Pituch; Schiffman; Specchio; Vroom; Huntley and Marinaro all YES.

Grant Writers Committee

Mayor Steenstra appointed the following members to the 2010 Grant Writers committee:

Chairperson: Councilwoman Pituch
Members: Council Members: Huntley and Schiffman

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by Councilman Marinaro.

Councilwomen Huntley and Pituch indicated that they do not want to be on the Grant Writers Committee due to the fact that last year they were charged by the Council to apply for a grant and received it and then it was decided by the Mayor and Council not to accept the grant and noted that they did not want to waste anymore time applying for grants and not accepting them.

Discussion followed and members of the Council stated that at the time, we did not know all the costs which would be involved if we accepted the grant, i.e. cost of easements, business owners losing parking spaces, etc.

Consensus that this will carry to the next agenda.

E. Appointment of Governing Body Liaisons

Mayor Steenstra made the following appointments to the 2010 Governing Body Liaisons:

Bloomington Animal Shelter	Councilwoman Huntley
Bloomington Board of Education	Councilwoman Huntley
Bloomington Board of Health	Mayor Steenstra
Bloomington Volunteer Fire Co., Inc.	Mayor Steenstra
Bloomington Youth Organization	Councilman Marinaro
Butler Tri Boro Rotary	Jane McCarthy
Environmental Commission	Councilman Vroom
Library Board of Trustees	Councilwoman Pituch
Local Emergency Planning Council	Councilman Vroom
Municipal Drug Alliance	Councilman Vroom
Planning Board	Councilman Schiffman
ROSE Trust Fund Advisory Board	Councilman Specchio
Senior Citizens Advisory Committee	Councilwoman Pituch
Tri-Boro Chamber of Commerce	Jane McCarthy
Tri-Boro Little League	Councilwoman Huntley
Economic Development Committee	Councilman Specchio
Recreation Commission	Councilman Specchio

Councilwoman Huntley moved the Adoption of Resolution #2010-1.6: Appointment of 2010 Governing Body Liaisons; seconded by councilman Specchio and carried as per the following roll call: Council members: Schiffman; Specchio; Vroom; Huntley; Marinaro and Pituch all YES.

Adoption of Consent Agenda Resolutions

Councilman Specchio moved for the adoption of Resolutions #2010-1.7 through #2010-1.24:

Adoption of Resolution #2010-1.7: Designating Officers of Bloomingdale Fire Department

**RESOLUTION #2010-1.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Confirming Appointment of 2010 Officers of the Bloomingdale Volunteer Fire Department

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Bloomingdale Volunteer Fire Department (“Department”) serves as the foremost fire protection agency within Borough government; and

WHEREAS, the Governing Body further finds and declares that the Department is comprised of dedicated volunteer citizens of the Borough who elect their own leaders in free, fair and open elections each year; and

WHEREAS, the Governing Body has learned that the Department has elected the following Departmental Officers for calendar year 2010:

Chief:	John D’Amato
First Deputy Chief:	Mike Hudson
Second Deputy Chief:	Mark Lime
Third Deputy Chief:	Tony Marciano
Captain Chem. Co.	Michael Westdyk
1 st Lt. Chem. Co.	Eric Tuason
2 nd Lt. Chem. Co.	Carlo Leduc
Captain Hook & Lad. Co.	Robert Beek
1 st . Lt. Hook & Lad. Co.	Frank Neuberger
2 nd . Lt. Hook & Lad. Co.	Chris Neuberger

WHEREAS, the Governing Body has been informed by the Mayor that he concurs with the appointment of the foregoing Departmental Officers for calendar year 2010;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the appointment of the following Officers be and is hereby confirmed for the Bloomingdale Volunteer Fire Department for calendar year 2010:

Chief:	John D’Amato
First Deputy Chief:	Mike Hudson
Second Deputy Chief:	Mark Lime
Third Deputy Chief:	Tony Marciano
Captain Chem. Co.	Michael Westdyk

1 st Lt. Chem. Co.	Eric Tuason
2 nd Lt. Chem. Co.	Carlo Leduc
Captain Hook & Lad. Co.	Keith Rounds
1 st Lt. Hook & Lad. Co.	Frank Neuberger
2 nd Lt. Hook & Lad. Co.	Chris Neuberger

**RESOLUTION #2010-1.8
OF THE GOVERNING BODY
OF BOROUGH OF BLOOMINGDALE**

Confirming Award of Exempt Status for Fireman

WHEREAS, the Governing Body of the Borough of Bloomingdale (“Governing Body”) finds and declares that its most fundamental responsibility is to protect the health, safety and welfare of the citizens of the Borough of Bloomingdale; and

WHEREAS, the Governing Body is substantially and capably aided in this regard by the loyal, dedicated volunteer members of the Bloomingdale Volunteer Fire Department, whose primary aim in serving the citizens of this Borough is their protection from fire-borne hazards and risks through fire safety and emergency response measures; and

WHEREAS, the Governing Body has learned that *Michael Aluzzo* has upheld the strong and abiding tradition of Departmental service to our community by having performed at least sixty per centum (60%) of fire duty for a period of seven (7) years, and has thereby earned *Exempt Fireman Status* within the Department; and

WHEREAS, the Governing Body wishes to recognize this accomplishment and to express its sincerest gratitude for his dedicated public service to the protection of the citizens of our community from fire-borne hazards;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby confirm the award of Exempt Status upon *Michael Aluzzo* and does express, on behalf of the citizens of the Borough of Bloomingdale, sincerest gratitude and appreciation for his loyal, dedicated and exemplary service in protecting the citizens of our community as a volunteer member of the Bloomingdale Volunteer Fire Department; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution and to issue an Official Exempt Fireman Certificate to *Michael Aluzzo* in recognition of his dedicated public service to the citizens of our community.

**RESOLUTION #2010-1.9
OF THE GOVERNING BODY
OF BOROUGH OF BLOOMINGDALE**

Honoring Deceased Exempt Firemen

WHEREAS, the Governing Body of the Borough of Bloomingdale (“Governing Body”) finds and declares that its most fundamental responsibility is to protect the health, safety and welfare of the citizens of the Borough of Bloomingdale; and

WHEREAS, the Governing Body is substantially and capably aided in this regard by the loyal, dedicated volunteer members of the Bloomingdale Volunteer Fire Department, whose primary aim in serving the citizens of this Borough is their protection from fire-borne hazards and risks through fire safety and emergency response measures; and

WHEREAS, the Governing Body was saddened to learn of the recent passing of ***Brendan Costello and Thomas Hammell*** exempt volunteer members of the Bloomingdale Volunteer Fire Department, and wishes to express its sincerest condolences to his family and its sincerest gratitude for their dedicated public service to the protection of the citizens of our community from fire-borne hazards;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby express, on behalf of the citizens of the Borough of Bloomingdale, sincerest condolences to the families of ***Brendan Costello and Thomas Hammell*** upon their untimely passing and sincerest gratitude and appreciation for his loyal, dedicated and exemplary service in protecting the citizens of our community as a volunteer member of the Bloomingdale Volunteer Fire Department; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the families of ***Brendan Costello*** and ***Thomas Hammell*** in recognition of their dedicated public service to the citizens of our community.

**RESOLUTION #2010-10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Designating Official Depositories for Municipal Funds

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law requires the designation of one or more official depositories for municipal funds; and

WHEREAS, the Governing Body further finds and declares that Lakeland State Bank and MBIA Municipal Investors Services Corporation are eligible and qualified under State law to serve as official depositories for municipal funds; and

WHEREAS, the Governing Body further finds and declares that there has been no recommendation of any change in the designation of Lakeland State Bank and MBIA Municipal Investors Services Corporation as official depositories for municipal funds for calendar year 2006;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Lakeland State Bank and MBIA Municipal Investors Services Corporation be and are hereby designated as the primary depositories for Borough funds during calendar year 2006; and

BE IT FURTHER RESOLVED that Borough Treasurer Sherry Gallagher and Chief Financial Officer Donna M. Mollineaux be and is hereby authorized to invest any surplus funds, not otherwise required for current expenses, in any bank certificated by the State of New Jersey and/or in the New Jersey Cash Management Fund.

**RESOLUTION #2010-1.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Designating Official Signatories for Municipal Disbursement Checks

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law requires the designation of one or more official signatories for municipal disbursement checks; and

WHEREAS, the Governing Body further finds and declares that the Mayor, the Borough Clerk, the Borough Treasurer, Chief Financial Officer and the Chairman of the Governing Body’s Governmental Operations Committee are each eligible and qualified under State law to serve as official signatories for municipal disbursement checks;

WHEREAS, the Governing Body further finds and declares that the Borough’s Chief Financial Officer and the Borough Treasurer have each recommended that the foregoing individuals be designated as official signatories for municipal disbursement checks for calendar year 2010;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Mayor William Steenstra, Municipal Clerk Jane McCarthy, Borough Treasurer Sherry Gallagher and Chief Financial Officer Donna M. Mollineaux be and are hereby designated as official signatories for municipal disbursement checks for calendar year 2010; and

BE IT FURTHER RESOLVED that disbursement checks drawn on all municipal accounts be and hereby required to bear the signatures of at least three of the foregoing individuals, except that disbursement checks drawn on the Borough’s Payroll Account are valid if they bear the signature of the Borough Treasurer and one other authorized signatory.

**RESOLUTION #2010-1.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Annual Municipal Tax Lien Sale

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 54:5-19 directs the Municipal Tax Collector to conduct an annual sale of tax/municipal charges; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough for the Municipal Tax Collector to conduct a municipal lien sale for taxes and other municipal charges in 2010;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Municipal Tax Collector be and is hereby authorized to conduct an annual municipal tax lien

**RESOLUTION #2010-1.13
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Cancellation of Certain Tax Refunds and/or Delinquencies

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:5-17.1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than five dollars and no cents (\$5.00) in amount without further action of the Governing Body; and

WHEREAS, the Governing Body further finds and declares that Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than \$5.00 in amount in accordance with N.J.S.A. 40A:5-17.1; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds or delinquencies of less than \$5.00 in amount in accordance with N.J.S.A. 40A:5-17.1;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Municipal Tax Collector be and is hereby authorized to process the cancellation of tax refunds or delinquencies of less than \$5.00 in amount during calendar year 2010 in accordance with N.J.S.A. 40A:5-17.1

**RESOLUTION #2010-1.14
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Municipal Change Funds

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law authorizes the use of municipal change funds by departments of Borough government; and

WHEREAS, the Governing Body further finds and declares that certain departments of Borough government have requested authorization for the use within their respective departments of municipal change funds during calendar year 2010:

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body further finds and declares that the Borough’s Chief Financial Officer and the Borough Treasurer have each recommended that the following municipal officials be authorized to use change funds for their respective departments in the amounts stated herein:

- | | |
|--|--------|
| • Chief of Police (for Police Department) | 10.00 |
| • Collector of Taxes (for Tax Department) | 200.00 |
| • Construction Code Official (for Construction Department) | 50.00 |
| • Municipal Clerk (for Office of Municipal Clerk) | 50.00 |
| • Municipal Court Administrator (for Municipal Court) | 200.00 |
| • Secretary to Board of Health/Registrar of Vital Statistics
(for Health Dept.) | 50.00 |
| • Water/Sewer Department | 100.00 |

**RESOLUTION #2010-1.15
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Establishing Official Rate of Interest on Delinquencies and Grace Period

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law defines the term “delinquency” as the “sum” of all taxes and municipal charges due and owing on a given parcel of property; and

WHEREAS, the Governing Body further finds and declares that State law authorizes municipalities to charge as interest on delinquencies the rate of 8% for amounts not exceeding \$1,500.00, and of 18% for any amount exceeding \$1,500.00, subject to a grace period of ten (10) days on the payment of said delinquency as provided by law; and

WHEREAS, the Governing Body further finds and declares that the Borough’s Acting Chief Financial Officer and the Municipal Tax Collector have each recommended that the Governing Body establish the foregoing as the Official Rate of Interest to be assessed by the Borough on all delinquencies occurring during calendar year 2010;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Municipal Tax Collector be and is hereby authorized to charge as interest on delinquencies occurring during calendar year 2009 the rate of 8% for amounts not exceeding

\$1,500.00, and of 18% for any amount exceeding \$1,500.00 per NJSA 54:4-66, grace period per NJSA 54-4-67.

**RESOLUTION #2010-1.16
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Service Charges on Returned Negotiable Instruments

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law authorizes municipalities to assess service charges on accounts due and owing for payment that has been tendered by check or other form of written negotiable instrument that is returned; and

WHEREAS, the Governing Body further finds and declares that the Borough’s Chief Financial Officer and the Municipal Tax Collector have each recommended that the Governing Body authorize the imposition of service charges to offset the costs and expenses incurred as a result of the failed negotiation of such written negotiable instruments; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to authorize the imposition of such service charges;

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

- 1) That a service charge shall be added to any account owing to the municipality if payment tendered on said account was by way of a check or other written instrument that was returned;
- 2) That any service charge added to an account owing to the municipality for a tax or special assessment shall be included on whatever list of delinquent accounts is prepared for the enforcement of such lien; and
- 3) That the amount of such service charge shall be \$20.00 per check or other written instrument that has been returned, which charge shall be required to be tendered to the Borough in cash or by other form of guaranteed funds, including, but not limited to, certified or cashier's check.

**RESOLUTION #2010-1.17
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Designating Official Borough Newspapers

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that State law requires the designation of official municipal

newspapers for the purpose of ensuring public notice of municipal governmental activities to the citizens of the Borough and the region; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to designate The Herald & News as the Official Newspaper of the Borough, and The Record (of Hackensack) and Suburban Trends (of Kinnelon) as the secondary newspapers of the Borough for calendar year 2010;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that The Herald & News be and is hereby designated as the Official Newspaper of the Borough, and The Record (of Hackensack) and Suburban Trends (of Kinnelon) be and are hereby designated as the secondary newspapers of the Borough for calendar year 2010; and

BE IT RESOLVED that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to all official Boards and Commissions of the Borough of Bloomingdale for the purpose of ensuring uniformity of public notification of municipal governmental activities to the citizens of the Borough and the region during calendar year 2010.

**RESOLUTION #2010-1.18
OF THE GOVERNING BODY
OF BOROUGH OF BLOOMINGDALE**

Authorizing Temporary Delay in Posting of Penalties on Certain Utility Accounts

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Municipal Utility Services User Rules and Regulations, enacted as part of the Revised General Ordinances of the Borough (“Code”), provide that the Borough Council may repeal, alter, change or modify them by formal resolution; and

WHEREAS, the Governing Body further finds and declares that Sections 17-6.5 and 18-5.10 of the Code provide for the assessment of penalties for delinquent payments on service accounts that are not paid within a thirty (30) day grace period; and

WHEREAS, the Governing Body further finds and declares that the best interests of the taxpayers who finance the operations of the Borough warrant that appropriate measures be undertaken to prevent the potential aforementioned assessment of penalties;

WHEREAS, the Governing Body further finds and declares that the payment schedules of the Borough and of the Board of Trustees of the Bloomingdale Board of Education (“Board”) bill periodically do not coincide, thereby resulting in the potential aforementioned assessment of penalties as well; and

WHEREAS, the Governing Body further finds and declares that due comity by and between the Borough and the Board, as well as the best interests of the taxpayers who finance the operations of the Borough and the Board, respectively, warrant that appropriate measures be undertaken to prevent the similar potential aforementioned assessment of penalties;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Department of Water and Sewer Utility Services is hereby authorized to delay posting of finance charges on the following utility accounts until at least sixty (60) days after the date the utility bills upon which said bills are mailed:

<u>Account Number</u>	<u>Account Name</u>	<u>Service Number</u>
00170200	Sewer Disposal Plant - FH	23 Brandt Lane - Access Driveway
08128600	Delazier Field Lawn Sprinkler	30 Ballston Street
12860000	Delazier Field Bathrooms	30-B Ballston Street
12880000	Duane Muldoon Fire House	30-A Ballston Street
25320000	Public Works Garage	188 Union Avenue
40340000	Martha B. Day School	225 Rafkind Road
50030000	Samuel R. Donald School	31-33 Captolene Avenue
60310000	Walter T. Bergen School	225 Glenwild Avenue
95850000	Municipal Annex Building	107 Hamburg Turnpike
95880000	Senior Citizen Center	103 Hamburg Turnpike
95890000	Municipal Building	101 Hamburg Turnpike
2914-0	Public Safety Complex	190 Union Avenue

**RESOLUTION #2010-1.19
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

**Authorizing Execution of Water Testing Agreement with Passaic Valley Water
Commission**

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizens of the Borough for the Department of Water and Sewer Utility Services to engage professional services to conduct analytical laboratory tests for the Borough’s Public Water Supply System in accordance with the Federal Safe Drinking Water Act and New Jersey State Law; and

WHEREAS, the Governing Body has received a proposal from the Passaic Valley Water Commission for the performance of professional services during calendar year 2010 for an estimated cost not to exceed the amount set forth in its proposal and as itemized on the fee schedule accompanying said proposal; and

WHEREAS, the Governing Body further finds and declares that funds have been provided for this service in the FY2009 Municipal Utility Services Budget;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize all necessary and appropriate Municipal Officials to execute a Water Testing Agreement with the Passaic Valley Water Commission, consistent with the foregoing proposal.

**RESOLUTION #2010-1.20
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Award of Professional Services Agreement
to Municipal Payroll Administrator, Action Data Services, Inc.***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizenry of the Borough to retain the professional services of a municipal payroll administrator; and

WHEREAS, the Governing Body further finds and declares that Action Data Services, Inc., Fairfield, New Jersey (“Professional”), has demonstrated the professional experience, judgment and aptitude during the year 2009 to warrant re-appointment as Municipal Payroll Administrator for the year 2010 and

WHEREAS, the Governing Body further finds and declares that the Professional has submitted a Professional Services Agreement (“Agreement”) for the continued performance of professional services as Municipal Payroll Administrator during the year 2010 which services are compensated by Lakeland State Bank and are not financed by the Borough; and

WHEREAS, the Governing Body further finds and declares that the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, authorizes the Governing Body to authorize the award of a contract for “extraordinary, unspecifiable services,” which include the professional services to be performed by the Professional under the Agreement; and

WHEREAS, the Governing Body further finds and declares that the New Jersey Local Unit “Pay to Play” Law, N.J.S.A. 40A:20-4, *et seq.*, does not govern the award of the Agreement, which is not financed with municipal funds; and

WHEREAS, the Governing Body further finds and declares that the Borough Attorney has reviewed the terms and conditions of the Agreement and, subject to modification, finds them to be satisfactory as to form and content; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the award of the Agreement to the Professional;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the award of a Professional Services Agreement to Action Data Services, Inc., Fairfield, New Jersey, for the performance of professional services as Municipal Payroll Administrator during the year 2010 and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all necessary and appropriate municipal officials to execute the foregoing Agreement; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby direct the Municipal Clerk to retain the foregoing Agreement on file with this Resolution,

and to cause said Resolution to be published in the Official Newspaper of the Borough within twenty (20) days of the date hereof.

**RESOLUTION #2010-1.21
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Award of Professional Services Agreement
to Municipal Attorney Joseph V. MacMahon, Esq.*

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizenry of the Borough to retain the professional services of a municipal attorney; and

WHEREAS, the Governing Body further finds and declares that Joseph V. MacMahon, Esq., Oakland, New Jersey (“Professional”), has demonstrated the professional experience, judgment and aptitude during the year 2009 to warrant re-appointment as Municipal Attorney for the year 2010; and

WHEREAS, the Governing Body further finds and declares that the Professional has submitted a Professional Services Agreement (“Agreement”) for the continued performance of professional services as Municipal Attorney during the year 2010, which provides for no increase in cost to the Borough for such services; and

WHEREAS, the Governing Body further finds and declares that the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, authorizes the Governing Body to authorize the award of a contract for “extraordinary, unspecifiable services,” which include the professional services to be performed by the Professional under the Agreement; and

WHEREAS, the Governing Body further finds and declares that the New Jersey Local Unit “Pay to Play” Law, N.J.S.A. 40A:20-4, *et seq.*, governs the award of the Agreement because its value is in excess of the sum of \$17,500; and

WHEREAS, the Governing Body further finds and declares that the Professional has fully complied with the “Pay to Play” Law by completing and submitting to the Municipal Clerk a Business Entity Disclosure Certification (“Certification”), which certifies that the Professional has not made any reportable contributions to a political or candidate committee in the Borough during the previous year, and that the award of the Agreement will prohibit the Professional from making any reportable contributions through the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the execution of the Agreement with the Professional under such circumstances that the Professional has certified that he will not make any reportable contributions to a political or candidate committee in the Borough during the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it has reviewed the terms and conditions of the Agreement and finds them to be consistent with the terms and conditions of the Agreement entered into with the Professional in 2010;

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer shall cause municipal funds to be encumbered pursuant to individual purchase orders submitted by the Professional for payment in accordance with the terms and conditions of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the award of the Agreement to the Professional;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the award of a Professional Services Agreement to Joseph V. MacMahon, Esq., Oakland, New Jersey, for the performance of professional services as Municipal Attorney during the year 2010; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all necessary and appropriate municipal officials to execute the foregoing Agreement; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby direct the Municipal Clerk to retain the foregoing Agreement and Certification on file with this Resolution, and to cause said Resolution to be published in the Official Newspaper of the Borough within twenty (20) days of the date hereof.

**RESOLUTION #2010-1.22
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Award of Professional Services Agreement
to Municipal Auditor Samuel Klein & Company***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizenry of the Borough to retain the professional services of a municipal auditor; and

WHEREAS, the Governing Body further finds and declares that Samuel Klein & Company, Newark, New Jersey, represented by Joseph J. Faccone, C.M.A. (“Professional”), has demonstrated the professional experience, judgment and aptitude during the year 2009 to warrant re-appointment as Municipal Auditor for the year 2010; and

WHEREAS, the Governing Body further finds and declares that the Professional has submitted a Professional Services Agreement (“Agreement”) for the continued performance of professional services as Municipal Auditor during the year 2010, which provides for no increase in cost to the Borough for such services; and

WHEREAS, the Governing Body further finds and declares that the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, authorizes the Governing Body to authorize the award of a contract for “extraordinary, unspecifiable services,” which include the professional services to be performed by the Professional under the Agreement; and

WHEREAS, the Governing Body further finds and declares that the New Jersey Local Unit “Pay to Play” Law, N.J.S.A. 40A:20-4, *et seq.*, governs the award of the Agreement because its value is in excess of the sum of \$17,500; and

WHEREAS, the Governing Body further finds and declares that the Professional has fully complied with the “Pay to Play” Law by completing and submitting to the Municipal Clerk a Business Entity Disclosure Certification (“Certification”), which certifies that the Professional has not made any reportable contributions to a political or candidate committee in the Borough during the previous year, and that the award of the Agreement will prohibit the Professional from making any reportable contributions through the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the execution of the Agreement with the Professional under such circumstances that the Professional has certified that it l not make any reportable contributions to a political or candidate committee in the Borough during the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that the Borough Attorney has reviewed the terms and conditions of the Agreement and finds them to be consistent with the terms and conditions of the Agreement entered into with the Professional in 2010;

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer shall cause municipal funds to be encumbered pursuant to individual purchase orders submitted by the Professional for payment in accordance with the terms and conditions of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the award of the Agreement to the Professional;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the award of a Professional Services Agreement to Samuel Klein & Company, Newark, New Jersey, represented by Joseph J. Faccone, C.M.A., for the performance of professional services as Municipal Auditor during the year 2010; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all necessary and appropriate municipal officials to execute the foregoing Agreement; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby direct the Municipal Clerk to retain the foregoing Agreement and Certification on file with this Resolution, and to cause said Resolution to be published in the Official Newspaper of the Borough within twenty (20) days of the date hereof.

**RESOLUTION #2010-1.23
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Award of Professional Services Agreement
to Municipal Bond Counsel John L. Kraft, Esq., L.L.C.*

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizenry of the Borough to retain the professional services of a municipal bond counsel; and

WHEREAS, the Governing Body further finds and declares that Lomurro, Davison, Eastman & Munoz, PA, of 100 Willow Brook Road, Freehold, NJ 07728, represented by John L. Kraft, Esq. (“Professional”), has demonstrated the professional experience, judgment and aptitude during the year 2009 to warrant re-appointment as Municipal Bond Counsel for the year 2010; and

WHEREAS, the Governing Body further finds and declares that the Professional has submitted a Professional Services Agreement (“Agreement”) for the continued performance of professional services as Municipal Bond Counsel during the year 2010, which provides for no increase in cost to the Borough for such services; and

WHEREAS, the Governing Body further finds and declares that the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, authorizes the Governing Body to authorize the award of a contract for “extraordinary, unspecifiable services,” which include the professional services to be performed by the Professional under the Agreement; and

WHEREAS, the Governing Body further finds and declares that the New Jersey Local Unit “Pay to Play” Law, N.J.S.A. 40A:20-4, *et seq.*, governs the award of the Agreement because its value may exceed of the sum of \$17,500; and

WHEREAS, the Governing Body further finds and declares that the Professional has fully complied with the “Pay to Play” Law by completing and submitting to the Municipal Clerk a Business Entity Disclosure Certification (“Certification”), which certifies that the Professional has not made any reportable contributions to a political or candidate committee in the Borough during the previous year, and that the award of the Agreement will prohibit the Professional from making any reportable contributions through the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the execution of the Agreement with the Professional under such circumstances that the Professional has certified that it will not make any reportable contributions to a political or candidate committee in the Borough during the one-year term of the Agreement; and

WHEREAS, the Governing Body further finds and declares that the Borough Attorney has reviewed the terms and conditions of the Agreement and finds them to be consistent with the terms and conditions of the Agreement entered into with the Professional in 2010;

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer shall cause municipal funds to be encumbered pursuant to individual purchase orders submitted by the Professional for payment in accordance with the terms and conditions of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the award of the Agreement to the Professional;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the award of a Professional Services Agreement to Lomurro, Davison, Eastman & Munoz, P.A., of 100 Willow Brook Road, Freehold, New Jersey, represented by John L. Kraft, Esq., for the performance of professional services as Municipal Bond Counsel during the year 2010; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all necessary and appropriate municipal officials to execute the foregoing Agreement; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby direct the Municipal Clerk to retain the foregoing Agreement and Certification on file with this Resolution, and to cause said Resolution to be published in the Official Newspaper of the Borough within twenty (20) days of the date hereof.

**RESOLUTION #2010-1.24
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Award of Professional Services Agreement
to Municipal Risk Management Consultant, The Vozza Agency***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that it is in the best interests of the citizenry of the Borough to retain the professional services of a municipal risk management consultant; and

WHEREAS, the Governing Body further finds and declares that The Vozza Agency, Park Ridge, New Jersey (“Professional”), has demonstrated the professional experience, judgment and aptitude during the year 2009 to warrant re-appointment as Municipal Risk Management Consultant for the year 2010; and

WHEREAS, the Governing Body further finds and declares that the Professional has submitted a Professional Services Agreement (“Agreement”) for the continued performance of professional services as Municipal Risk Management Consultant during the year 2009, which provides for no increase in cost to the Borough for such services; and

WHEREAS, the Governing Body further finds and declares that the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, authorizes the Governing Body to authorize the award of a contract for “extraordinary, unspecifiable services,” which include the professional services to be performed by the Professional under the Agreement; and

WHEREAS, the Governing Body further finds and declares that the New Jersey Local Unit “Pay to Play” Law, N.J.S.A. 40A:20-4, *et seq.*, does not govern the award of the Agreement because its value does not exceed the sum of \$17,500; and

WHEREAS, the Governing Body further finds and declares that the Borough Attorney has reviewed the terms and conditions of the Agreement and finds them to be consistent with the terms and conditions of the Agreement entered into with the Professional in 2009;

WHEREAS, the Governing Body further finds and declares that the Interim Chief Financial Officer shall cause municipal funds to be encumbered pursuant to individual purchase orders submitted by the Professional for payment in accordance with the terms and conditions of the Agreement; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizenry of the Borough to authorize the award of the Agreement to the Professional;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the award of a Professional Services Agreement to The Voza Agency, Park Ridge, New Jersey, for the performance of professional services as a Municipal Risk Management Consultant during the year 2010; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all necessary and appropriate municipal officials to execute the foregoing Agreement; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby direct the Municipal Clerk to retain the foregoing Agreement on file with this Resolution, and to cause said Resolution to be published in the Official Newspaper of the Borough within twenty (20) days of the date hereof.

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

PROFESSIONAL REPORTS

Municipal Clerk – Municipal Clerk welcomed the new Council Members and noted that if they have any questions, etc. to please not hesitate to contact her. There is a lot of information to be given out in the coming weeks but if they have an immediate question on anything, to let her know.

Borough Administrator – Borough Administrator stated that he would like to discuss an item during Executive Session which might have an impact on the negotiations with BASS.

PENDING BUSINESS

(No Pending Business)

INTRODUCTION OF NEW BUSIENSS

Governmental Operations Committee

Adoption of Resolution #2010-1.25: Temporary Budget

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

**RESOLUTION #2010-1.25
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE
Establishing Temporary Budget Appropriations for 2010**

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-19 provides that when contracts, commitments or payments are to be made prior to final adoption of the municipal budget, then temporary appropriations should be made by formal resolution for the purposes and amounts required in the manner and time provided therein; and

WHEREAS, the Governing Body further finds and declares that the date of said resolution is within the first thirty (30) days of Fiscal Year 2010; and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer and the Borough Treasurer have advised that the total amount of said temporary appropriations are limited to twenty-six and one-quarter percent (26.25%) of the total appropriations in the FY2009 Municipal Budget, exclusive of any appropriations made for debt service, capital improvement funds and public assistance in the said FY2009 Municipal Budget; and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer and the Borough Treasurer have recommended the establishment of said temporary appropriations by adoption of this Resolution for the purpose of providing operating funds for the Borough until such time as the FY2010 Municipal Budget is finally adopted;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the following temporary appropriations be and are hereby established as the FY2010 Temporary Municipal Budget:

General Administration	Salary & Wages	\$30,000.00
General Administration	Other Expenses	6,000.00

Mayor & Council	Salary & Wages	2,750.00
Mayor & Council	Other Expenses	300.00
Municipal Clerk	Salary & Wages	20,000.00
Municipal Clerk	Other Expenses	12,000.00
Financial Administration	Salary & Wages	45,000.00
Financial Administration	Other Expenses	4,500.00
Annual Audit/Misc.	Other Expenses	100.00
Tax Collection	Salary & Wages	15,000.00
Tax Collection	Other Expenses	3,500.00
Tax Assessment	Salary & Wages	9,000.00
Tax Assessment	Other Expenses	200.00
Legal Services	Salary & Wages	11,500.00
Legal Services	Other Expenses	5,000.00
Engineering Services	Other Expenses	2,000.00
Planning Board	Salary & Wages	4,000.00
Planning Board	Other Expenses	8,000.00
Uniform Construction Code	Other Expenses	7,000.00
Property Main.	Salary & Wages	5,000.00
Other Insurance Premiums	Other Expenses	107,500.00
Group Insurance	Other Expenses	165,000.00
Police Department	Salary & Wages	525,000.00
Police Department	Other Expenses	35,000.00
Police Dispatchers	Salary & Wages	30,000.00
Emergency Management	Other Expenses	2,000.00
Fire Department	Other Expenses	12,000.00
Fire Prevention	Salary & Wages	2,000.00
Fire Prevention	Other Expenses	1,400.00
Municipal Prosecutor	Salary & Wages	5,000.00
Streets and Roads	Salary & Wages	130,000.00
Streets and Roads	Other Expenses	35,000.00
Shade Tree	Other Expenses	1,000.00
Beautification	Other Expenses	500.00
Sanitation	Salary & Wages	90,000.00
Sanitation	Other Expenses	10,000.00
Buildings & Grounds	Other Expenses	9,000.00
Public Health Services	Other Expenses	3,000.00
Animal Control Services	Other Expenses	8,000.00
Recreation Services	Salary & Wages	5,000.00
Recreation Services	Other Expenses	6,500.00
Public Free Library	Other Expenses	85,000.00
Celebration Public Events	Other Expenses	2,000.00
Environmental Committee	Other Expenses	600.00
Senior Citizens	Salary & Wages	3,750.00
Senior Citizens	Other Expenses	2,500.00
Electricity	Other Expenses	30,000.00

Telephone	Other Expenses	9,000.00
Water	Other Expenses	4,500.00
Natural Gas	Other Expenses	30,000.00
Gasoline	Other Expenses	25,000.00
Solid Waste	Tipping Fees	295,784.00
Social Security	Other Expenses	70,000.00
Municipal Court	Salary & Wages	25,000.00
Municipal Court	Other Expenses	2,500.00
Sick Pay	Other Expenses	20,000.00
		\$1,979,384.00
Sub-Total Current Fund		
Principal on Bonds	Other Expenses	\$350,000.00
Interest on Bonds	Other Expenses	229,000.00
Sub-Total Debt Service		\$579,000.00
Interlocal-Animal Control	Salary & Wages	\$40,000.00
Interlocal-Construction	Salary & Wages	\$70,000.00
Interlocal-Registrar	Salary & Wages	\$15,000.00
Interlocal-Health Services	Other Expenses	\$25,000.00
Sub Total		\$150,000.00
Total Current Fund		\$2,708,384.00

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Bloomingdale that the following additional temporary appropriations be and are hereby established as the FY2010 Temporary Municipal Budget for the Borough of Bloomingdale Department of Utility Services:

Municipal Utility Services	Salary & Wages	\$100,000.00
Municipal Utility Services	Other Expenses	640,000.00
Infrastructure Maintenance	Other Expenses	10,000.00
Infrastructure Maintenance	Contracted Labor	30,000.00
Social Security	Other Expenses	10,000.00
Subtotal-Utility Services		\$790,000.00
Payment Bond Principal	Other Expenses	\$250,000.00
Interest on Bonds	Other Expenses	50,000.00
Sub-Total Debt Service		\$300,000.00

Total Utility Services		\$1,090,000.00
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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.

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 with this Resolution.

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

Adoption of Resolution #2010-1.26: Establishing 2010 Governing Body Meeting Schedule

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

**RESOLUTION #2010-1.26
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Establishing Official 2010 Meeting Schedule of the Governing Body of the Borough of Bloomingdale

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale (“Governing Body”) shall hold Work Sessions on the following Tuesdays (unless otherwise indicated) for the year 2010, commencing at 7:30 p.m. in the Council Chambers of the Municipal Building of the Borough of Bloomingdale:

January 5	February 9	March 9
<i>April 13</i>	<i>May 11</i>	<i>June 8</i>
<i>September 14</i>	<i>October 12</i>	<i>November 9</i>
<i>December 14</i>		

ACTION MAY BE TAKEN

BE IT FURTHER RESOLVED that the Governing Body shall hold Regular Business Meetings on the following Tuesdays during the year 2010, commencing at 7:30 p.m. in the Council Chambers of the Municipal Building of the Borough of Bloomingdale:

January 19	February 23	March 23
April 27	May 25	June 22
July 27	August 17	September 28

October 26

November 23

ACTION WILL BE TAKEN

**All Meetings commence at 7:30 p.m.*

PUBLIC COMMENT SHALL BE HEARD AT ALL MEETINGS OF THE GOVERNING BODY

BE IT FURTHER RESOLVED that the Governing Body reserves the right to designate or cancel meetings when it is deemed necessary to do so.

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

Adoption of Resolution #2010-1.27: Authorizing Shared Services Agreement for Vital Statistics Services with West Milford

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

**RESOLUTION #2010-1.27
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE,**

Authorizing Execution of an Interlocal Agreement with the Borough of Bloomingdale for Registrar Services

WHEREAS, the Borough of Bloomingdale employees a Registrar of Vital Statistics and has agreed to enter into an agreement with the Township of West Milford for their Registrar to provide services to the Township of West Milford on a part-time basis; and

WHEREAS, said agreement outlines the terms and conditions of the services to be provided; and

WHEREAS, the cost for these services is \$16,952 for the 2010 calendar year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale, County of Passaic, New Jersey, that the Mayor and Municipal Clerk be and are hereby authorized to execute an inter-local agreement with the Township of West Milford for Registrar of Vital Statistics services and that said agreement is available for public inspection in the office of the Municipal Clerk.

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

Adoption of Resolution #2010-1.28: Implementing a hiring freeze until the 2010 Budget is approved: (NOT ADOPTED)

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

**RESOLUTION #2010-1.28
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Implementing a Hiring Freeze

WHEREAS, the United States of America is facing what many commentators label as the greatest recession in American History;

WHEREAS, the Christie administration has indicated its intention to reduce New Jersey State Aid to municipalities,

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) does not wish to increase the local property tax burden of the taxpayers of the Borough of Bloomingdale and desires to hold steady the local tax rate;

WHEREAS, the Governing Body wishes to avoid layoffs of long time employees such as those that have been enacted by other cash-strapped county governments, towns and similarly situated municipalities;

WHEREAS, the Borough of Bloomingdale must find cost efficient methods to reduce spending and maintain a stable tax rate;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale has instituted an immediate and ongoing hiring and promotion freeze for all Bloomingdale regular full-time, part-time and extra help positions that are currently vacant or become vacant until the adoption of the 2010 budget. Any positions that become vacant during the period of the freeze shall not be filled except as provided in this resolution.

BE IT FURTHER RESOLVED, that the Council shall be authorized to review and approve waivers to the hiring and promotion freeze with the following guidelines until the adoption of the 2010 budget:

1. The position is a required seasonal position.
2. The vacant position and/or promotion is supported in its entirety through federal/state grants and the filling of the position vacancy is critical to fulfilling grant or contract requirements;
3. The department head certifies that the vacant position and/or promotion as critical, has absorbed the costs associated with the prior incumbent’s departure, and has another identified vacant position that will be left unfilled or the department has made other identified cuts to achieve equivalent salary savings;
4. The vacant position and/or promotion is required by federal/state laws and/or regulations;
5. The filling of the vacant position and/or promotion is necessary to protect the health or safety of the Borough of Bloomingdale and its citizens;

6. The filling of the vacant position and/or promotion is required under the collective bargaining agreement(s) negotiated between the Borough of Bloomingdale and its employees;

This Resolution shall take effect upon adoption and shall remain in effect until the adoption of the 2010 budget. A separate resolution shall be required to expressly state an exemption for any other position not categorized here should the Governing Body find it necessary to consider the hiring of other critical replacement staff.

Councilman Schiffman seconded the motion.

Councilman Vroom noted that he did not want to handcuff ourselves and felt this would be foolish to do felt we should look at how the budget is going to be. If we passed this resolution and an employee left that we needed, we could not hire anyone.

Chief Financial Officer Donna Mollineaux and Treasurer Sherry Gallagher spoke in regard to his resolution and note that you could not efficiently run a department if a freeze was put on and we couldn't replace a key employee, i.e. if a police officer were to retire.

The motion died as per the following roll call: Council Members: Pituch, YES; Schiffman, YES; Specchio, NO; Vroom, NO; Huntley, YES; Marinaro, NO and Mayor Steenstra, NO.

Adoption of Resolution Implementing a discretionary spending freeze until the 2010 budget is approved (NOT ADOPTED)

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

**RESOLUTION #2010-1.____
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Implementing a Discretionary Spending Freeze

WHEREAS, from coast to coast, the United States of America is facing one of the most significant and sustaining economic crisis in American History; and

WHEREAS, all levels of government from federal to state have taken measures to curtail expenditures of public resources and have recognized the already extraordinary burden on taxpayers; and

WHEREAS, Governor Elect, Chris Christie has made it clear that, while the State has prioritized finding alternative sources of revenue, the State budget must be significantly reduced and as part of that reduction, New Jersey State Aid to municipalities will also be cut in the short term, and

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") recognizes its responsibility to provide services to the Borough without increasing

the local property tax burden of the taxpayers of the Borough of Bloomingdale and desires to hold steady the local tax rate; and

WHEREAS, the Governing Body also wishes to avoid layoffs of long time employees and implement such local policies as those which have been enacted by other cash-strapped county governments, towns and similarly situated municipalities throughout the country and this State; and

WHEREAS, the Borough of Bloomingdale must find cost efficient methods to reduce spending and maintain a stable tax rate; and

WHEREAS, for purposes of this resolution, “discretionary spending” shall mean any spending category about which government planners can make choices and is otherwise optional, in contrast to such programs and services for which funding is mandatory

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale hereby institutes an immediate discretionary spending freeze;

BE IT FURTHER RESOLVED, that the Council has provided the following guidelines until the adoption of the 2010 budget:

1. All discretionary spending in the capital and operating budgets is frozen immediately; and
2. Discretionary spending refers to any spending category about which government planners can make choices and is otherwise optional, in contrast to such programs and services for which funding is mandatory; and
3. The Borough council shall vote by a 2/3 majority in determining what constitutes a specific non-discretionary expense which is reasonably debatable; and
4. Any department head may request a waiver to the governing body for any other purchase classified by this resolution as “discretionary”, which such waiver shall only be granted by a 2/3 majority of the Borough Council.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately, upon adoption and shall remain in effect until the adoption of the 2010 budget. A separate resolution shall be required to expressly approve any waivers for any other purchase classified by this resolution as “discretionary”, which such waiver shall only be granted by a 2/3 majority of the Borough Council.

Councilman Schiffman seconded the motion.

At this time, Chief Financial Officer noted that we need a definition of what constitutes discretionary spending; is there going to be a limit set on purchase, i.e. \$1,000 and then after that, Council approval is needed.

Donna Mollineaux, Chief Financial Officer stated that it may be a good idea for each department to have a Liaison to go to. Consensus that this will be discussed at the next meeting and a list will be formulated of liaisons for discussion.

Councilwoman Huntley withdrew her motion and Councilman Schiffman withdrew his second.

Adoption of Resolution #2010-1.29: Confirming Action taken on January 2, 2010 formally appointing Municipal Judge

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

**RESOLUTION #2010-1.29
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE,
PASSAIC COUNTY, NEW JERSEY**

Appointing Municipal Court Judge

BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, that Andrew M. Wubbenhorst be appointed as Municipal Court Judge for a three-year term; term expiring December 31, 2012.

Councilman Specchio seconded the motion, and it carried as per the following roll call: Council members: Schiffman; Specchio; Vroom; Huntley; Marinaro and Pituch all YES.

Adoption of Resolution #2010-1.30: Rejecting Bids for DPW Mezzanine and Fit out

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

**RESOLUTION #2010-1.30
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Rejecting Bids for DPW Mezzanine and Fit Out

WHEREAS, the Borough of Bloomingdale inadvertently solicited proposals for bids in connection with the DPW Mezzanine and Fit Out; and

WHEREAS, the Borough of Bloomingdale received bid proposals in response to the bid solicitation, which proposals must be rejected in light of the aforesaid legal deficiency in the bid process; and

WHEREAS, it is the intention of the Governing Body to authorize the solicitation of proposals for the DPW mezzanine and Fit Out in accordance with applicable law.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby reject all bids submitted by vendors in connection with the DPW Mezzanine and Fit Out.

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

Adoption of Resolution #2010-1.31: Authorizing Rebid of DPW mezzanine and Fit Out

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

RESOLVED, that the Borough Administrator be authorized to go out for rebid of the DPW Mezzanine and Fit Out on January 19, 2010 at 10:00 a.m. in the Council Chambers of the Municipal Building.

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

Adoption of Resolution Establishing a Criteria for Indemnification of Borough Council members and the Mayor

Borough Attorney asked that this be put on the next agenda as he has not drafted the resolution at this time which will formally set the indemnification standards for the Mayor and Council.

LATE PUBLIC COMMENT

Jon Dunleavy, 51 Morse Lakes Road, asked if the Council will be having a Goal Setting Meeting this year and if so, to concentrate on the WTB School project so that we can go out to bid in the spring and also he repair of the Sloan Park Bridge.

Councilman Dunleavy stated that he would be willing to Chair the Ordinance Committee along with Paul Bastante.

Councilman Specchio stated that he would go on the committee and thanked Mr. Dunleavy for his willingness to step up.

Geraldine Delazier, Glenwild Avenue, expressed her disappointment with the fact that Councilwoman Huntley was not put on the Budget committee and fact that Peter Dorram was not reappointed to the Planning Board.

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

Appointment of Grant Writers Committee

Councilman Marinaro moved for the appointment of the following to the 2010 Grant Writers Committee:

Chairperson: Councilman Specchio
Members: Jonathan Dunleavy and Paul Bastante

Councilman Vroom seconded the motion, and it carried as per the following roll call: council Members: Huntley; Marinaro; Pituch; Schiffman; Specchio and Vroom all Yes.

Adopt ion of Resolution #2010-1.31: Authorizing Executive Session

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

**RESOLUTION #2010-1.32
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. Personnel – 1 matter
 - B. Contract Negotiations – 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 Pituch seconded the motion, and it carried on voice vote.

(At this time, the Mayor and Council went into Executive Session)

RECONVENED

Mayor Steenstra reconvened the meeting at 9:28 p.m. and noted that no action was taken during the Executive Session.

Adoption of Resolution #2010-1.33: Authorization for Borough Administrator to expend funds for a Furnace for BASS Building

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

RESOLVED that the borough Administrator is authorized to replace the furnace at the BASS Building in an amount not to exceed \$2,000.

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

ADJOURNMENT

Since there as no further business to be conducted, Councilman Marinaro moved to ADJOURN the meeting at 9:29 p.m.; seconded by Councilman Specchio and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk