

July 22, 2008

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike. Mayor Steenstra called the meeting to order at 7:01 p.m.

SALUTE TO THE AMERICAN FLAG

The Salute to the American Flag was held.

ROLL CALL

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

PUBLIC NOTICE STATEMENT

Mayor Steenstra stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on December 17, 2007.

Mayor Steenstra expressed good wishes for a quick recovery for the father of Borough Attorney Joseph MacMahon who suffered a stroke while visiting family in Ireland.

EARLY PUBLIC COMMENT

Councilwoman Altfield moved that the meeting be opened to Early Public Comment; seconded by Councilman Vroom and carried on voice vote with all members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

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

At this time, Councilwoman Huntley read into the record a statement concerning the recent allegations that she has deleted emails without the proper approvals and noted that she did not violate the records retention policy and also noted that there is no formal policy in place.

PUBLIC HEARING ON SLOAN PARK BRIDGE REPLACEMENT

At this time, Mayor Steenstra spoke about the Borough's application for a grant to replace the Sloan Park Bridge and noted that as part of the grant application a Public Hearing is to be held.

Councilman Vroom opened the meeting to a Public Hearing on the Sloan Park Grant application; seconded by Councilwoman Huntley and carried on voice vote with all members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Linda Shortman, Kampfe Lakes, asked if the bridge is at the point where it needs to be closed; Mayor Steenstra stated it is not and in answer to whether it is covered by insurance, it is as it stands today.

Mayor Steenstra stated that the estimate the Borough will have to pay is \$450,000.

Councilwoman Huntley stated that the Borough is looking into a Centers of Place Grant to help defer the cost.

Mayor Steenstra stated that we have to have heavy trucks go across the bridge as the main line for Passaic Valley Water Commission is across the bridge and noted that the Borough is looking into the possibility of Passaic Valley Commission helping to defray the cost.

Dee Maharg, Union Avenue, asked if it was possible to use the Bridge which the County is taking down on Hamburg Turnpike in Butler and Mayor Steenstra stated that we did look into that and it was not feasible.

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

PRESENTATION BY WEBMASTER ROBERT KELLY

At this time, Robert Kelly who is the Borough's Webmaster gave a presentation on the Borough's website and noted various updates which need to be done and also spoke in regard to a way to protect the Borough with saving and deleting emails in light of the recent events with OPRA and records and retention of emails.

As per motion by Councilwoman Huntley; seconded by Councilman Vroom and carried on voice vote with all Council members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused), the meeting was open to the Public in regard to any questions they may have of Mr. Kelly in regard to the website.

The following residents asked various questions and gave their comments and opinions of the website:

Linda Shortman	Kampfe lake
Karen Labazetta	5 Woodward Avenue
Gerry DeLazier	20 Glenwild Avenue
Steve Altfield	17 Cedar Street
Mike Mascitello	43 Bailey Avenue

At this time, Borough Administrator Ehrenburg stated that he and Mr. Kelly will sit down and go over the "wish list" of the Governing Body and residents and come up with a proposal at the next meeting to update and improve the website and address the email issue.

It was noted that due to the limited budget for the website, Mr. Kelly has done a wonderful job with it.

Donation from Salvation Army

At this time, Councilwoman Huntley noted that she had written a letter to the Salvation Army Camp and requested a donation for a new fire truck. At this time, Councilwoman Huntley introduced Major Dearin from the Salvation Army who stated that the Salvation Army has agreed to donate \$30,000 to the Borough of Bloomingdale towards the purchase of a new fire truck.

Major Dearin thanked the Governing Body for all the emergency services which have been provided to the Borough through the years. Mayor Steenstra also thanked Major Dearin for the donation and for also housing some of our residents during the last flood when they had to be displaced from their home.

The presentation was roundly applauded by all those in attendance.

RECESS

As per motion of Councilwoman Altfield; seconded by Councilman Vroom and carried on voice vote with all Council members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused), the Mayor and Council took a ten minute recess.

RECONVENED

Mayor Steenstra reconvened the meeting at 8:56 p.m.

APPROVAL OF CONSENT AGENDA

Councilman Vroom moved that the following Consent Agenda be approved:

- A. Approval of Informational Items: Week Ending June 20, 2008
- B. Request from Stephanie Borsi, 21 Reeve Avenue for Block Party; September 6, 2008 From 3 p.m. to 7 p.m.
- C. Report from Chief Financial Officer as to receipt of Bids on Bonds; July 8, 2008

Councilman Marinaro seconded the motion, and it carried on voice vote with all Council members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused), the Mayor and Council took a ten minute recess.

PENDING BUSINESS

Ratables and Revenues

Councilman Marinaro stated that they will have an interview with the second planner this Monday.

Grant Writers Committee

Councilwoman Huntley stated that the next meeting will be this Thursday and she is in the process of writing a grant for the Sloan Park Bridge replacement.

INTRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2007-8.1: Payment of Municipal Obligations

Councilwoman Altfield expressed her concern with the amount of monies being expended for Planning Board Attorney fees for recent lawsuits and noted that we need to do something to stop these lawsuits.

Mayor Steenstra stated that he will address this with the Planning Board.

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

**RESOLUTION - #2008-7.1
OF THE GOVERNING BODY**

OF THE BOROUGH OF BLOOMINGDALE

Authorizing Payment of Municipal Obligations

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

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

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

BILLS LIST		PREPAID LIST	
CURRENT	1,277,203.50	CURRENT	360,699.13
UTILITY	50,204.40	UTILITY	415,801.16
CAPITAL	5,438.82	UNEMPLOY.	93.40
UTILITY CAPITAL	.00	RECYCLING	485.76
TRUST	14,529.47	CAPITAL	0.00
DOG	329.25	TRUST	16,218.88
RECREATION	1,529.50	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	.00	RECREATION	1,618.75
ROSE FUND	19,976.13	UTILITY CAP.	0.00
RECYCLING	468.16	DOG	000.00
.			
TOTAL	1,369,679.23	TOTAL	794,917.08

Councilman Marinaro seconded the motion.

Councilwoman Huntley asked that this be held as she hasn’t had time to review it; Mayor Steenstra stated that we will proceed as this was in everyone’s mailbox since last Thursday.

The motion carried as per the following roll call: Council Members: Altfield; Vroom and Marinaro all YES. Councilwoman Huntley, NO Absent: Councilmen Slotmaker and Specchio (Excused)

Adoption of Resolution #2008-7.2: Declaring Emergency and Awarding a Contract for Natalie Court and Vreeland Avenue Pump Station

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

**RESOLUTION #2008-7.2
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Declaring an Emergency For Purposes of Awarding a Contract for Natalie Court and Vreeland Road Pump Stations

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergent situation has developed with the pump stations at Natalie Court and Vreeland Road with regard to pump failure and pump back up issues.

WHEREAS, the Governing Body further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

WHEREAS, the Governing Body further finds and declares that N.J.S.A. 40A:11-6 authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

(Inactive License)

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Marinaro; Altfield and Vroom all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

***Adoption of Resolution #2008-7.4: Approval of Liquor License Renewal
#1601-33-006-012 Kopici Restaurant***

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

**RESOLUTION #2008-7.4
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Renewal Of Alcoholic Beverage Licenses For 2008-2009 (Effective July 1, 2008)

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

Kopici Restaurant Inc.
163 Union Avenue
Bloomingdale, NJ 07403

#1601-33-006-013

Councilman Marinaro seconded the motion, and it carried as per the flowing roll call: council Members: Marinaro; Altfield; Vroom and Huntley all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

***Adoption of Resolution #2008-7.5: Appointment of Acting Tax Collector;
term expiring 12/31/08***

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

**RESOLUTION #2008-7.5
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE,
PASSAIC COUNTY, NEW JERSEY**

Appointing Acting Tax Collector

WHEREAS, the Borough of Bloomingdale has a vacancy in the position of Tax Collector and;

WHEREAS, Dale Mathews, CTC is qualified to be the Acting Tax Collector from August 1, 2008 through December 31, 2008 and is able to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, that Dale Mathews be appointed as Acting Tax Collector from August 1, 2008 through December 31, 2008.

Councilwoman Huntley seconded the motion, and it carried as per the following roll call: Council Members: Altfield; Vroom; Huntley and Marinaro all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Acceptance of Resignation of Daniel Lucietto as Road Laborer

Councilwoman Altfield moved for the acceptance of the resignation of DPW employee Daniel Lucietto effective July 8, 2008; seconded by Councilman Vroom and carried as per the following roll call: Council members: Vroom; Huntley; Marinaro and Altfield all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Adoption of Resolution #2008-7.6: Appointment of Junior Firefighter Allison B. Manella

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

RESOLVED, that Allison B. Manella be appointed as a Junior Firefighter as per the recommendation of the Fire Chief.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Marinaro; Altfield; Vroom and Huntley all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Adoption of Resolution #2008-7.7: Authorizing Interlocal Agreement for Animal Control Services with Borough of North Caldwell

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

**RESOLUTION #2008-7.7
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 North Caldwell 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 North Caldwell with the terms specified in the interlocal agreement through December 31, 2008;

Councilman Vroom seconded the motion, and it carried as per the following roll call: council Members: Marinaro; Altfield; Vroom and Huntley all Yes. Absent: Councilmen Sloodmaker and Specchio (Excused)

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Marinaro; Altfield; Vroom; Huntley all YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Adoption of Resolution #2008-7.8: Appointment of Dawn Hudson as Board of Health Member

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

RESOLVED, that Dan Hudson be appointed as a Board of Health member to replace Donald Bogert for an unexpired term; term expiring December 31, 2010.

Councilman Vroom seconded the motion, and it carried as per the following roll call: council Members: Altfield; Vroom; Huntley and Marinaro all YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Adoption of Resolution #2008-7.9: Appointment of Shade Tree Committee

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

RESOLVED, that the following be appointed to the 2008 Shade Tree Committee:

Albert Gallagher
Ted Ehrenburg
Dan Hagberg
Pete Croop
John Schaus

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro and Altfield all YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Adoption of Resolution #2008-7.10: Temporary Budget Emergency

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

Resolution #2008-7.10
RESOLUTION #2008-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, 2008 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

WHEREAS, additional appropriations will be required from July 22, 2008 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

Capital Improvement Fund	Other Expenses	\$50,000.00
Municipal Alliance	Other Expenses	\$5,000.00
Municipal Alliance Cash Match	Other Expenses	\$1,250.00
Administrator	Salary & Wages	\$10,000.00
Administrator	Other Expenses	\$2,000.00
Mayor and Council	Other Expenses	\$1,000.00
Municipal Clerk	Other Expenses	\$15,000.00
Finance	Salary & Wages	\$10,000.00
Finance	Other Expenses	\$1,000.00
Tax Collector	Salary & Wages	\$15,000.00
Tax Collector	Other Expenses	\$2,000.00
Tax Assessment	Salary & Wages	\$5,000.00
Tax Assessment	Other Expenses	\$1,000.00
Legal	Salary & Wages	\$10,000.00
Legal	Other Expenses	\$15,000.00
Engineering	Other Expenses	\$10,000.00
Planning Board	Salary & Wages	\$2,000.00
Planning Board	Other Expenses	\$10,000.00
UCC	Salary & Wages	\$15,000.00
UCC	Other Expenses	\$5,000.00
Property Maint.	Salary & Wages	\$5,000.00
Group Insurance	Other Expenses	\$50,000.00
Police	Other Expenses	\$20,000.00
Dispatchers	Salary & Wages	\$15,000.00
OEM	Other Expenses	\$2,000.00
Fire	Other Expenses	\$10,000.00
Fire Prevention	Other Expenses	\$2,000.00
Roads	Salary & Wages	\$75,000.00
Roads	Other Expenses	\$20,000.00
Beautification	Other Expenses	\$2,000.00
Insurance-General Liability	Other Expenses	\$1,060.00
Solid Waste	Other Expenses	\$10,000.00
Buildings and Grounds	Other Expenses	\$5,000.00
Board of Health	Salary & Wages	\$10,000.00
Animal Control	Salary & Wages	\$20,000.00
Animal Control	Other Expenses	\$10,000.00
Recreation	Salary & Wages	\$12,000.00
Celebration of Public Events	Other Expenses	\$7,000.00
Senior Citizen	Other Expenses	\$2,000.00
Electricity	Other Expenses	\$10,000.00
Telephone	Other Expenses	\$5,000.00
Water	Other Expenses	\$4,000.00
Natural Gas	Other Expenses	\$5,000.00
Gasoline	Other Expenses	\$15,000.00
Webmaster	Other Expenses	\$1,000.00
Tipping Fees	Other Expenses	\$70,000.00
Municipal Court	Salary & Wages	\$15,000.00
Municipal Court	Other Expenses	\$1,500.00
Interlocal-West Milford Reg.	Salary & Wages	\$3,000.00
Interlocal-Butler Constr.	Salary & Wages	\$20,000.00
Interlocal-Pequannock Health	Other Expenses	\$22,000.00

TOTAL CURRENT FUND

\$634,810.00

WATER AND SEWER UTILITY FUND

Municipal Utility Services	Salary & Wages	\$30,000.00

TOTAL WATER AND SEWER

\$ 30,000.00

2. This action shall take effect July 22,2008

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 Vroom seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Marinaro; Altfield and Vroom all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Adoption of Resolution #2008-7.11: Authorizing Borough Administrator to solicit bids for DPW garage and DPW site work/sewer

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

RESOLVED, that the Borough Administrator be authorized to solicit bids for the installation of the DPW garage and the sewer site work for the DPW site.

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

Adoption of Resolution #2008-7.12: Authorizing solicitation of bids for site service at DPW for Vegetative Recycling and Removal

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

RESOLVED, that the Borough Administrator be authorized to solicit bids for site service at the DPW garage for Vegetative Recycling and Removal.

Councilwoman Huntley seconded the motion, and it carried as per the following roll call: Council Members: Altfield; Vroom; Huntley and Marinaro all YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Adoption of Resolution #2008-7.13: Redemption and Cancellation of Tax Title Lien #470

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

**RESOLUTION #2008 – 7.13
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #470

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on January 21, 2008, a lien was sold on, 159 CLARK STREET, BLOOMINGDALE, for delinquent year 2007 taxes, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 5.A, Lot 5, owned by MICHAEL & TARA HAMWAY; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 470, which was sold to PLYMOUTH PARK TAX SERVICES LLC for a redemption amount of 5%; and

WHEREAS, the Governing Body further finds and declares that First American Real Estate Tax Service on behalf of Wachovia Mortgage, has requested redemption of TTL # 470, and

WHEREAS, the Governing Body further finds and declares that First American Real Estate Tax Service, has paid all monies due on TTL # 470, including supporting affidavits from the lien holder, current taxes, water/sewer, and electric 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 check in the

amount of \$ 13,137.47, payable to PLYMOUTH PARK TAX SERVICES LLC, P.O. Box 2288, Morristown, NJ 07962 for the redemption and cancellation of Tax Title Lien Certificate # 470.

1099 = \$ 773.38

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

Introduction of bond Ordinance #15-2008: Various Capital Improvements

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL BLOOMINGDALE, IN THE COUNTY OF PASSAIC, IMPROVEMENTS BY THE BOROUGH OF NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$357,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF was introduced by title by councilwoman Altfield who moved that second and final reading and public hearing be held On August 26, 2008 at 7:30 p.m.

Councilman Vroom seconded the motion and it carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Introduction of Ordinance #16-2008: Amending Chapter 92 to Permit Professional and Business Offices

AN ORDINANCE AMENDING CHAPTER 92, THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, PASSAIC COUNTY, NEW JERSEY TO PERMIT PROFESSIONAL AND BUSINESS OFFICES IN THOSE PORTIONS OF THE R-20 ZONE AUTTING UNION AVENUE TO BE KNOWN AS THE NEW R20U ZONE was introduced by title by Councilman Vroom who moved that second and final reading and public hearing be held on September 23, 2008 at 7:30 p.m.; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

Introduction of Ordinance #17-2008: Amending Chapter 92 to Create a New B-1 Commercial Zone

AN ORDINANCE AMENDING CHAPTER 92, THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, PASSAIC COUNTY, NEW JERSEY TO CREATED A NEW B-1-A COMMERCIAL ZONE ALONG PORTIONS OF MAIN STREET AND UNION AVENUE was introduced by title by Councilman Vroom who moved that second and final reading and public hearing be held on September 23, 2008 at 7:30 p.m.; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

PUBLIC HEARINGS ON ORDINANCES

Second and final Reading and Public Hearing of Ordinance #14-2008: Regulating Recycling Bins

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE REGULATING RECYCLING BINS was given second and final reading and consideration for adoption at this time.

Councilman vroom moved that the ordinance be read by title; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting YES.
Absent: councilmen Sloomaker and Specchio (Excused)

The Municipal Clerk read the ordinance by title.

ORDINANCE No. 14-2008

**AN ORDINANCE OF THE BOROUGH OF
BLOOMINGDALE REGULATING RECYCLING BINS**

WHEREAS, the Governing Body of the Borough of Bloomingdale believes it is in the interest of the residents of the Borough of Bloomingdale to regulate the use of recycling bins for the collection of used clothing within the Borough;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Bloomingdale, that the Code of the Borough of Bloomingdale as follows:

Section 1. Definitions

As used in this ordinance, the following terms shall have the meanings indicated:

BOROUGH PROPERTY – Any property owned or controlled by the Borough of Bloomingdale.

RECEPTACLE – Any container regardless of size or construction that is used for the collection of used clothing.

Section 2. Permit and Fees

- A. No person, firm, partnership, corporation, whether for profit or not for profit, shall place or cause to be placed a receptacle within the Borough of Bloomingdale without having first obtained a permit. Receptacles shall be located only on Borough property as determined by the Mayor and Council in accordance with a contract to be entered into with the Borough. In no event shall a receptacle be placed on any other property in the Borough of Bloomingdale, except that the Mayor and Council in its discretion may permit receptacles to be located on property owned and maintained by entities serving the public good, such as the Bloomingdale Volunteer Fire Department.
- B. The application for a permit to place a receptacle within the Borough of Bloomingdale shall be made in writing to the Borough Clerk and signed by the applicant. The application shall set forth:
 - (1) The name, address and telephone number of the applicant.
 - (2) The location where the receptacle is to be placed. A site plan delineating the location shall be submitted with the application.
 - (3) An insurance certificate naming the Borough as an additional insured in amounts specified by the Borough Administrator in consultation with the Borough's risk manager.
- C. An annual fee in the amount of \$500.00 per receptacle payable to the Borough of Bloomingdale shall be due on or before January 15th of each year, which in the discretion of the Mayor and Council of the Borough of Bloomingdale may be waived if it is determined to be in the interest of the Borough. In the event an application is submitted to the Mayor and Council mid-year, the applicant shall be required to pay the fee on a pro rata basis.
- D. The permit issued shall only be valid for a one-year period. No permit shall be valid for a period in excess of one (1) year. Irrespective of the issuance of any permit, the Borough reserves the right to terminate any contract and order the removal of any bins upon ten (10) days written notice.

Section 3. Receptacle Size, Number and Identification

- A. No more than six receptacles shall be placed in any location.
- B. Each receptacle shall not exceed five feet in depth, eight feet in width and six feet in height.
- C. Each receptacle shall have an identifying logo, name, telephone number, and legend for the use or nature of the same and a notice posted indicating that any material left outside the receptacle will subject the violator to the penalties set forth in the Borough's littering ordinance.
- D. Each receptacle shall have the label "Clothing only" clearly printed on the front of the receptacle.

Section 4. Location

The receptacle shall be located in such a manner as approved by the Borough.

Section 5. Maintenance.

The receptacles shall be maintained in a clean, sanitary condition, painted and in good working order. Each receptacle shall be emptied by the permittee regularly at a minimum of three times each week as specified in the contract with the Borough. The areas adjacent to the containers shall be kept clear of all boxes and debris.

Section 6. Violations and Penalties.

The general penalty provision as contained in Section 1-5 of the Revised General Ordinances of the Borough of Bloomingdale shall apply. Each violation of any of the provisions of this ordinance and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

This Ordinance shall take effect after publication and passage according to law.

Councilwoman Altfield moved to open the Public Hearing on this ordinance; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Gerry DeLazier asked what type of bins these are and it was noted that they are clothing bins.

Since there was no one else who wished to speak under Public Comment, Councilwoman Altfield moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Councilman Vroom moved for the adoption of this ordinance; seconded by Councilwoman Altfield and carried as per the following roll call: Council Members: Huntley; Marinaro; Altfield and Vroom all YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

LATE PUBLIC COMMENT

Councilwoman Altfield moved that the meeting be opened to Late Public Comment; seconded by Councilman Marinaro and carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloodmaker and Specchio (Excused)

Concetta Parisi, Hamburg Turnpike, asked about the bridge in Butler and if we could buy it and use it in Sloan Park and was informed that this was addressed earlier in the meeting and it is not feasible.

Linda Shortman, Kampfe Lake, discussed the ROSE fund and asked who notifies the successful person on quotes and was informed it is the same as every Department; the Department Head does it or Liaison.

In regard to emails, it was noted that this is addressed in the new policy manual and each employee, volunteer on Boards and Commissions will be given a copy and sign that they have received it; everyone will be on notice.

Sheldon Bross, 87 Wood Place, spoke in regard to Councilwoman Huntley deleting emails and not following direction of Borough Attorney.

Councilwoman Huntley stated that she already made a statement in regard to this issue and will not address it again.

Dot Tintle, 70 Van Dam Avenue, discussed fact that the Governing Body has humiliated Councilwoman Huntley publicly and felt this is disgraceful and should be stopped now.

Since there was no one else who wished to speak under Public Comment, Councilwoman Altfield moved that it be closed; seconded by Councilman Vroom and carried on voice vote with all Council Members voting yes. Absent: Councilmen Sloomaker and Specchio (Excused)

Authorization for Special Meeting

Chief Financial Officer Donna Mollineaux noted that we will need a special meeting to adopt a budget amendment before our August meeting.

Councilwoman Huntley moved that a Special Meeting be authorized for Tuesday, August 12, 2008 at 6 p.m. for purpose of a resolution amending the 2008 Municipal Budget; seconded by Councilman Vroom and carried on voice vote with all Council Members present voting Yes. Absent: Councilmen Sloomaker and Specchio (Excused)

LATE EXECUTIVE SESSION

Adoption of Resolution #2008-7.14: Authorization for Executive Session

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

**RESOLUTION #2008-7.14
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. Potential Litigation – Two matters
 - B. Personnel – One matter
 - C. Negotiations – Three 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 Vroom seconded the motion, and it carried on voice vote with all Council Members present voting YES. Absent: Councilmen Sloomaker and Specchio (Excused)

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

RECONVENED

Mayor Steenstra reconvened the meeting at this time, 11:13 p.m. and noted that councilwoman Huntley recused herself from the Executive Session for a matter of negotiations. No action was taken during the Executive Session.

ADJOURNMENT

Because there was no further public business to be conducted, Councilman Marinaro moved to **ADJOURN** the meeting at 11:13 p.m.; seconded by Councilman Vroom and carried on voice vote with all Council members present voting YES. Absent: Council Members: Huntley; Sloomaker and Specchio (Excused)

Jane McCarthy, RMC
Municipal Clerk