

June 15, 2010

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike. Mayor Steenstra called the meeting to order at 7:31 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Steenstra led the Salute to the Flag followed by the Borough Prayer.

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Steenstra
	Council Pres. Pro Tem:	Bernard H. Vroom
	Council Members:	Linda Huntley Thomas Marinaro Jo-Ann Pituch Glenn Schiffman
Absent:	Council President:	Dean Specchio (Entered later)
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. "Joe" MacMahon, Esq.
	Chief Financial Officer:	Donna Mollineaux
	Treasurer:	Sherry Gallagher

PUBLIC NOTICE STATEMENT

Mayor Steenstra stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on May 27, 2010.

EARLY PUBLIC COMMENT

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

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

RECOGNITION OF KIDS WHO CARE PARTICIPANTS

At this time, the Mayor and Council recognized Recreation Director Gail Gailbraith and the participants of the Kids Who Care Program for their efforts in helping the community through car washes and various other activities to help out the residents of the community.

The presentation was roundly applauded by all those in attendance.

APPROVAL OF CONSENT AGENDA

Councilman Marinaro moved for the approval of the following Consent Agenda; seconded by Councilman Schiffman:

1. Approval of Governing Body Minutes: March 9 and 23, 2010, May 25, 2010
2. Informational Items List for Weeks Ending May 6, 13, 20 and 27, 2010
3. Notice of Award of 2009 Open Space & Farmland Preservation Trust Fund Grant for Oakwood Lake - \$100,000

PENDING BUSINESS

Governmental Operations Committee

Discussion of Advertisement for Star Lake Water Tank

Councilman Vroom moved for the approval to advertise for bids for the Star Lake Water Tank as approved by the Borough Attorney; seconded by Councilman Marinaro and carried as per the following roll call: Council Members: Huntley; Marinaro; Pituch; Schiffman and Vroom all YES. ABSENT: Councilman Specchio

Replacement of Vehicles for Department of Public Works and Animal Control

Discussion followed as to fixing these vehicles v. replacing them. Councilman Schiffman noted we could get a vehicle for \$22,000 and felt we should not spend any money on an old vehicle.

Chief Financial Officer stated there may be some money in a bond ordinance; consensus that this will be discussed after the introduction of the Budget.

Ordinance Review Committee

Councilman Vroom noted that the Committee met and has recommended three ordinances for introduction this evening.

INRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2010-6.2: Payment of Municipal Obligations

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

**RESOLUTION - #2010-6.2
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Payment of Municipal Obligations

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

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

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

BILLS LIST

CURRENT	1,243,773.95
UTILITY	433,886.48
CAPITAL	12,800.00
UTILITY CAPITAL	805.00

PREPAID LIST

CURRENT	316,302.82
UTILITY	12,289.09
UNEMPLOY.	82.13
RECYCLING	288.55

TRUST	7,700.31	CAPITAL	000.00
DOG	1,224.50	TRUST	5,390.00
RECREATION	9,073.34	SPEC. ASSESS.	1,000.00
UNEMPLOYMENT	0.00	RECREATION	617.36
ROSE FUND	43,662.72	UTILITY CAP	000.00
RECYCLING	1,600.00	DOG	000.00
TOTAL	1,754,526.30	TOTAL	335,970.95

Councilman Vroom seconded the motion.

Councilwoman Huntley asked that we hold this until later in the meeting as she has some questions and the Chief Financial Officer will get them before the end of the meeting.

Adoption of Resolution #2010-6.3: Authorizing Issuance of Estimated Property Tax Bills

This will be held until after the introduction of the budget.

Adoption of Resolution #2010-6.4: Redemption of Tax Title Lien #090012

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

**RESOLUTION #2010-6.4
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #090012

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 4, 2010, a lien was sold on,
30 HAMILTON STREET, BLOOMINGDALE, for delinquent year 2009 taxes, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 78, Lot 11, owned by ANTHONY & CHERYL MALONE; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 090012, which was sold to US BANK CUST FOR CCTS CAPITAL, LLC for a PREMIUM of \$ 5,100.00; and

WHEREAS, the Governing Body further finds and declares that BAC TAX SERVICES CORPORATION, mortgage holder of property, has requested redemption of TTL # 090012, and

WHEREAS, the Governing Body further finds and declares that BAC TAX SERVICES CORPORATION, has paid all monies due on TTL # 090012, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a checks in the amount of \$ 11,318.07 for the lien redemption and \$ 5,100.00 for return of the PREMIUM payable to US BANK CUST FOR CCTS CAPITAL, LLC, 2 Liberty Place, 50 South 16th Street-Suite 1950, Philadelphia, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate # 090012.

1099 = \$ \$472.47

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

Adoption of Resolution #2010-6.5: Authorizing State Tax Court Refund; Block 51; Lot 18

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

**RESOLUTION # 2010-6.5
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on August 28, 2009 the Municipality was notified of a State Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 51, Lot 18, known as 33 OVERLOOK ROAD, owned by WAYNE JOHNSON

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2008 and 2009 tax assessment for taxes, and that the 2008/2009 taxes have already been paid in full by the owner, and

WHEREAS, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT that a refund of \$72.00 for 2008 and \$585.20 for 2009 is to be paid to property owner, Wayne C. Johnson.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a check in the amount of \$ 657.20 payable to Wayne Johnson, 33 Overlook Road, Bloomingdale, NJ 07403.

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

Adoption of Resolution #2010-6.6: Authorizing State Tax Court Refund; Block 82; Lot 34

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

**RESOLUTION # 2010-6.6
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing State Tax Court Refund

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on May 28, 2010 the Municipality was notified of a State Tax Court judgment, and

WHEREAS, the Governing Body further finds and declares that this judgment is on Block 82, Lot 34, known as 45-47 MAIN STREET, owned by BLOOMINGDALE PLAZA ASSOCIATES, LLC and

WHEREAS, the Governing Body further finds and declares that since this judgment is against the 2008 tax assessment for taxes, and that the 2008 taxes have already been paid in full by the owner, and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a check in the

amount of \$3,532.34 payable to Michael A. Vespasiano, Trustee, 331 Main Street, Chatham, NJ 07928

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

Adoption of Resolution #2010-6.7: Authorizing Uncashed Refunds

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

**RESOLUTION #2010-6.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Municipal Court to Receive Uncashed Refunds

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has been advised by Municipal Court Administrator Phyllis Muter (“Court Administrator”) in a May 25, 2010 Memorandum to Borough Administrator Ted Ehrenburg (“Borough Administrator”), that certain refunds issued by the Bloomingdale Municipal Court (“Court”) have remained uncashed for a period exceeding six months; and

WHEREAS, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the Court to implement the recommendation of the Court Administrator and the Borough Administrator, that the Court should be authorized to receive these refunds so that they may be disbursed from the Court’s General Account;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale that the Bloomingdale Municipal court be and is hereby authorized to receive the refunds identified in the Municipal Court Administrator’s May 25, 2010 Memorandum to the Borough Administrator so that they may be disbursed from the Court’s General Account.

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

Adoption of Resolution #2010-6.8: Authorization of Developers Agreement between Bloomingdale and Bloomigdale Joint Venture

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

**RESOLUTION #2010-6.8
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

A Resolution of the Borough of Bloomingdale Authorizing Execution of a Developer’s Agreement for the Meer Tract Between the Borough of Bloomingdale and Bloomingdale Joint Venture, LLC, Meer Bloomingdale Estates, and Reem Ventures, Inc.

WHEREAS, a Mount Laurel II lawsuit was filed against the Borough of Bloomingdale encaptioned D.R. Horton, Inc. - New Jersey and Bloomingdale Joint Venture v. Borough of Bloomingdale and Planning Board of Bloomingdale, et al, Docket No. PAS-L-3361-05, and D.R. Horton, Inc. - New Jersey and Bloomingdale Joint Venture, Joint Venture Partners v. Borough of Bloomingdale Planning Board, et al, Docket No. PAS-L-1259-06 (the “Bloomingdale Builder’s Remedy Action”) that resulted in a Court-ordered Builder’s Remedy for a tract of land identified on the Borough’s Tax Map as Block 59, Lot 1.04, and Block 60, Lots 9.02, 16.01, 16.02, 21.02, 21.03, 45, 46, 47, 48.02, 60.01, and 60.02 (the “Meer Tract”); and

WHEREAS, the Court Order entered February 28, 2007, by the Honorable Burrell I Humphreys, JAD, specifically anticipates the use of the above described tract for an inclusionary residential development consisting of a maximum of 360 for sale multi-family dwelling units, including 72 low and moderate income for sale units, all to be constructed within a total of six buildings, each designed with four residential floors over a parking level and each containing a maximum of 60 dwelling units; and

WHEREAS, the accommodation of said Builder's Remedy required a change in the zoning of the tract to accommodate the type and configuration of development contemplated by the Court on a site impacted by steep slopes, rock outcroppings, wetlands and wooded areas; and

WHEREAS, the Court-appointed Special Master oversaw the process of preparing Ordinance No. 13-2007, a zoning amendment effectuating the Court Order; and

WHEREAS, the Planning Board of the Borough of Bloomingdale determined that the zoning amendment is consistent with the adopted and anticipated Housing Element and Fair Share Plan of the Borough and is designed to effectuate such Housing Element and Fair Share Plan; and

WHEREAS, on July 17, 2007 the Governing Body of the Borough of Bloomingdale adopted Ordinance No. 13-2007 and said Ordinance has not been challenged by any person or entity in Court; and

WHEREAS, Plaintiffs submitted a site plan application to the Borough of Bloomingdale Planning Board for affordable housing development on the Meer Tract consistent with Ordinance No. 13-2007 which plan was approved by the Planning Board at a duly constituted public meeting held on May 22, 2008 and memorialized by "Resolution Bloomingdale Planning Board Application #618;" and

WHEREAS, a requirement of Resolution Bloomingdale Planning Board Application #618 is for the applicant to enter into a Developer's Agreement with the Borough of Bloomingdale; and

WHEREAS, the Governing Body of the Borough of Bloomingdale has reviewed the proposed Developer's Agreement and has considered the recommendation of the Borough Attorney, Borough Engineer, Planning Board Attorney, and Planning Board Engineer that the proposed Developer's Agreement be approved and executed by the Borough of Bloomingdale:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby approve the Developer's Agreement submitted to it and does hereby authorize Mayor William R. Steenstra to execute the Developer's Agreement on behalf of the Borough of Bloomingdale.

Borough Attorney noted that Councilman Schiffman is not conflicted on voting on this even though he is a member of the Planning Board and will also vote on it at their meeting.

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

Discussion and Approval of Cell Tower Co-Location Agreement

This will be held until the July meeting as some answers have to be obtained yet.

Participation in Passaic County Community Development Block Grant Program for Fiscal Years 2011; 2012 and 2013

Councilwoman Huntley moved that the Borough make application for this grant which deadline is June 30, 2010; seconded by Councilman Vroom and carried as per the following roll call: council Members: Marinaro; Pituch; Schiffman; Vroom and Huntley all Yes. ABSENT: Councilman Specchio

RESOLUTION #2010-6.8A
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough of Bloomingdale and the County of Passaic wish to establish a cooperative means of conducting certain eligible community development and affordable housing activities; and

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, as amended, provides federal funds to the County of Passaic to implement eligible Community Development block Grant activities therein; and

WHEREAS, the Borough of Bloomingdale will propose certain activities to be carried out under the Passaic County Community Development Block Grant Program for Fiscal years 2011, 2012 and 2013; and

WHEREAS, the aforesaid activities are in the best interest of the Borough of Bloomingdale;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale authorizes the mayor to execute the Cooperative Agreement with the County of Passaic to participate in the Passaic County Community Development Block Grant Program for Fiscal Years 2011, 2012 and 2013; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment as provided by law.

(Councilman Specchio entered the meeting at this time, 8:11 p.m.)

Acceptance of Resignation of Al Lavoie as Member of the Economic Development Commission

Councilwoman Huntley moved for the acceptance with regret of Al Lavoie as a Member of the Economic Development Commission with regret; seconded by Councilman Schiffman and carried as per the following roll call: Council members: Pituch; Schiffman; Specchio; Vroom; Huntley and Marinaro all YES.

At this time, the Mayor and Council and Professionals thanked Mr. Lavoie for his sixteen years of volunteerism to the Borough at its citizens.

Adoption of Resolution #2010-6.2: Payment of Municipal Obligations

Councilwoman Huntley moved for the adoption of the following Resolution:

RESOLUTION - #2010-6.2
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Authorizing Payment of Municipal Obligations

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

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RECREATION	9,073.34	SPEC. ASSESS.	1,000.00
UNEMPLOYMENT	0.00	RECREATION	617.36
ROSE FUND	43,662.72	UTILITY CAP	000.00
RECYCLING	1,600.00	DOG	000.00
TOTAL	1,754,526.30		

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.

Discussion as to new law in regard to costs for OPRA copies

At this time, discussion was held as to the impending change in costs for copies under the OPRA law which is due to go into effect July 1, 2010; it was noted that there may be legislation regulating fee to be \$.10 for letter sized copies and \$.15 for legal size.

Councilman Vroom moved that effective July 1, 2010, the fee for copies be \$.10 for letter size and \$.15 for legal size unless indicated differently from the State; the ordinance will have to be change to reflect this also; seconded by Councilman Specchio and carried as per the following roll call: Council Members: Specchio; Vroom; Huntley; Marinaro; Pituch and Schiffman all YES.

Adoption of Resolution #2010-6.9: Renewal of 2010-2011 Liquor Licenses

Municipal Clerk noted that three licenses cannot be approved this evening due to the following reasons:

License #	Wahab Enterprises, Inc. – Awaiting Special Ruling from the State
License #	Tres Sombreros – Awaiting Special Ruling from the State
License #	Kopic Restaurant – Has not submitted application due to his Establishment having been destroyed by fire

Discussion followed as to possibility of waiving municipal fee for Kopic's when he reopens his building and gets his certificate of occupancy; this will be addressed when we receive his application.

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

**RESOLUTION #2010-6.9
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Renewal Of Alcoholic Beverage Licenses For 2010-2011 (Effective July 1, 2010)

WHEREAS, the Governing Body of the Borough of Bloomingdale has been informed by the Municipal Clerk that the following names, persons and corporations have made application for the renewal of their alcoholic beverage licenses; and

WHEREAS, said applications are accompanied by the necessary fee; and

WHEREAS, each applicant has filed with the Municipal Clerk a copy of the application for forwarding to the State Division of Alcoholic Beverage Control, together with the necessary \$200.00 fee for said Division; and

WHEREAS, a copy of the Tax Clearance Certificate has been received for each applicant from the State of New Jersey Department of Taxation; and

WHEREAS, no objections have been filed in writing with the Municipal Clerk against the granting of these renewals and no objections being heard hereto;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby authorized to renew the alcoholic beverage licenses of the following places:

PLENARY RETAIL CONSUMPTION

Riverside Pub L.L.C. 161 Hamburg Turnpike t/a Riverside Pub	#1601-33-007-007 (Inactive License)
Salina Inc. 49 Main Street t/a Lina's	#1601-33-012-006
Timmy Kate, Inc. 231 Hamburg Turnpike t/a Stumble Inn	#1601-33-009-003
Shree Sai, Inc. 139 Hamburg Turnpike t/a Turnpike Liquors	#1601-33-001-004
NLS Management 6 Mulberry Trail Kinnelon, NJ 07405	#1601-33-008-010 (Inactive License)

PLENARY RETAIL DISTRIBUTION

HMT Inc. t/a Liquor City 29 Main Street	#1601-44-005-006
Calais Place Corporation 82Main Street t/a Bloomingdale Liquors	#1601-44-004-004

CLUB LICENSE

Bloomingdale Fire Department 97 Hamburg Turnpike	#1601-31-013-001
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Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro; Pituch; Schiffman and Specchio all YES.

Introduction of Ordinance #5-2010: Amending Chapter XIX; Solid Waste Management/Regulation of Refuse Containers/Dumpsters

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XIX, SOLID WASTE MANAGEMENT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BLOOMINGDALE TO REGULATE REFUSE CONTAINERS/DUMPSTERS was introduced by title by councilman Vroom who moved that second and final reading and public hearing be held on July 27, 2010 at 7:30 p.m.

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

Introduction of Ordinance #6-2010: Amending Chapter XXXI; Regulate Fertilizer Application

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XXXI, DRAINAGE AND STORMWATER MANAGEMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BLOOMINGDALE TO REGULATE FERTILIZER APPLICATION was introduced by title by councilman Vroom who moved that second and final reading and public hearing be held on July 27, 2010 at 7:30 p.m.

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

Introduction of Ordinance #7-2010: Amending Chapter XXXI; Regulate Private Storm Drain Inlet Retrofitting

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XXXI, DRAINAGE AND STORMWATER MANAGEMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BLOOMINGDALE TO REGULATE PRIVATE STORM DRAIN INLET RETROFITTING was introduced by title by councilman Vroom who moved that second and final reading and public hearing be held on July 27, 2010 at 7:30 p.m.

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

Adoption of Resolution #2010-6.10: Approval of Interlocal Service Agreement with Borough of Kinnelon for Animal Control Services

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

**RESOLUTION #2010-6.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

ADOPTING AN INTERLOCAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF BLOOMINGDALE AND THE BOROUGH OF NORTH CALDWELL FOR ANIMAL CONTROL SERVICES

WHEREAS, the Borough of Bloomingdale and the Borough of North Caldwell are in agreement that it is necessary for the Borough of Bloomingdale to provide Animal Control Services to the Borough of Kinnelon and;

WHEREAS, the Borough of Bloomingdale provides this service to other municipalities currently and is thereby qualified to provide this service to North Caldwell;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale that an interlocal agreement be entered into between the Borough of Bloomingdale and the Borough of Kinnelon with the terms specified in the interlocal agreement June 1, 2010 through December 31, 2010;

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

Letter from Bloomingdale Police Benevolent Association Local 354 Requesting Start of Contract Negotiations

Consensus that a Committee comprised of Council Members: Specchio and Schiffman, Borough Attorney and Borough Administrator will commence negotiations with the Bloomingdale PBA.

Request from Bloomingdale Girl Scouts to Waive their \$5.00 Garage Sale fee

Councilman Vroom moved to waive the garage sale permit fee for the Bloomingdale Girl Scouts; seconded by Councilman Schiffman and carried as per the following roll call: Council Members: Marinaro; Pituch; Schiffman; Specchio; Vroom and Huntley all Yes.

Introduction of Transparency Ordinance

Discussion followed as to this being referred to a Committee to come up with an ordinance for introduction. Committee will be comprised of Council Members: Huntley and Pituch; Borough Administrator, Chief Finance Officer and residents of the Borough.

Adoption of Resolution #2010-6.11: 2008 Municipal Aid Program Extension/Sloan Park Bridge

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

**RESOLUTION #2010-6.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Requesting Extension of New Jersey Department of Transportation Fiscal Year 2008
Municipal Aid Program***

WHEREAS, THE Borough of Bloomingdale was awarded funding from the New Jersey Department of Transportation's (NJDOT) Fiscal year 2008 Municipal Aid Program for the Sloan Park Bridge in the amount of \$231,000 on January 23, 2008; and

WHEREAS THE Borough of Bloomingdale has encountered unforeseen utility issues;

NOW, THEREFORE, BE IT RESOLVED THAT THE Mayor and Council of the Borough of Bloomingdale request an extension for the NJDOT Fiscal Year 2009 Municipal Aid program for the Sloan Park Bridge until December 28, 2010.

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

Adoption of Resolution #2010-6.12: 2009 Municipal Aid Program Extension/Van Dam and Woodward Avenue

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

**RESOLUTION #2010-6.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Requesting Extension of New Jersey Department of Transportation Fiscal Year 2009
Municipal Aid Program***

WHEREAS, THE Borough of Bloomingdale was awarded funding from the New Jersey Department of Transportation's (NJDOT) Fiscal year 2009 Municipal Aid Program for the Van Dam Avenue and Woodward Avenue Improvements in the amount of 150,000 on November 14, 2008; and

WHEREAS THE Borough of Bloomingdale has encountered unforeseen utility issues;

NOW, THEREFORE, BE IT RESOLVED THAT THE Mayor and Council of the Borough of Bloomingdale request an extension for the NJDOT Fiscal Year 2009 Municipal Aid program for the Woodward Avenue and Van Dam Avenue Improvements until December 28, 2010.

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 #2010-6.13: Authorization for Executive Session

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

**RESOLUTION #2010-6.13
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. Negotiations – Four matters
4. Minutes will be taken.
5. It is anticipated at this time that minutes of the above-referenced subject matter will be made public when it is in order to do so.
6. This Resolution shall take effect immediately.

Councilman Specchio seconded the motion and it carried on voice vote.

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

RECONVENED

Mayor Steenstra reconvened the meeting at 10:19 p.m.

Introduction of Ordinance #8-2010: AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) was introduced by title by Councilman Specchio who moved that second and final reading and public hearing be held on July 27, 2010 at 7:30 p.m.

Councilman Marinaro 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 #2010-6.14: Introduction of FY2010 Municipal Budget

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

Borough of Bloomingdale [Code 1601], Passaic County - 2010 Budget

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Borough of Bloomingdale, County of Passaic for the Fiscal Year 2010.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2010;

Be It Further Resolved, that said Budget be published in the * type name of publication here

In the issue of June 15th, 2010.

The Governing Body of the Borough of Bloomingdale, does hereby approve the following as the Budget for the year 2010:

<p>RECORDED VOTE (Insert last name)</p>	<p>Ayes {</p>	<p>Huntley Marinaro Pituch Schiffman Specchio Vroom</p>	<p>Nays {</p>	<p>Abstained {</p>	<p>Absent {</p>
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Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Bloomingdale, County of Passaic, on June 15th, 2010.

A Hearing on the Budget and Tax Resolution will be held at Borough Hall, on July 27th, 2010 at

7:30 o'clock ^(A.M.) _(P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons. _(Cross out one)

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Borough of Bloomingdale [Code 1601], Passaic County - 2010 Budget

Councilman Marinaro seconded the motion and the motion carried as per the following roll call: Council members: Vroom, YES; Huntley, YES to keep the operation of the Borough going; Marinaro, YES; Pituch, YES, to keep the operation of the Borough going; Schiffman, YES, to keep the operation of the Borough going and Specchio, YES.

Adoption of Resolution #2010-6.3: Authorizing Issuance of Estimated Property Tax Bills

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

**RESOLUTION #2010-6.3
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Issuance of Estimated Property Tax Bills

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has petitioned the State of New Jersey (“State”) to grant a pension deferral for calendar year 2010; and

WHEREAS, the Governing Body finds and declares that this pension deferral may not be approved by the State in advance of billing the third quarter taxes that are due on August 1, 2010 within the statutory guidelines; and

WHEREAS, the Governing Body further finds and declares that Borough financial officials have determined that there could be insufficient cash flow to support operations in late July, 2010 unless third quarter revenue is received on time; and

WHEREAS, the Governing Body further finds and declares that Tax Collector Cora M. Wright and Chief Financial Officer Donna M. Mollineaux have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and are recommending authorization to issue property tax bills based upon this estimated tax levy;

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

1. That Bloomingdale Tax Collector Cora M. Wright be and is hereby authorized and directed

to prepare and issue estimated tax bills for the Borough of Bloomingdale for the third quarter of 2009, in accordance with the provisions of N.J.S.A. 54:4-66.2, et seq.;

2. That the entire estimated tax levy for FY2010 be and is hereby set at \$25,836,532.91; and

3. That Bloomingdale Tax Collector Cora M. Wright be and is hereby authorized to undertake any and all additional steps deemed necessary and appropriate to immediately implement the substance of this Resolution.

Councilman Specchio 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 #2010-6.15: Temporary Emergency

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

RESOLUTION #2010-6.15
BOROUGH OF BLOOMINGDALE
EMERGENCY RESOLUTION
N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)

WHEREAS, pursuant to N.J.S.A. 40a:4-19 the Borough council of the Borough of Bloomingdale adopted Resolutions to provide temporary funds for the period from January 1, 2009 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

WHEREAS, additional appropriations will be required from June 15, 2010 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF BLOOMINGDALE, NEW JERSEY, that:

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

General Administration	Salary & Wages		\$20,000.00
General Administration	Other Expenses		\$5,000.00
Municipal Clerk	Salary & Wages		\$7,533.00
Municipal Clerk	Other Expenses		\$5,000.00
Tax Collection	Salary & Wages		\$10,000.00
Tax Collection	Other Expenses		\$2,000.00
Tax Assessment	Salary & Wages		\$5,000.00
Legal Services	Salary & Wages		\$20,000.00
Legal Services	Other Expenses		\$2,000.00
Planning Board	Salary & Wages		\$3,000.00
Planning Board	Other Expenses		\$10,000.00
Uniform Construction Code	Other Expenses		\$5,000.00
Property Main.	Salary & Wages		\$5,000.00
Police Dispatchers	Salary & Wages		\$10,000.00
Municipal Prosecutor	Salary & Wages		\$2,000.00
Beautification	Other Expenses		\$1,000.00
Sanitation	Salary & Wages		\$30,000.00
Sanitation	Other Expenses		\$2,000.00
Shade Tree	Other Expenses		\$1,500.00
Buildings & Grounds	Other Expenses		\$5,000.00
Tipping Fees	Other Expenses		\$50,000.00
Public Health Services	Salary & Wages		\$5,000.00

Recreation	Salary & Wages		\$10,000.00
Recreation	Other Expenses		\$5,000.00
Celebration of Public Events	Other Expenses		\$10,000.00
Senior Citizens	Salary & Wages		\$2,000.00
Telephone	Other Expenses		\$5,000.00
Gasoline	Other Expenses		\$10,000.00
Social Security	Other Expenses		\$25,000.00
Municipal Court	Salary & Wages		\$10,000.00
Municipal Court	Other Expenses		\$2,000.00
Interlocal Agreement-Health	Other Expenses		\$8,000.00
Interlocal Butler Construction	Salary & Wages		\$5,000.00
Library	Other Expenses		\$80,000.00
Debt Service	Other Expenses		\$227,000.00
TOTAL			\$605,033.00

TOTAL CURRENT FUND

\$605,033.00

WATER AND SEWER UTILITY FUND

Municipal Utility Services	Salary & Wages		\$ 30,000.00
Capital Outlay	Other Expenses		\$20,000.00
Total			\$50,000.00
Debt Service	Other Expenses		\$27,425.00
Total			\$27,425.00

TOTAL WATER AND SEWER

\$77,425.00

2. This action shall take effect June 15, 2010.
3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Bloomingdale.

Councilman Marinaro seconded the motion.

Councilwoman Huntley noted that she wanted to be sure that any amounts that are being appropriated for the budget on this resolution are for necessary items; no discretionary spending. Chief Financial Officer Mollineaux noted that there are no discretionary items; they are items that are necessary to run the Borough.

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

LATE PUBLIC COMMENT

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

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

ADJOURNMENT

Since there was no further business to be conducted, Councilman Specchio moved to ADJOURN the meeting at 10:29 p.m.; seconded by Councilman Schiffman and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk