

March 24, 2009

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 7:00 p.m.

**SALUTE TO THE AMERICAN FLAG**

Mayor Steenstra led the Salute to the Flag followed by the Borough Prayer and a moment of silence for Ray Spellmon of the Borough of Butler who passed away this week.

**ROLL CALL**

<i>In Attendance:</i>	Mayor:	William Steenstra
	Council President:	Jennifer Alfield
	Council Pres. Pro Tem:	Bernard H. Vroom
	Council Members:	Linda Huntley Thomas Marinaro Dean Specchio Mark A. Crum
<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 November 11, 2008.

**EARLY PUBLIC COMMENT**

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

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

**APPROVAL OF CONSENT AGENDA**

Councilwoman Alfield moved for the adoption of the following Consent Agenda:

- A. Information Item Lists

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

**PRESENTATION BY ROSE FUND FOR 2009 RECOMMENDATIONS**

At this time, Jon Dunleavy presented the report dated March 12, 2009 of the 2009 ROSE Fund recommendations which is on file with the Municipal Clerk's Office and went over the items included in the report.

Councilwoman Huntley noted that there have been invoices to certain vendors in excess of the bid limit, i.e. Tri State and noted that this cannot go on.

Mr. Dunleavy noted that this happened one time and agreed it should not happen.

**Adoption of Resolution #2009-3.6: Acceptance of 2009 Recommendations of the ROSE Fund Report**

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

**RESOLUTION #2009-3.6  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDAL**

***Adopting the March 12, 2009  
ROSE Trust Fund Advisory Board Report and Recommendations***

**WHEREAS**, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that the Recreation and Open Space Establishment ("ROSE") Trust Fund ("Fund") Advisory Board ("Board") has submitted its Report and Recommendations, dated March 12, 2009 ("Report"), for appropriations of monies from the Fund; and

**WHEREAS**, the Governing Body further finds and declares that it has reviewed said Report and has determined that it is in the best interests of the citizenry of the Borough to adopt its Recommendations;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby adopt the March 12, 2009 Report and Recommendations of the Recreation and Open Space Establishment Trust Fund Advisory Board

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

At this time, Mr. Dunleavy asked that the Mayor and Council consider passing an amendment to the recreation ordinance which would require all organizations to take a three hour orientation safety course which is required for coaches.

Borough Attorney will review and this will be put on the April work Session for consideration.

**PENDING BUSINESS**

**Governmental Operations committee**

**Any action in regard to Vacancy on Library Board and Economic Development Alternate II**

No action at this time.

**Christmas Tree Lighting in Sloan Park**

Councilwoman Huntley stated that she felt \$12,000 which was spent for lighting at Christmas in Sloan Park was exorbitant in these economic times.

Mr. Dunleavy stated that \$7,000 of that cost was a one time fee to purchase 800 LED lights; noted that he did have support of majority of Council and public support was there for it.

Councilwoman Huntley spoke in regard to DPW cost and overtime to do it.

## **Public Health & Safety Committee**

### **Application of Title 39 to School Properties**

Police Chief Joseph Borell was in attendance and noted that he still has not had a written response from Waterfall Village as to incorporating that property in the proposed ordinance.

Borough Administrator stated that he would like to reach out to Waterfall one more time and request that this be addressed at the April 28 meeting.

## **Ordinance Review Committee**

Mayor Steenstra stated that the Committee has met and is in the process of putting together the zoning ordinance so that it can be put on line.

## **Ratables and Revenues Committee**

### **Open House/May 12**

Councilman Marinaro noted that the Planner will be here May 7 and asked that the Mayor, Ordinance Review and Mr. Croop also be in attendance.

## **Grant Writers Committee**

Councilwoman Huntley and a member of her committee went to the seminar on Sustainable NJ; we have to get 100 points and she will need a signed copy of the resolution.

In regard to the US Department of Housing program, they will be discussing that on Thursday.

## **INTRODUCTION OF NEW BUSINESS**

### **Governmental Operations Committee**

#### **Adoption of Resolution #2009-3.7: Payment of Municipal Obligations**

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

**RESOLUTION - #2009 – 3.7  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**Authorizing Payment of Municipal Obligations**

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

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

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

#### BILLS LIST

CURRENT	1,266,452.47
UTILITY	458,495.20
CAPITAL	39,426.14
UTILITY CAPITAL	0.00
TRUST	1,800.21
DOG	0.00
RECREATION	7,415.80
UNEMPLOYMENT	0.00

#### PREPAID LIST

CURRENT	796,264.58
UTILITY	182,261.46
UNEMPLOY.	178.08
RECYCLING	601.84
CAPITAL	45,234.00
TRUST	814.48
SPEC. ASSESS.	0,000.00
RECREATION	000.00

ROSE FUND	700.00	UTILITY CAP.	2,670.35
RECYCLING	000.00	DOG	000.00
TOTAL	1,774,289.82	TOTAL	1.028,024.79

Councilwoman Marinaro seconded the motion. and the motion was carried as per the following roll call: Council Members: Crum, YES; Huntley, PRESENT; Marinaro, YES; Specchio, YES; Vroom, YES and Altfield, YES.

**Resignation of Carolyn Bross as Planning Board Class IV Member**

Mayor Steenstra noted the resignation of Carolyn Bross with regret and stated that he has replaced her with John Herman for the unexpired term; term expiring 12/31/12.

**Reintroduction of ordinance #2-2009 – Recreation fees**

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 2-64-11, FEES FOR RECREATIONAL PROGRAMS*** was reintroduced by title by Councilwoman Altfield who moved that second and final reading and public hearing be held on April 28, 2009 at 7:30 p.m.; seconded by Councilman Marinaro and carried on voice vote with all Members voting YES.

**Adoption of Resolution #2009-3.8: Approval of Professional Services of William Gregor**

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

RESOLVED, that the Borough Administrator be authorized to enter into a contract for professional services with the Planning Board Engineer William Gregor.

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

**Adoption of Resolution #2009-3.9: Interlocal Services for Construction with West New York Board of Education**

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

RESOLVED, *that the Interlocal service Agreement between the Borough of Bloomingdale and the West New York Board of Education which is on file in the Municipal Clerk's office be approved.*

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

**Introduction of Ordinance #3-2009: bond Ordinance for Special Emergency for tax maps**

***AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR THE ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION OF A DIGITAL TAX MAP AND FOR THE PREPARATION OF A MAP OVERLAY FOR STORM WATER MANAGEMENT IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY*** was introduced by title by Councilman Specchio who moved that second and final reading and public hearing be held on April 14, 2009 at 7:30 p.m.

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

**Adoption of Resolution #2009-3.10: Authorizing contract with DMC Associates, Inc.**

Councilman Specchio moved that the Borough enter into a contract with DMC Associates, Inc. for preparation of the tax maps for a sum of \$36,000 for Option I and \$79,000 for Option II contingent upon the passing of Ordinance #3-2009; seconded by Councilman Crum and carried as per the following roll call: Council Members: Vroom; Altfield; Crum; Huntley; Marinaro and Specchio all YES.

**Adoption of Resolution #2009-3.11: Authorizing for cops Grant Program**

Police Chief Borell was in attendance to discuss this grant opportunity and noted that this grant cannot be used to replace retiring officers; we can use it to improve our community projects, etc.. His intention is to apply for three officers.

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

**RESOLUTION #2009-3.11  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS the U. S. Department of Justice has made funds available through the Office of Oriented Policing Services for to hire new and/or rehire career law enforcement officers in an effort to create and preserve jobs and, to increase community policing and crime prevention efforts; and

WHEREAS such funds will be made available through participation in the Cops Hiring Recovery Program (CHRP); and

WHEREAS the Borough of Bloomingdale agrees to retain each officer position awarded for at least twelve (12) months following the conclusion of thirty six (36) months of federal funding for that position; and

WHEREAS the Borough of Bloomingdale acknowledges the retention requirement cannot be satisfied through attrition; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare its full support of the Cops Hiring Recovery Program for 2009; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the submission to the U. S. Department of Justice, an application for a 2009 Cops Recovery Hiring Program Grant and does hereby further authorize the appropriate municipal officials to complete any and all tasks necessary to perfect such an application.

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

**LATE PUBLIC COMMENT**

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

Ron Caputo, 42 Bogue Drive, asked why our street sweeper was sweeping a county road at 5:30 a.m.

DPW Superintendent Gallagher was in attendance and noted that he authorized the sweeping of the county road as it was needed and no overtime was used to do it.

Mr. Caputo asked if we were required to get a permit from the DEP for opening a landfill at the DPW for the new building.

Borough Administrator stated that there is an issue right now which he will be addressing in Executive Session with the Mayor and Council. He has been assigned the Clerks of the Works for the project and there has been the demolition of the garage and removal of slab. The debris under the floor is household projects and we have had soil samples done; there is no contamination. The ground was not compacted properly.

Mr. Caputo stated that they were told years ago not to touch the property and he thinks a permit is necessary.

Borough Administrator stated that he will be discussing this in Executive Session this evening.

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

**Jeff Gabriele v. Borough of Bloomingdale**

Borough Attorney reported that Mr. Gabriele did not show up for his court date on March 20 and the Judge dismissed the case with prejudice.

**LATE EXECUTIVE SESSION**

**Adoption of Resolution #2009-3.12: Authorization for Late Executive Session**

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

**RESOLUTION #2009-3.12  
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. Litigation – BLC One vs. Bloomingdale  
DelGuidice vs. Bloomingdale
  - B. Contract Negotiations
4. Minutes will be taken.
5. It is anticipated at this time that minutes of the above-referenced subject matter will be made public when it is in order to do so.
6. This Resolution shall take effect immediately.

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

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

**RECONVENED**

Mayor Steenstra reconvened the meeting at this time and noted that no action was taken during Executive Session.

***Adoption of Resolution 2009-3.13: Authorization of Professional Consulting Contract/Converse***

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

RESOLVED, that the contract for Professional Consulting Services in the amount of \$8,000 for soil testing and compaction for the DPW building with Converse be approved.

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

**ADJOURNMENT**

Because there was no further public business to be conducted, Councilman Marinaro moved to **ADJOURN** the meeting at 9:47 p.m.; seconded by Councilman Specchio and carried on voice vote.

Jane McCarthy, RMC  
Municipal Clerk