

April 26, 2011

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike. Mayor Dunleavy called the meeting to order at 7:06 p.m.

**SALUTE TO THE AMERICAN FLAG**

Mayor Dunleavy led the Salute to the Flag followed by a moment of silence for former Fire Chief Edwin Duane Muldoon who recently passed away.

**ROLL CALL**

|                               |                        |  |
|-------------------------------|------------------------|--|
| <i>In Attendance:</i>         | Mayor:                 | Jon Dunleavy   |
|                               | Council President:     | Linda Huntley (Entered at 7:22 p.m.)   |
|                               | Council Members:       | Bernie Vroom<br>Jo-Ann Pituch<br>Glenn Schiffman<br>Linda Shortman<br>Mark Conklin |
| <i>Professionals Present:</i> | Municipal Clerk:       | Jane McCarthy  |
|                               | Borough Administrator: | Ted Ehrenburg  |
|                               | Borough Attorney:      | Mark Semeraro, Esq.  |

**PUBLIC NOTICE STATEMENT**

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

**PRESENTATIONS**

At this time the Mayor and Council recognized the following business owners for recent improvements to their buildings:

Foodworld  
Liquor City  
Andy's Refrigeration

The presentations were roundly applauded by all those in attendance.

At this time, the Mayor and Council presented a plaque of appreciation to Greg Tuck, Administrator for the Salvation Army for all their efforts in assisting our residents in various activities and most recently in assisting with housing during the flood.

The presentation was roundly applauded by all those in attendance.

**EARLY PUBLIC COMMENT**

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

The following people spoke in favor of lights being installed at the Walter T. Bergen School field:

|                |                             |
|----------------|-----------------------------|
| Bernard Vroom  | 183 Reeve Avenue            |
| Ray Yazdi      | 36 Bailey Avenue            |
| Frank O'Reilly | 21 Pearl Street             |
| John Darcey    | 80 South Road               |
| Brad McKenn    | 79 Sisco Place              |
| Sally Fein     | 17 Poplar Street            |
| Gail Galbraith | 12B Brookside Hts., Wanaque |
| Pete Ensley    | 10 Sunrise Avenue           |
| Meg Gray       | 72 Star Lake Road           |

The following people expressed their concern in regard to recreation and/or dissatisfaction with the installation of the lights at the Walter T. Bergen School Field:

*(Councilwoman Huntley entered at this time, 7:22 p.m.)*

|                  |                    |
|------------------|--------------------|
| Carla DeWitt     | Kampfe Lake        |
| Leonard Dale     | Reeve Avenue       |
| Lesley Monsees   | 153 Rafkind Road   |
| Lori Weinbrock   | 45 Highland Road   |
| Elaine Petrowski | 14 Buena Vista Way |
| Ron Caputo       | 42 Bogue Drive     |

Brian Spellmon of Natalie Court offered his services along with some residents to help install the poles at the field.

In response to a comment made about the Senior Citizens taxes being frozen, Barbara neinstedt, Tax Collectors stated that anyone who was in the program is still in place; when the State passes their budget, we will know if the program is still in force.

Discussion followed with members of the Governing Body and the Borough Engineer who entered the meeting in regard to drainage and safety issues at the field. Question was posed as to whether the lights should be installed first or the drainage fixed. Borough Engineer stated that he is not familiar with any drainage problems; there are drainage issues but not problems.

Members of the Council expressed their concern in regard to safety issues and felt the drainage should be addressed first.

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

## **PROFESSIONAL REPORTS**

### **Report from Borough Engineer in regard to flooding in the Borough**

At this time, the Borough Engineer reported on a meeting he had with the Department of

Environmental Protection whereby they discussed the flooding at Sloan Park and replacing the bridge; they will allow the Borough to reconstruct the stream bank; it is not going to be a man made retaining wall, low flow vegetation; restore the bank to its original grade. Permit application would be 90 days; cost ½ million dollars. They will not allow a temporary fix.

Discussion followed in regard to using the ROSE fund monies; recommended to take out the water abutment and spend \$5,000 for the study required to prove that it will have no detrimental effect.

Cost savings on a pedestrian v passenger bridge is about \$15,000 on a \$300,000 project; both permits are achievable.

Borough Engineer recommended moving ahead and deciding what kind of bridge you want.

In regard to desilting or desnagging, this is in the realm of the Army corps of Engineers.

#### **Discussion in regard to the valves in Sloan Park.**

Consensus that the Borough Engineer, Mr. Spellmon and Mr. Yazdi will meet at 8 a.m. on Saturday with the Borough Engineer to go over the Walter T. Bergen School Field to access the drainage.

### **DEPARTMENT REPORTS**

#### **Borough Administrator**

**RER Contract** – meeting with them on Thursday at 10 a.m.

**Lighting on Main Street** – two poles are being replace; still waiting for two more.

**Woodward Avenue Paving** – Waiting for Borough Attorney to approve so that the contracts can be executed and work commence.

**FEMA Reimbursement** – Chief Financial Officer is in contact with the State and waiting for the monies to come in.

**Water Tank Painting** – This will go out in the fall for bid.

**Chestnut Street** – This will go out to bid within two weeks; waiting on some easements.

**Animal Control Bids** – Borough Administrator has completed the specifications and the Animal control Investigator is reviewing; they will be sent to the Borough Attorney by Friday.

**Energy Grant** – The Contractor has not been determined at this point.

**Oakwood Park Grant** – Borough Engineer looked at it; they will start the design after they finish Chestnut Street.

**Henion Street** – Borough Administrator will contact Deborah Hoffman as to what the status is.

### **DEPARTMENT REPORTS**

#### **Municipal Clerk**

**School Board Election** – April 27, 2011; polls open from 3 p.m. until 9 p.m.

**RECESS**

Councilwoman Shortman moved to recess at this time; seconded by Councilwoman Huntley and carried on voice vote.

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 9:47 p.m.

**REPORTS FROM MAYOR AND COUNCIL**

**Property Maintenance**

Councilwoman Shortman stated that we have a list of residences that were notified in regard to trash being put out on the holiday; noted that we must educate them that no trash should be put out before 6 p.m. the day before pickup.

**Friends of the Library**

Councilwoman Pituch spoke in regard to the book collection drive which is going on until May 13; they can be dropped off at the Library.

Also noted that the Library will be celebrating their 85 years of service on May 7.

**Friendship Park**

Councilwoman Shortman spoke in regard to discussion. with Kathleen Caren of the County to look at Friendship Park and possible enhancements. Also, discussion as to possible acquisition of Kings Korner for open space.

**Trout contest**

This will be held Saturday at 10 a.m.

**DEPARTMENT REPORTS CONTINUED**

**DPW Report** – Report has been copied to all and it was noted that the DEP has given the DPW a clean bill of health. RER brought us into compliance.

**APPROVAL OF CONSENT AGENDA**

Councilman Vroom moved that the following Consent Agenda be approved:

- A. Approval of information Items List for Week Ending Aril 7 & 12, 2011

Councilwoman Shortman seconded the motion, and it carried on voice vote.

**PENDING BUSINESS**

**Status of Walter T. Bergen Lighting Project**

Councilwoman Huntley moved to TABLE this until May 10, 2011; seconded by Councilman Vroom.

Councilwoman Shortman would like the residents on Walter Drive notified that this will be discussed at the May 10, 2011 meeting.

She also would like to know the expenses and maintenance costs that will be incurred with the lights.

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

**Police Vehicle**

This has been tabled until the budget is reviewed.

**Reintroduction of Ordinance #4-2011: Traffic Ordinance**

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE FOR PLACEMENT AND REMOVE OF TRAFFIC SIGNS AT VARIOUS LOCATIONS IN THE BOROUGH*** was introduced by title by Councilman Vroom who moved that second and final reading and public hearing will be held on Tuesday, May 10, 2011 at 7 p.m.; seconded by councilman Schiffman and carried as per the following roll call: Council Members: Huntley; Pituch; Schiffman; Shortman; Vroom; and Conklin all YES.

**Status of Email archiving – This is still pending.**

**Update on Municipal Budget**

Councilwoman Huntley stated that she is waiting for recommendations and reductions from the Chief Financial Officer and Borough Administrator per their suggestions.

**Status on Ethics Ordinance**

Borough Attorney stated that he met with Council President Huntley and took some of her concerns with the intent of preparing a proposed new ordinance; noted that we do not have a local ethics board and in order for this to be in effect, we need one.

**Status on Highland Opt-In**

Mayor noted that we received a grant to review our status; we are awaiting review of the Planning Board Engineer; they will be meeting May 3 to discuss the Master Plan.

**Status of On-line Bill Payment s**

This is a budgetary item; believe there is a \$1,000 setup fee.

**Status on Reevaluation**

Awaiting Wanaque to go out to bid; project should commence this year per Borough Administrator.

### **Tax Appeals**

No answer at this point.

### **Status of ROSE Fund**

ROSE has met and they anticipate having a recommendation to the Governing Body by the May 10 meeting.

### **Status of Animal Shelter bids**

Borough Attorney will review once he has received the specifications.

### **Status of Main Street sidewalk**

DPW has made a temporary repair; we are awaiting two more estimates for a permanent repair.

### **Pending Grants**

Nothing at this time.

### **Status of James Street**

At this time, the Borough Attorney stated that we had information from the Borough Engineer which included a title search. This is a paper street and we do have different options available as to how to proceed. It is a flag lot that has access to this right of way and has been used as a driveway. The ability to pave it and treat it as a roadway would require us to meet the RSIS standards. There are different standards for alleyways.

Borough Attorney outlined various options:

- RSIS standard for an alleyway
- Give the property owner right to private driveway access
- Borough pave it – estimate to pave was \$12,000 last year

Discussion followed in regard to having the Borough Engineer do an analysis to make it RSIS standard as an alleyway.

Kimberly White, resident who spoke on behalf of 41, 41B and 49 Vreeland Avenue, spoke in regard to the safety issues and fact that drainage needs to be addressed also.

Councilwoman Huntley moved for authorization for the Borough Engineer to give us a proposal to bring it up to RSIS standard for an alleyway; seconded by Councilman Vroom and carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Vroom; Conklin and Huntley all YES.

## **INTRODUCTION OF NEW BUSINESS**

### **Adoption of Resolution #2011-4.10: Payment of Bills**



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

**RESOLUTION #2011-4.11  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorization for Application to Passaic County for Participation in Their Summer Help Program***

WHEREAS, there exists a need for temporary seasonal help within the Department of Public Works during the summer months; and

WHEREAS, due to budget constraints, the municipality is unable to fund temporary seasonal help; and

WHEREAS, Passaic County is again offering a program to municipalities and private entities for temporary help through the Passaic County Workforce Development Center for no cost to the recipient; and

WHEREAS, the borough was a recipient of this program for 2011; and

WHEREAS, the Superintendent of the Department of Public Works recommends that the Mayor and Council again apply for this program to supplement the workforce for the summer;

NOW THEREFORE BE IT RESOLVED that the Borough of Bloomingdale shall apply to Passaic County for temporary seasonal help for the summer of 2011.

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

**Approval of Borough Engineer to look at property at the river edge on First Street**

Councilwoman Shortman moved that authorization be given to have the Borough Engineer look at the condition of the property at the river edge on First Street; seconded by Councilwoman Huntley and carried as per the following roll call: Council Members: Vroom; Conklin; Huntley; Pituch; Schiffman and Shortman all YES.

**Adoption of Resolution #2011-4.12: Authorization to dispose of old vehicles**

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

**RESOLUTION #2011-4.12  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Disposal of Two Borough Vehicles***

WHEREAS, there exists an opportunity for the Borough of Bloomingdale to dispose of two

vehicles that have been deemed useless and beyond reasonable repair by the borough mechanics.

WHEREAS, the Borough of Bloomingdale is authorizing the Borough Administrator to dispose of these two vehicles, namely a 1994 Ford Explorer, vehicle identification number 1FMDU34X3RUB55299 and a 1999 Ford Crown Victoria, vehicle identification number 2FAFP71W2XX172484and;

NOW, THEREFORE BE IT RESOLVED that the Borough of Bloomingdale is hereby authorizes the Borough Administrator to the disposal of these

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

**Adoption of Resolution #2011-4.13: Asking Governor to investigate the Dam Release and management by the Newark Watershed upstream from Bloomingdale**

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

**RESOLUTION #2011-4.13  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, flooding is occurring within the Borough of Bloomingdale and ever increasing frequency and ever increasing severity; and

**WHEREAS**, the occurrences of flooding have increased in frequency since the installation of the new dam at the Pompton Falls and appears to occur at less severe storms than prior thereto; and

**WHEREAS**, rumors are abound that the increase in flooding occurrences is attributable to the manner in which the Newark Watershed manages its water upstream from the Borough of Bloomingdale; and

**WHEREAS**, the Borough of Bloomingdale feels that it is in the best interests of the health, safety and welfare of the residents of Bloomingdale that the State of New Jersey performs a thorough investigation as to any changes that have been made with respect to water management both upstream and downstream from the Borough of Bloomingdale; and

**IT IS HEREBY RESOLVED**, that the Borough of Bloomingdale hereby petitions the Governor of the State of New Jersey to investigate the water management practices of all water management authorities including, but not limited to the Newark Watershed, in order to investigate the cause or causes of the increase in the frequency and severity of flooding affecting the residents of the Borough of Bloomingdale, to ascertain what can be done to minimize said occurrences and mitigate the impact there from on the residents of the Borough of Bloomingdale and to implement any flood saving measures identified there from.

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

council Members: Huntley; Pituch; Schiffman; Shortman; Vroom and Conklin all YES.

**Adoption of Resolution #2011-4.14: Requesting End to State Diversion of Municipal Revenues and Demand Compliance with state laws**

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

**RESOLUTION #2011-4.14  
OF THE GOVERNING BODY  
OF THE BROUGH OF BLOOMINGDALE**

***RESOLUTION TO END STATE DIVERSION OF MUNICIPAL REVENUES AND DEMAND COMPLIANCE WITH STATE LAWS***

**WHEREAS**, there are two main formula-driven general municipal property tax relief programs currently on the books in our Garden State; and

**WHEREAS**, though often referred to as “State Aid” programs, these are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected locally; and

**WHEREAS**, the first is the Energy Tax Receipts Property Tax Relief program - the direct descendant of the Public Utility Gross Receipts and Franchise Tax, which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

**WHEREAS**, in the early 1980s, at the request and for the convenience of the taxpaying utilities, the State became the collection agent for this assessment, and the law that effected this change promised that the proceeds would be distributed back to the municipalities, which provide services to utility facilities and from whence come utility profits; and

**WHEREAS**, the State of New Jersey never honored that commitment, immediately and annually diverting large and growing portions of the proceeds to its own general fund; and

**WHEREAS**, modernization and deregulation led to a major reform of utility taxes in the mid-nineties, which validated and, supposedly, capped the State’s annual portion of the tax proceeds; and

**WHEREAS**, that law also included a ‘poison pill,’ which required the State to annually increase the municipal distribution of Energy Tax proceeds and to cap its skim; and it, further, provided that failure to honor that pledge would result in the forfeiture of the State’s authority to collect the tax; and

**WHEREAS**, around the same time, for its own convenience, the State decided to ‘consolidate’ a number of previously discrete municipal property tax relief programs; and

**WHEREAS**, while some may see ‘no rhyme or reason’ to the distribution of Consolidated Municipal Property Tax Receipts Aid (CMPTRA), each of its component parts was distributed according to state established formulas, and many of those parts were, like Energy Taxes, the lineal descendants of taxes that had once been assessed and collected at the municipal level; and

**WHEREAS**, among its many components, CMPTRA includes the Financial Business Tax, the Business Personal Property Tax Replacement, the Railroad Class II Property Tax, the Insurance Franchise Tax, the Corporation Business Tax on Banking Corporations and State PILOT payments, that had been under-funded for many years, prior to being folded into CMPTRA; and

**WHEREAS**, these are, or were, all municipal revenue replacement programs - not, properly speaking, State aid, in that they were not meant to make things better for municipal property taxpayers; they were only intended to keep things from getting worse; and

**WHEREAS**, in the late-nineties, a law was passed that required both the Energy Tax and CMPTRA distributions to be annually increased by the rate of inflation; and

**WHEREAS**, that law posed a special problem for future State budget makers, but, as those budget makers viewed the matter, the problem was not how to comply with the requirement; the problem was how to avoid compliance without invoking the Energy Tax ‘poison pill,’ and

**WHEREAS**, State policy makers found a way to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, which was done by annually reducing the CPMTRA distribution by the same amount that it increased the Energy Tax distribution; and

**WHEREAS**, thereafter, the State strayed even farther from original legislative intent, when, in 2008 (SFY 2009), CMPTRA was reduced by about \$62 million more than the Energy Tax was increased, and in 2009 (SFY 2010), the net loss equaled about \$32 million; and

**WHEREAS**, the State’s Fiscal Year 2011 budget, in which the total distribution of CMPTRA and ETR was reduced by approximately 17 percent, or \$272 million from \$1.565 billion to \$1.293 billion, honoring neither the letter nor the spirit of applicable State laws.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale, that we demand an immediate end to the State’s reliance on the municipal property tax relief revenues to balance its budget and address other priorities; and

**BE IT FURTHER RESOLVED**, that we call on the Governor to introduce and the Legislature to adopt an FY 2012 State Budget that provides for the full statutory distribution of Energy Tax and CMPTRA revenue replacement funding, and to continue to honor the letter and spirit of the applicable State statutes, in all years, thereafter; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of State of New Jersey.

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

**Adoption of Tax Office Resolutions 2011-4.15 through 2011-4.21**

Councilwoman Huntley offered the following Resolutions and moved for their adoption:

**RESOLUTION #2011 -4.21  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #10-00013***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 3, 2011, a lien was sold on, 37 KNOLLS ROAD, BLOOMINGDALE, for delinquent year 2010 taxes, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 92.B, Lot 18, owned by JOHN KUHN; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien is known as

Tax Title Lien Certificate (TTL) # 10-00013, which was sold to ACE PLUS, LLC for a PREMIUM of \$6,200.00; and

**WHEREAS**, the Governing Body further finds and declares that John Kuhn, Owner of record, has requested redemption of TTL # 10-00013; and

**WHEREAS**, the Governing Body further finds and declares that John Kuhn, has paid all monies due on TTL # 10-00013, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ \$5,158.18 for the lien redemption and \$6,200.00 for return of the PREMIUM payable to Ace Plus, LLC, 1416 Avenue L, Brooklyn, NY 11230, for the redemption and cancellation of Tax Title Lien Certificate # 10-00013.

1099 = \$ 125.01

**RESOLUTION #2011 – 4.16  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Overpayments in Tax Office*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares Renee Frere DeJohn, previous owner of 27 Sandra Lane, known as Block 92, Lot 30.27 on the tax maps, is entitled to refund for 2009 Homestead Rebate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue refund check to the following:

Renee Frere DeJohn  
Address: 410 Park View  
Pompton Plains, NJ 07444

Refund Amount: \$306.77

**RESOLUTION #2011 – 4.17  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Overpayments in Tax Office*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares Tom Kelly, previous owner of 37 Sandra Lane, known as Block 96, Lot 7 on the tax maps, is entitled to refund for 2009 Homestead Rebate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue refund check to the following:

Tom Kelly  
Address: 1 Colonial Lane  
Kinnelon, NJ 07405

Refund Amount: \$471.02

**RESOLUTION #2011 -4.18  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Redemption and Cancellation of Tax Title Lien Certificate #090016*

**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, 120 MAIN STREET, BLOOMINGDALE, for delinquent year 2009 water/sewer, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 89, Lot 33, owned by George Mihalis & Gikas Fassilis; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 090016, which was sold to US BANK CUST FOR PRO CAPITAL I, LLC at 0 percent; and

**WHEREAS**, the Governing Body further finds and declares that, Corelogic Tax Services, LLC, mortgage holder of property, has requested redemption of TTL # 090016, and

**WHEREAS**, the Governing Body further finds and declares that Corelogic Tax Services, LLC, have paid all monies due on TTL # 090016, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ 8,309.63 for the lien redemption and \$501.00 for the premium, payable to US BANK CUST FOR PRO CAPITAL I, LLC, 50 SOUTH 16<sup>TH</sup> STREET, SUITE 1950, PHILADELPHIA, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate # 090016.

1099 = \$ 469.47

**RESOLUTION #2011-4.19  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

*Authorizing Redemption and Cancellation of Tax Title Lien Certificate #10-00022*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 3, 2011, a lien

was sold on, 67 RED TWIG TRAIL, BLOOMINGDALE, for delinquent year 2010 taxes, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 5.A, Lot 16, owned by Earl & Elisha Charles; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 10-00022, which was sold to CLEMENTE ENTERPRISES, LLC for a PREMIUM of \$ 4,500.00; and

**WHEREAS**, the Governing Body further finds and declares that Corelogic Tax Services, LLC, mortgage holder of property, has requested redemption of TTL # 10-00022, and

**WHEREAS**, the Governing Body further finds and declares that Corelogic Tax Services, LLC has paid all monies due on TTL # 10-00022, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ 11,736.13 for the lien redemption and \$ 4,500.00 for return of the PREMIUM payable to CLEMENTE ENTERPRISES, LLC, P.O. Box 514, Lincoln Park, NJ for the redemption and cancellation of Tax Title Lien Certificate # 10-00022.

1099 = \$ 443.10

**RESOLUTION #2011-4.20  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #10-00024***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 3, 2011, a lien was sold on, 45 BUENA VISTA WAY, BLOOMINGDALE, for delinquent year 2010 taxes, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 49.E, Lot 53, owned by William Drew; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 10-00024, which was sold to K.C.C. PROMISED LANDS, LLC for a PREMIUM of \$ 100.00; and

**WHEREAS**, the Governing Body further finds and declares that William Drew, owner of property, has requested redemption of TTL # 10-00024, and

**WHEREAS**, the Governing Body further finds and declares that William Drew has paid all monies due on TTL # 10-00024, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ 6,765.94 for the lien redemption and \$100.00 for return of the PREMIUM payable to K.C.C. PROMISED LANDS, LLC, 2560 Rt. 22 East, Scotch Plains, NJ for the redemption and cancellation of Tax Title Lien Certificate # 10-00024.

1099 = \$ 151.84

**RESOLUTION #2011 -4.21  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #10-00013***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on February 3, 2011, a lien was sold on, 37 KNOLLS ROAD, BLOOMINGDALE, for delinquent year 2010 taxes, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 92.B, Lot 18, owned by JOHN KUHN; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 10-00013, which was sold to ACE PLUS, LLC for a PREMIUM of \$6,200.00; and

**WHEREAS**, the Governing Body further finds and declares that John Kuhn, Owner of record, has requested redemption of TTL # 10-00013; and

**WHEREAS**, the Governing Body further finds and declares that John Kuhn, has paid all monies due on TTL # 10-00013, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ 5,158.18 for the lien redemption and \$6,200.00 for return of the PREMIUM payable to Ace Plus, LLC, 1416 Avenue L, Brooklyn, NY 11230, for the redemption and cancellation of Tax Title Lien Certificate # 10-00013.

1099 = \$ 125.01

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

***Adoption of Resolution #2011-4.22: Authorizing the Borough Engineer to act as the responsible official for matters relating to the Municipal Stormwater Regulation Program***  
**Program**

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

**RESOLUTION #2011-4.22  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS the State of New Jersey Department of Environmental Protection (NJDEP) requires the Borough of Bloomingdale to submit annual reports and other supporting documentation in connection with the Municipal Stormwater Regulation Program which regulates the discharge of stormwater from municipal separate storm sewers; and,

WHEREAS the NJDEP requires such annual reports and other supporting documentation to be signed by a "Responsible Official" in accordance N.J.A.C. 7:14A-4.9; and,

WHEREAS the "Responsible Official" for government agencies are defined as a ranking elected official; or a senior executive officer such as an Administrator; or a duly authorized representative; and,

WHEREAS the Borough Engineer is the Stormwater Program Coordinator of the Borough's Stormwater Pollution and Prevention Plan (SPPP) and is the most familiar with the reporting requirements of the Municipal Stormwater Regulation Program and other compliance matters relating to the Borough's stormwater discharge permit; and,

WHEREAS the Borough of Bloomingdale wishes to recognize the position of Borough Engineer as being a "duly authorized representative" of Borough of Bloomingdale in matters involving the Municipal Stormwater Regulation Program.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Engineer is duly authorized to act as a responsible official for matters relating to the Municipal Stormwater Regulation Program and is authorized to sign annual reports and/or other documentation as may be necessary to comply with the NJDEP stormwater discharge permit requirements.

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

**Adoption of Resolution #2011-4.23: Multi-Jurisdictional hazard Mitigation Plan**

At this time, Office of Emergency Management Coordinator Pete Croop spoke in regard to the County grant for hazard mitigation study; each town is required to put in a plan for future things that they have to address. We can amend our project which is the Van Dam Plan if need be.

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

**RESOLUTION #2011-4.23  
OF THE GOVERNING BODY  
OF BOROUGH OF BLOOMINGDALE**

***Borough of Bloomingdale, County of Passaic, New Jersey Multi-Jurisdictional Hazard Mitigation Plan***

WHEREAS, the Borough of Bloomingdale is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan (the Plan) has been developed

through the work of the Southern Delaware Valley Region Steering Committee, the Passaic County Hazard Mitigation Planning Committee, the Bloomingdale Hazard Mitigation Working Group and interested parties within the Borough of Bloomingdale; and

WHEREAS, the Plan recommends hazard mitigation actions that will protect people and property affected by natural hazards that face the Borough of Bloomingdale, that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Borough of Bloomingdale's leadership in emergency preparedness efforts; and

WHEREAS, the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 C.F.R. Part 201 require the Borough of Bloomingdale to formally adopt a hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities; and

WHEREAS, public meetings were held to receive comment on the Plan as required by DMA 2000;

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

1. The Plan is hereby adopted as an official plan of the Borough of Bloomingdale.
2. The Borough of Bloomingdale officials identified in the Mitigation Action Plan (Section 9) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments and progress to the Borough of Bloomingdale Hazard Mitigation Working Group, and the Borough of Bloomingdale \_\_\_\_\_ of additional departments or organizations, if any.
3. The Borough of Bloomingdale hazard Mitigation Working Group will provide annual progress reports on the status of implementation of the Plan to the Governing Body of the Borough of Bloomingdale. This report shall be submitted to the Governing Body by \_\_\_\_\_ of each year.
4. The Borough of Bloomingdale Hazard Mitigation working Group will undertake periodic updates of the Plan as indicated in the Plan Maintenance Program (Section 10) but no less frequent than every five years.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough of Bloomingdale adopts the Passaic County, New Jersey Multi-Jurisdictional Hazard Mitigation Plan, dated June 15, 2010, as this jurisdiction's Natural hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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

**Authorization for ROSE Fund Expenditure**

Councilwoman Shortman moved that authorization be give to make a payment out of the ROSE Fund not to exceed \$2,000 for the gardening project on First Avenue behind the Senior Citizen Center; seconded by councilwoman Huntley and carried as per the following roll call: council members; Conklin; Huntley; Pituch; Schiffman; Shortman and Vroom all YES.

**LATE PUBLIC COMMENT**

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

Leonard Dale, Reeve Avenue, asked if the borough Engineer is on salary and it was noted that he is retained by the Borough; if something exceeds his scope, he will get authorization from the Borough to proceed.

Steven Carozza, Macopin Road, spoke in regard to flooding and drainage issues and felt the valves in the park should be moved; felt some funding could be used from the ROSE fund to do open space maintenance; then take care of the bridge through grants. Also discussed the need for a master plan.

Leonard Dale, Reeve Avenue, noted that the existing valves in the park are still accessible and felt there is no reason to move them.

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

**Adoption of Resolution #2011-4.24: Authorization for Executive Session**

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

**RESOLUTION #2010-4.24  
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 – 7 matters
4. Minutes will be taken.

5. It is anticipated at this time that minutes of the above-referenced subject matter will be made public when it is in order to do so.
6. This Resolution shall take effect immediately.

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

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

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 11:12 p.m. and noted that no action was taken during the Executive Session.

**ADJOURNMENT**

Since there was no further business to be conducted, Councilwoman Huntley moved to ADJOURN the meeting at 11:12 p.m.; seconded by Councilwoman Shortman and carried on voice vote with all Council Members voting YES.

Jane McCarthy, RMC  
Municipal Clerk