

September 23, 2008

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike. Mayor Steenstra called the meeting to order at 7:04 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 Henry D. Sloomaker Thomas Marinaro Dean Specchio
<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.

EARLY PUBLIC COMMENT

Councilwoman Altfield moved that the meeting be opened to Early Public Comment; seconded by Councilman Specchio and carried on voice vote with all members voting YES.

Al Lavoie, 247 Rafkind Road, spoke in his capacity as Chairman of the Economic Development Commission and thanked the Mayor and Council for Ordinance #16-2008 which would permit professional and business offices in portions of the R-20 zone abutting Union Avenue and for Ordinance #17-2008 which creates a new B-1-A commercial zone along portions of Main Street and Union Avenue and expressed his hope that this will be adopted this evening.

Borough Attorney MacMahon thanked Mr. Lavoie and his committee for their hard work on these ordinances. He noted that he will be asking the Mayor and Council to carry Ordinance #16-2008 due to some discussions with the Planning Board Chairman and Construction Official to clarify the ordinance; this will be carried until October 28, 2008 at 7:30 p.m.

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 members voting YES.

APPROVAL OF CONSENT AGENDA

Councilman Altfield moved for the adoption of the following Consent Agenda:

Approval of Information Items: September 4 and 11, 2008.

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

RECOGNITION OF PERSONEL AND VOLUNTEERS WHO ASSISTED WITH DISMANTING OF BOARD OF EDUCATION TRAILERS

At this time, Mayor Steenstra and the Governing Body recognized those DPW personnel who assisted in the dismantling of the trailers at the Board of Education at a substantial savings along with Tim Duffy of Pompton Lakes who donated trailers for the debris.

The presentation was roundly applauded by all those in attendance.

RECOGNITION OF SEARCH AND RESUCE PERSONNEL

At this time, Search and Rescue members were recognized for their efforts in helping a Cynthia J. Maissen of Teaneck, NJ who was lost in Norvin Green while hiking specifically Chris Synol who was instrumental in helping Ms. Maissen find her way out of the Norvin Green.

Ms. Maissen was in attendance and expressed her appreciation to Mr. Synol for his efforts along with the Search and Rescue team/

PENDING BUSINESS:

Governmental Operations Committee

Adoption of Resolution #2008-9.10: Appointment of Acting Tax Collector

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

**RESOLUTION #2008-
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, the Borough of Bloomingdale and the Borough of Butler have agreed to a shared service regarding Tax Collection services for the remainder of 2008;

WHEREAS, Cora Wright, CTC Tax Collector for the Borough of Butler is qualified to be the Acting Tax Collector from September 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 Cora Wright from the Borough of Butler be appointed as Acting Tax Collector from September 1, 2008 through December 31, 2008;

AND BE IT FURTHER RESOLVED that the amount of \$5,000.00 will be paid for this service

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

Discussion in regard to Leaf Pickup for 2008 Season

At this time, DPW Superintendent Gallagher noted that he has quotes to purchase bags for leaf collection and will give them to the Borough Administrator; consensus that this will be on the October meeting for further discussion and a decision.

Adoption of Resolution #2008-9.11: Award of Boiler Project

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

**RESOLUTION #2008-9.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Award of the Borough of Bloomingdale Borough Boiler Project

WHEREAS, the Governing Body of the Borough of Bloomingdale awarded a contract for the Boiler Project to John H. Barrett Inc; and

WHEREAS, the Governing Body has learned that the Borough Administrator has recommended acceptance and approval of Boilers for modifications to the Project; and

WHEREAS, the Governing Body recognizes that acceptance and approval of the Boiler Project in an amount not to exceed \$12,000.00; and

WHEREAS, the Governing Body has been informed that the Chief Financial Officer has certified that funds are available in Capital Account C-04-55-857-08A-100 to pay said amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby adopt the recommendation of the Borough Administrator to approve the resolution in an amount not to exceed \$12,000.00.

Councilman Sloodmaker seconded the motion.

In response to Councilwoman Huntley, it was noted that we have obtained quotes for this.

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

Adopted of Resolution #2008-9.12: Award of Borough Boiler Interface Project

Councilwoman offered the following Resolution and moved for its adoption:

**RESOLUTION #2008-9.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Award of the Borough of Bloomingdale Borough Boiler Interface Project

WHEREAS, the Governing Body of the Borough of Bloomingdale awarded a contract for the Boiler Project to Mako Heating & Air; and

WHEREAS, the Governing Body has learned that the Borough Administrator has recommended acceptance and approval of Boilers Interface for modifications to the Project for and

WHEREAS, the Governing Body recognizes that acceptance and approval of the Boiler Interface Project in an amount not to exceed \$4,305.00 of the total contract cost; and

WHEREAS, the Governing Body has been informed that the Chief Financial Officer has certified that funds are available in Capital Account C-04-55-857-08A-100 and C-04-55-810-00-901 to pay said amount;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby adopt the recommendation of the Borough Administrator to approve the resolution in an amount not to exceed \$4,305.00.

Councilman Specchio seconded the motion.

In response to Councilwoman Huntley, it was noted that we have obtained quotes for this.

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

Adoption of Resolution #2008-9.13: Award of Contract for Vegetative Waste

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

RESOLVED, that the contract between the Borough of Bloomingdale and Borough of Pompton Lakes for Shared Services for Vegetative Waste Recycling Services from October 20, 2008 through October 19, 2009 and is on file in the Municipal Clerk's office be approved.

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

Public Health & Safety committee

Introduction of Ordinance #19-2008: Bloomingdale Police Department Rules and Regulations

AMENDING AND ESTABLISHING POLICE DEPARTMENT AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE RULES AND REGULATIONS BOROUGH CODE SECTION 2-64.11, FEES FOR RECREATIONAL PROGRAMS was introduced by title by Councilwoman Altfield who moved that second and final reading and public hearing be held on October 28, 2008 at 7:30 p.m.

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

Discussion as to renaming roads in Borough with Similar Names

Mayor Steenstra noted that the Police Chief has contacted the Sheriff's Department and 911 as to renaming streets in the Borough with similar names; this will be discussed at the next meeting.

Adoption of Resolution #2008-9.14: Award of contract to Pierce manufacturing Inc. for a Triple Combination Fire Truck

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

**RESOLUTION #2008-9.14
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Execution of a Contract with Pierce Manufacturing, Inc. For a Triple Combination Fire Truck

WHEREAS, the Governing Body has determined that it is in the public interest to seek to purchase a Triple Combination Pumper Fire Truck; and

WHEREAS, the Governing Body sought bids from qualified manufacturers capable of delivering a Triple Combination Pumper Fire Truck that meets established and specified bid specifications; and

WHEREAS, bids were received from Marion Body Works, Inc. and Pierce Manufacturing, Inc. proposing to construct and deliver a Triple Combination Pumper Fire Truck to the Borough of Bloomingdale; and

WHEREAS, the Marion Body Works, Inc. bid proposed to provide a Triple Combination Pumper Fire Truck for the sum of \$289,550.00, with delivery within 315 calendar days; and

WHEREAS, the Pierce Manufacturing, Inc. bid proposed to provide a Triple Combination Pumper Fire Truck for the sum of \$292,684.00 within 180 working days, with a \$6,000.00 deduction from the quoted price being given if a fully executed contract is executed by September 30, 2008, and a further \$6,465.00 credit if a designated “chassis payment option” is exercised by the Borough; and

WHEREAS, the Borough Administrator, Borough Engineer and Borough Attorney have reviewed the bid documents provided by Marion Body Works, Inc. and Pierce Manufacturing, Inc. and have concluded that Pierce Manufacturing, Inc. is the responsible low bidder; and

WHEREAS, the bid proposals also have been reviewed by the appropriate personnel of the Bloomingdale Fire Department and the Borough Administrator has been informed that the Pierce Manufacturing, Inc. bid proposal does meet the specifications inviting bids for the purchase of a Triple Combination Pumper Fire Truck:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby approve and authorize the execution of a Contract between the Borough of Bloomingdale and Pierce Manufacturing, Inc. for the purchase of a Triple Combination Fire Truck, said contract to be executed by no later than September 30, 2008, at a reduced bid price of \$286,684.00; and

BE IT FURTHER ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby approve and authorize exercise of the “chassis payment option,” which will result in an additional \$6,465.00 credit and savings to the taxpayers of the Borough of Bloomingdale.

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

Ratables and Revenues Committee

Noted that the Economic Development Committee will need to have a Special meeting on October 7, 2008 at 7:30 p.m.

INTRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2008-9.15: Payment of Municipal Obligations

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

**RESOLUTION - #2008-9.15
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	1,220,811.62	CURRENT	193,917.32
UTILITY	459,683.40	UTILITY	69,439.49
CAPITAL	28,382.72	UNEMPLOY.	29.04
UTILITY CAPITAL	24,500.00	RECYCLING	317.64
TRUST	7,213.67	CAPITAL	45,591.86
DOG	2,953.05	TRUST	5,434.48
RECREATION	468.06	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	0.00	RECREATION	00.00
ROSE FUND	8,538.50	UTILITY CAP.	0.00
RECYCLING	1,020.95	DOG	000.00
.			
TOTAL	1,753,571.97	TOTAL	313,729.83

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

Adoption of Resolution #2008-9.16: Authorization for Hiring of DPW Employee Gamble

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

**RESOLUTION #2008-9.16
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authoring of Sanitation Laborer
Department of Public Works***

WHEREAS, there exists a vacancy in the Department of Public Works as a Sanitation Laborer;

WHEREAS, this position was advertised and interviews were held for prospective candidates;

WHEREAS, based on these interviews, it was determined that Victor Gamble of Hewitt, New Jersey was a successful candidate;

NOW BE IT RESOLVED, that Victor Gamble be hired as a Sanitation Laborer for the Department of Public Works at the prevailing rate of the Blue Collar Contract, effective September 29, 2008; and

BE IT FURTHER RESOLVED that this as part of the hiring process of the Borough of Bloomingdale, there is a 180 day review and requirement to obtain a CDL License.

Councilman Sloomaker seconded the motion.

Councilwoman Huntley stated that she had been informed that we do not need any new employees. Noted that these are replacements.

The motion carried as per the following roll call: Vroom, YES; Huntley, NO; Sloodmaker, YES; Marinaro, YES; Specchio, YES and Altfield, YES.

Adoption of Resolution: #2008-6.17: Authorizing for Hiring of DPW Employee Roemmele

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

**RESOLUTION #2008-9.17
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authoring of Road Laborer
Department of Public Works***

WHEREAS, there exists a vacancy in the Department of Public Works as a Road Laborer;

WHEREAS, this position was advertised and interviews were held for prospective candidates;

WHEREAS, based on these interviews, it was determined that Clinton Roemmele of Riverdale, New Jersey was a successful candidate;

NOW BE IT RESOLVED, that Clinton Roemmele be hired as a Road Laborer for the Department of Public Works at the prevailing rate of the Blue Collar Contract, effective September 29, 2008; and

BE IT FURTHER RESOLVED that this as part of the hiring process of the Borough of Bloomingdale, there is a 180 day review and requirement to obtain a CDL License.

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

Adoption of Resolution #2008-9.18: Hiring of Part Time Animal Control Officer Symone Negrini

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

**RESOLUTION #2008-18
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Hire of A
Part Time Animal Control Officer***

WHEREAS, there exists a need for additional Part Time Animal Control Officer due to the increased contractual agreements for Animal Control Officer services; and

WHEREAS, this position was advertised and interviews were held for prospective candidates; and

WHEREAS, based on these interviews, it was determined that Symone Negrini of Riverdale, New Jersey was the successful candidate;

NOW, THEREFORE, BE IT RESOLVED, that Symone Negrini be hired as a Part Time Animal Control Officer effective October 1, 2008 at the prevailing rate of the White Collar Contract.

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

Adoption of Resolution #2008-9.19: Hiring of Part Time Secretary/Construction Office Carla Mecionis

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

**RESOLUTION #2008-19
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Hire of A
Part Time Office Assistant
Uniform Construction Code***

WHEREAS, there exists a need for additional Part Time Office Assistant due to the increased contractual agreements for Construction Code Services; and

WHEREAS, this position was advertised and interviews were held for prospective candidates; and

WHEREAS, based on these interviews, it was determined that Carla Mecionis of Bloomingdale, New Jersey was the successful candidate;

NOW, THEREFORE, BE IT RESOLVED, that Carla Mecionis be hired as a Part Time Office Assistant for the Construction Code office effective September 29, 2008 at the prevailing rate of the White Collar Contract.

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

Adoption of Resolution Approving Webmaster Robert Kelly's proposal to update website

Councilwoman Altfield moved to **TABLE** this to the October 14, 2008 Work Session for discussion; seconded by Councilman Specchio and carried on voice vote with all Council Members voting YES.

Adoption of Resolution #2008-9.20: Authorizing Chapter 159 Recycling Tonnage Grant

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

**RESOLUTION #2008-9.20
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Insertion into the FY2008 Municipal Budget Pursuant to N.J.S.A. 40A:4-87
(Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a State of New Jersey
Recycling Tonnage Grant***

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services ("Director"), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality; and

WHEREAS, the Governing Body further finds and declares that N.J.S.A. 40A:4-87 provides that the Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough's FY2008 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough's FY2008 Municipal Budget of an item of revenue in the sum of \$4,527.55, which item is now available as revenue in the form of a State of New Jersey Current Fund – Over the Limit Under Arrest Grant; and

BE IT FURTHER RESOLVED that a like sum of \$4,527.55 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations
Recycling Tonnage Grant*

AND BE IT FURTHER RESOLVED that three (3) certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services, within the State of New Jersey Department of Community Affairs, for this purpose.

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

Introduction of Ordinance #20-2008: Regulating the Location, Use and Placement of Portable Storage Units

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE REGULATING THE LOCATION, USE AND PLACEMENT OF TEMPORARY PORTABLE STORAGE UNITS was introduced by title by Councilman Vroom who moved that second and final reading and Public Hearing be held on October 28, 2008 at 7:30 p.m.

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

Resignation of Michael Mazzola as Alternate Member of Board of Health and reappointment as Regular Member

Councilwoman Altfield moved to accept the resignation of Michael Mazzola as Alternate Member of Board of health and reappointment as a Regular Member to fill the vacancy created by Ildiko Smith; term expiring December 31, 2008; seconded by Councilman Marinaro and carried on voice vote with all members voting YES.

Resignation of Erin Ramiza from Recreation Commission and appointment of Hulya Migliorino

Councilman Sloomaker moved to accept the resignation with regret of Erin Ramiza as a member of the Recreation Commission and the appointment of Hulya Migliorino to fill the vacancy for a unexpired term expiring December 31, 2012; seconded by councilwoman Altfield and carried n voice vote with all Council Members voting YES.

Adoption of Resolution Appointing Matthew J. O'Donnell, Esq. as Counsel for Special Litigation

Councilwoman Altfield moved for the appointment of Matthew J. O'Donnell, Esq. as Special Counsel for Litigation for the anticipated reevaluation and contested tax appeals and the Borough

Attorney would be Co-Counsel on the litigation for a term October 1, 2008 through December 31, 2008; seconded by Councilman Specchio.

Councilwoman Huntley stated that she thought we relied on our Tax Assessor for any appeals we may have.

Councilwoman Altfield stated that due to the lawsuit filed by the City of Paterson we have the potential of being hit with a \$40,000 fine.

Councilwoman Huntley felt that our borough Attorney could handle this and asked Mr. MacMahon if he requested assistance.

Mr. MacMahon stated that he is unclear of the intent of hiring a Special Counsel as any case in Bloomingdale would be represented by him as the borough Attorney.

Consensus to table this until the next meeting.

Councilwoman Altfield moved to **TABLE** this item until the next meeting on October 14, 2008; seconded by Councilman Sloomaker and carried on voice vote with all Council Members voting YES.

Adoption of Resolution #2008-9.21: Authorizing Borough Administrator to execute any necessary documents in connection with the purchase of the Yuhas property

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

**RESOLUTION #2008-9.21
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Borough Administrator to Execute Closing Documents in Connection With the Contract For Sale of Real Estate Commonly Known as 182 Union Avenue, Bloomingdale, By and Between Borough of Bloomingdale as Buyer and Eugene Yuhas as Seller

WHEREAS, the Governing Body of the Borough of Bloomingdale is empowered by N.J.S.A. 40A:12-3 to acquire real property as may be necessary and suitable for the performance of its functions, the conduct of public business, and any other municipal public purpose; and

WHEREAS, the Governing Body has determined that it is in the public interest to acquire real property known and designated as Block 60, Lot 14.01 on the Tax Map of the Borough of Bloomingdale, commonly known as 182 Union Avenue, Bloomingdale, New Jersey, and to that end has adopted Ordinance No. 18-2008; and

WHEREAS, closing on the purchase of the property has been scheduled for October 3, 2008 and it is necessary to designate a Borough official authorized to attend the closing with the Borough Attorney and execute any necessary closing documents on behalf of the Borough; and

WHEREAS, as part of the duties of his position the Borough Administrator has the authority to represent the Borough and assert its proper interest with respect to municipal contracts, subcontracts, franchises and other business transactions:

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Borough Administrator to attend the closing on the Yuhas property with the Borough Attorney and to execute any closing documents as may be necessary in connection with the transaction on behalf of the Borough of Bloomingdale; and

BE IT FURTHER RESOLVED that action on this Resolution is subject to the availability of funds as certified by the Chief Financial Officer.

Councilman Vroom seconded the motion, and it carried as per the following roll call: council members: Altfield; Vroom; Huntley; Sloopmaker; Marinaro and Specchio all YES.

Adoption of Resolution #2008-9.22: Approving Renewal of Inactive License for Wahab Enterprises Inc.

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

**RESOLUTION #2008-9.22
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE LICENSE
WAHAB ENTERPRISES INC.
#1601-33-003-004

WHEREAS, the following names, persons and corporations have made application for the renewal of their inactive alcoholic beverage license; and

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

WHEREAS, each applicant has filed with the Borough 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 the applicant from the State of New Jersey Department of Taxation; and

WHEREAS, no objection has been filed in writing with the Borough Clerk against the granting of this renewal and no objections being heard hereto; and

WHEREAS, approval has been received from the State of New Jersey Division of Alcoholic Beverage Control for a Special Ruling pursuant to N.J.S.A. 33:1-12.39 as per the Consent Order dated September 17, 2008 for the 2009-2009 and 2009-2010 License Years;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of this Borough be and she is hereby authorized to renew the alcoholic beverage licenses of the following place:

PLENARY RETAIL CONSUMPTION

Wahab Enterprises Inc.	#1601-33-003-004
17 Orchard Street	
Pompton Lakes, NJ 07403	(Inactive License)

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

Adoption of Resolution #2008-9.23: Approving Donation from the Salvation Army

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

**RESOLUTION #2008-9.23
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Acknowledging the Contribution of the Salvation Army to the Borough of Bloomingdale and Thanking the Salvation Army For Its Donation towards the Purchase of a Triple Combination Fire Truck

WHEREAS, the Salvation Army is a charitable organization providing help to others through its work, service and ministry; and

WHEREAS, the Salvation Army provides meaningful and life-enriching services to persons, including residents of the Borough of Bloomingdale, through its operations at Star Lake Camp; and

WHEREAS, the Salvation Army, as a member of and friend to the Bloomingdale community, consistently has been there to provide assistance to the Borough over the years; and

WHEREAS, the Governing Body determined that it is in the public interest to seek to purchase a Triple Combination Pumper Fire Truck; and

WHEREAS, the Governing Body sought bids from qualified manufacturers capable of delivering a Triple Combination Pumper Fire Truck that meets established and specified bid specifications and the purchase of the Triple Combination Pumper Fire Truck will cost the Borough \$286,684.00; and

WHEREAS, the Salvation Army has provided the Borough of Bloomingdale with a contribution of \$30,000.00 towards the purchase of the new fire truck; and

WHEREAS, the Governing Body wishes to express its thanks, and the thanks of all the residents of the Borough of Bloomingdale, to the Salvation Army for its generous contribution towards the purchase of a Triple Combination Pumper Fire Truck:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby express the sincere thanks of the Borough of Bloomingdale to the Salvation Army and does hereby accept the Salvation Army's generous contribution of \$30,000.00 towards the purchase of a Triple Combination Fire Truck.

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

Adoption of Resolution #2008-9.24: Authorization to submit Grant Application for Reeve Avenue Improvements

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

**RESOLUTION #2008-9.24
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the REEVE AVENUE IMPROVEMENTS project.

WHEREAS, the Borough of Bloomingdale continues to develop projects that will improve access and maintenance on municipal roads; and

WHEREAS, this application/resolution is for road rehabilitation, sidewalk installation, and drainage improvements.

NOW, THEREFORE, BE IT RESOLVED that Council of BOROUGH OF BLOOMINGDALE, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to submit an electronic grant application identified as MA-2009-Bloomingtondale Borough-00763 to the New Jersey Department of Transportation on behalf of BOROUGH OF BLOOMINGDALE.; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to sign the grant agreement on behalf of BOROUGH OF BLOOMINGDALE and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Councilman Sloodmaker seconded the motion, and it carried as per the following roll call: Council Members: Sloodmaker, YES; Marinaro, YES; Specchio, YES; Altfield, YES; Vroom, PRESENT and Huntley, YES.

Adoption of Resolution #2008-9.25: Authorization for grant application for Van Dam Avenue and Woodward Avenue Improvement Project

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

**RESOLUTION #2008-9.25
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the VAN DAM AVENUE AND WOODWARD AVENUE IMPROVEMENTS project.

WHEREAS, the Borough of Bloomingtondale continues to develop projects that will improve access and maintenance on municipal roads; and

WHEREAS, this application/resolution is for culvert, road and sidewalk rehabilitation.

NOW, THEREFORE, BE IT RESOLVED that Council of BOROUGH OF BLOOMINGDALE, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to submit an electronic grant application identified as MA-Bloomingtondale Borough-00772 to the New Jersey Department of Transportation on behalf of BOROUGH OF BLOOMINGDALE; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to sign the grant agreement on behalf of BOROUGH OF BLOOMINGDALE and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Marinaro, YES; Specchio, YES; Altfield, YES; Vroom, YES, Huntley, PRESENT and Sloodmaker, YES.

Adoption of Resolution #2008-9.26: Authorization for Grant Application for Replacement of Sloan Park Bridge

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

**RESOLUTION #2008-9.26
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the REPLACEMENT OF SLOAN PARK BRIDGE project.

WHEREAS, the Borough of Bloomingdale continues to develop projects that will improve access and maintenance on municipal roads; and

WHEREAS, this application/resolution is for bridge replacement.

NOW, THEREFORE, BE IT RESOLVED that Council of BOROUGH OF NOW, THEREFORE, BE IT RESOLVED that Council of BOROUGH OF BLOOMINGDALE, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to submit an electronic grant application identified as COP-2009-Bloomingdale Borough-00064 to the New Jersey Department of Transportation on behalf of BOROUGH OF BLOOMINGDALE; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to sign the grant agreement on behalf of BOROUGH OF BLOOMINGDALE and that their signature constitutes acceptance of the terms and

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

Adoption of Resolution #2008-9.27: Authorization for Grant application of the Union Avenue Improvements Project

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

**RESOLUTION #2008-9.27
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the UNION AVENUE IMPROVEMENTS project.

WHEREAS, the Borough of Bloomingdale continues to develop projects that will improve access and maintenance on municipal roads; and

WHEREAS, this application/resolution is for sidewalk installation.

NOW, THEREFORE, BE IT RESOLVED that Council of BOROUGH OF BLOOMINGDALE, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to submit an electronic grant application identified as MA-Bloomingdale Borough-00768 to the New Jersey Department of Transportation on behalf of BOROUGH OF BLOOMINGDALE; and

BE IT FURTHER RESOLVED that the MAYOR and Clerk are hereby authorized to sign the grant agreement on behalf of BOROUGH OF BLOOMINGDALE and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RECESS

At this time, as per motion of Councilwoman Alfield; seconded by Councilman specchio and carried on voice vote with all members voting YES, the mayor and Council recessed at 8:30 p.m.

RECONVENED

Mayor Steenstra reconvened the meeting at 8:52 p.m.

PUBLIC HEARINGS ON ORDINANCES**Second and Final Reading and Public Hearing of Ordinance #16-2008: Permit professional and Business Offices in those portions of the R-20 Zone Abutting Union Avenue**

Councilman Marinaro moved to **POSTPONE** the second and final reading and public hearing on this ordinance until October 28, 2008 at 7:30 p.m.; seconded by Councilwoman Alfield and carried as per the following roll call: Council Members: Vroom; Huntley; Sloodmaker; Marinaro; Specchio and Alfield all YES.

Second and Final Reading and Public hearing of Ordinance #17-2008: Creating a New B-1-A Commercial Zone along Portions of Main Street and Union Avenue

AN ORDINANCE AMENDING CHAPTER 92, THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, PASSAIC COUNTY, NEW JERSEY TO CREATE A NEW B-1-A COMMERCIAL ZONE ALONG PORTIONS OF MAIN STREET AND UNION AVENUE was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice statement.

Councilman Vroom moved that the ordinance be read by title; seconded by Councilwoman Alfield and carried on voice vote.

The Municipal Clerk read the ordinance by title.

Councilwoman Alfield moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Marinaro and carried on voice vote.

Jim Courter, 15 Union Avenue, spoke in regard to lot coverage and buffer zones on his property and it was noted that this will be addressed in Ordinance #16-2008 which was carried until October 28, 2008 at 7:30 p.m.

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

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

LATE PUBLIC COMMENT

Councilwoman Alfield opened the meeting to Late Public Comment; seconded by Councilman Marinaro and carried on voice vote.

Andy Bouki, 19 Union Avenue, asked about the sidewalks on Union and it was explained that we are applying for additional grant monies to finish this project.

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

LATE EXECUTIVE SESSION

Adoption of Resolution #2008-9.28: Authorization for Executive Session

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

**RESOLUTION #2008-9.28
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Convening of an Executive Session

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Governing Body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey, as follows:

1. The public shall be excluded from discussion of, and action upon, the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
3. The general nature of the subject matter to be discussed is as follows:
 - A. Personnel – 1 matter
 - B. Negotiations – 1 matter
 - C. Attorney/Client Communication – 1 matter
4. Minutes will be taken.
5. It is anticipated at this time that minutes of the above-referenced subject matter will be made public when it is in order to do so.
6. This Resolution shall take effect immediately.

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

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

RECONVENED

Mayor Steenstra reconvened the meeting at this time, 10:28 p.m.

Adoption of Resolution #2008-9.29: Disciplinary Action of DPW Employee Timothy Solo

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

**RESOLUTION #2008-9.29
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

*Approving and Taking Disciplinary Action Against Borough of Bloomingdale
Employee Timothy Solo*

WHEREAS, on July 14, 1999, Timothy Solo was hired as an employee of the Borough of Bloomingdale, working in the Department of Public Works; and

WHEREAS, on December 7, 2004, Mr. Solo was suspended two days because of an accident that occurred due to his failure to check the Leaf-Vac truck; and

WHEREAS, on July 1, 2007, Mr. Solo was warned of abuse of sick time, with a letter being placed in his personnel file; and

WHEREAS, on February 29, 2008, Mr. Solo was suspended for five days for accepting \$100.00 from a resident to take construction waste in the Borough sanitation truck; and

WHEREAS, on August 26, 2008, Mr. Solo was suspended for fifteen days for abuse of sick time and for failure to be truthful when interviewed by the Borough Administrator; and

WHEREAS, Mr. Solo operated a Borough vehicle in a manner inconsistent with Borough standards and the Borough Administrator recommended that disciplinary action be taken against Mr. Solo; and

WHEREAS, Mr. Solo received a Rice notice informing him that his employment status would be discussed during the September 23, 2008 Executive Session meeting of the Governing Body; and

WHEREAS, on September 23, 2008 the Governing Body did discuss with the Borough Administrator, the Superintendent of the Department of Public Works, Mr. Solo and his Union representative the continued employment status of Mr. Solo; and

WHEREAS, the discussions resulted in an agreement being reached between Mr. Solo and the Borough concerning appropriate disciplinary action and Mr. Solo's continued employment with the Borough:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby discipline Mr. Solo as follows: (1) Mr. Solo is suspended without pay for a period of thirty (30) days, with a return to work date of November 5, 2008; (2) For the next two years, any issue of sick time must be substantiated by a doctor's note; (3) Mr. Solo is not authorized to drive any Borough vehicles; and (4) Any further infraction requiring disciplinary action will be grounds for termination of employment.

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

LATE EXECUTIVE SESSION

The mayor and Council resumed the Executive Session at this time, 10:30 p.m. Councilman Specchio left the meeting at this time.

RECONVENED

Mayor Steenstra reconvened the meeting at 10:47 p.m. and noted that no further formal action was conducted during the Executive Session.

ADJOURNMENT

Because there was no further public business to be conducted, Councilman Marinaro moved to **ADJOURN** the meeting at 10:47 p.m.; seconded by Councilman Sloomaker and carried on voice vote with all members present voting YES.

Jane McCarthy, RMC
Municipal Clerk