

July 21, 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 7:05 p.m.

SALUTE TO THE AMERICAN FLAG

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

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Steenstra
	Council President:	Jennifer Altfield
	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 Marinaro and carried on voice vote with all Council Members voting YES.

Jon Dunleavy, 51 Morse Lakes Road, spoke in regard to notice the Morse Lakes residents received whereby they were charged \$345 for a hook up fee and their confusion as to why they were billed for this.

Borough Attorney MacMahon stated that this was billed in error and no authorization was given by the Governing Body for the residents to pay this fee; and noted that they should not pay it and if they have, they will be issued a credit.

Mr. Dunleavy requested that before the project has been closed out, a meeting be held with himself, Board of Trustees of Morse Lakes, Borough Engineer, etc. to go over any open items or concerns, i.e. road conditions, who has received public water re DEP requirements.

Borough Administrator noted he could ask Drew Stikes from the DEP to come up and meet with the residents.

Mayor Steenstra suggested that the Morse Lakes residents give their concerns to Mr. Dunleavy and he can give them to the Borough Administrator.

Mr. Dunleavy also thanked the Mayor and Police Chief for arranging a meeting for the residents on bear awareness.

Keith Mika, 20 Bogue Drive, discussed fact that when the sewers were installed back in 1999, he requested a waiver not to hook up and was granted it. When he applied to hook up in 2003, Ordinance #2002 was now in effect which increased the hookup fee to \$4,200. Mr. Mika felt that this should be waived as the street does not have to be cut and he has paid his assessment.

Mayor Steenstra stated that when the project was done, the waiver stated that you have to hook up within the first two years for the fees to be waived and a letter was sent to all residents notifying of that.

Discussion followed and consensus that the Borough Administrator and Borough Attorney will look at the file and get back to Mr. Mika.

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

APPROVAL OF CONSENT AGENDA

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

- A. Request from Stephanie Borsi, 21 Reeve Avenue for Block Party September 5, 2009 from 3 p.m. to 7 p.m. - approved

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

PENDING BUSINESS

Governmental Operations

Adoption of Resolution #2009-7.1: Authorization for Contract with Converse Consultants for Environmental Services for Site Investigation for Walter T. Bergen School

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

RESOLVED, that authorization is given for the Borough to enter into a contract with Converse Consultants for environmental services for site investigation for the Walter t. Bergen School.

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

Adoption of Resolution #2009-7.2: Acceptance of Unions (3) and Non-Contractual Proposal for Deferred Compensation for 2010/Commitment of no Lay-offs

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

RESOLUTION #2009-7.2 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Accepting the Borough Employees 2010 Budget Relief Offer Deferring Pay Increases and Committing to Same Level Employment in 2010

WHEREAS, the Governing Body of the Borough of Bloomingdale strives to spend the Borough tax dollars wisely so as to benefit the residents of Bloomingdale while working to keep operating costs down; and

WHEREAS, the Governing Body of the Borough of Bloomingdale and the Borough

Administrator have over the years sought to develop, and have developed, a positive working relationship with the Borough employees that seeks to mutually benefit the Borough, its employees, and most importantly the residents of Bloomingdale; and

WHEREAS, the employees of the Borough are committed to making Bloomingdale better and to continue down a successful path and are aware of the financial hardships faced by the residents of Bloomingdale in these difficult economic times; and

WHEREAS, the three unions, the Policeman Benevolent Association (PBA), the Blue Collar Employees (DPW/Water) and the White Collar Employees (Clerical Staff), along with the non-contractual staff have committed to doing their part to assist the Borough and its residents in these volatile times; and

WHEREAS, Borough employees have offered that the January 1, 2010 salary increase should be deferred until July 1, 2010 and that the July 1, 2010 increase should be deferred until the final pay of 2010 as a 2010 Borough cost-saving measure; and

WHEREAS, the Borough employee offer to defer raises will save the Borough \$137,714.00 in 2010, which when coupled with the approximately \$22,000.00 savings from the “Four Day Going Green Work Week” amounts to a total 2010 savings of \$159,714.00, or 3.81 tax points to the Borough; and

WHEREAS, the Governing Body of the Borough of Bloomingdale takes great pride in the Borough employees and appreciates their efforts on a daily basis to make Bloomingdale the best that it can be; and

WHEREAS, the Governing Body of the Borough of Bloomingdale recognizes that the provision of services to the residents of Bloomingdale requires appropriate staffing and that downsizing of any departments is not really an option since departments already are operating with minimal staff while continuing to offer an acceptable level of service to the public:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby accept with gratitude the offer made by the Borough employees that the January 1, 2010 salary increase should be deferred until July 1, 2010 and that the July 1, 2010 increase should be deferred until the final pay of 2010 as a 2010 Borough cost-saving measure.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby commit that it will not undertake a reduction in force as a cost saving measure in light of the facts that (1) the Borough departments already are operating with minimal staffing, and (2) the Borough employees, by their offer to defer 2010 raises, have demonstrated an extraordinary level of commitment to the Borough and its residents in these volatile and difficult economic times.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND RESOLVED, that nothing contained herein shall impair the ability of the Governing Body of the Borough of Bloomingdale and Borough Administrator to undertake the general management functions of the Borough, including management’s prerogative to take disciplinary action against an employee as may be required in management’s discretion.

Councilman Crum seconded the motion.

Councilwoman Huntley offered a motion to amend the resolution striking the second and last WHEREAS paragraph as she did not agree that we are operating at minimal staffing; there was no second on the motion.

Municipal Clerk read a statement into the record.

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

Mayor Steenstra and members of the Governing Body thanked the employees for their efforts in trying to help the borough during these tough financial times.

Adoption of Resolution #2009-7.3: Approval of Renewal of Liquor License #1601-33-003-007 Tres Sombreros

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

**RESOLUTION #2009-7.3
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE LICENSE
TRES SOMBREROS, LLC
#1601-33-002-006***

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

WHEREAS, said application was accompanied by the necessary fee; and

WHEREAS, the 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

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

Tres Sombreros, LLC
44 Hamburg Turnpike
Bloomingtondale, NJ 07403

#1601-33-002-006

(Inactive License)

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

Public Health & Safety Committee

No Report

Ordinance Review Committee

No Report

Ratables and Revenues Committee

No Report

Grant Writers Committee

Public Hearing on Passaic County Open Space and Farmland Preservation Trust Fund Application/Oakwood lake Recreation Improvements

At this time, Mayor Steenstra opened the second Public Hearing on the Passaic County Open Space and Farmland Preservation Trust Fund Application; Borough Attorney went over the proposed project and its parameters.

Margaret Amy, 5 Sunrise Avenue, asked if the lake dredging would be part of the application and was informed it was not. Ms. Amy also discussed the mosquitoes at the lake and asked if anything could be done for it and was informed that a call could be made to the Passaic County Mosquito Control Commission.

Jon Dunleavy of the ROSE Fund Advisory Board spoke in regard to dredging being a priority of the commission but it is not financially feasible and the permit process would cost close to ¼ million dollars.

In regard to concerns of the floating dock proposed and fact that lake is not that deep and mucky, Mr. Dunleavy noted that the exposure exists anyway whether or not a dock is put in.

Since there was no one else who wished to speak under the Public Hearing, Mayor Steenstra closed the Public hearing on this application.

INRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2009-7.4: Payment of Municipal Obligations

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

**RESOLUTION - #2009 -7.4
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	1,321,228.68
UTILITY	122,598.96
CAPITAL	15,222.78
UTILITY CAPITAL	
TRUST	2,455.33

PREPAID LIST

CURRENT	562,048.27
UTILITY	34,983.81
UNEMPLOY.	88.02
RECYCLING	188.48
CAPITAL	300,000.00

DOG	155.76	TRUST	1,200.00
RECREATION	3,614.87	SPEC. ASSESS.	29,000.00
UNEMPLOYMENT	0.00	RECREATION	2,165.00
ROSE FUND	16,362.79	UTILITY CAP.	189,000.00
RECYCLING	480.00	DOG	000.00
.			
TOTAL	1,472,119.17	TOTAL	1,118,673.58

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

Discussion with Construction Official as to Fee Schedule for Construction Department

At this time, Construction official Dan Hagberg was in attendance and discussed his mandatory five year review of the building department only in Bloomingdale. Recommended new fee structure for renovations, alterations and repairs which would amount to a 17% increase which is what the DCA has increased their fees to.

Discussion followed as to raising the fees and noted that this would only apply to Bloomingdale; Kinnelon and Butler would have to address theirs separately if so desired.

Noted that this was not due to increase of employees; just the decrease in permits as our construction costs are down 35%.

Discussion as to not increasing the fees for hardship items such as boiler replacement, etc. Councilwoman Huntley felt we should not increase hardship items.

Consensus to have the Borough Attorney prepare an ordinance as outlined by the construction Official.

Resignations from Senior Citizen Advisory Board

Councilman Vroom moved to accept the resignations of May Hopper and Angie DiDolci as members of the Senior Citizen Advisory board with regret; seconded by Councilman Marinaro and carried on voice vote with all members voting YES.

Appointments to Senior Citizen Advisory Board

Mayor Steenstra made the following appointments to the senior Citizen Advisory Board:

Eleanor Krapohl – 3 year unexpired term; term expiring 12/31/10

Joan Taggart – 3 year unexpired term; term expiring 12/31/10

Frank Blacksmith – Mayor's Representative; one year unexpired term; term expiring 12/31/09

Councilman Specchio moved for the CONFIRMATION of these appointments; seconded by Councilman Crum and carried on voice vote.

Introduction of Ordinance #10-2009: 2009 Salary Ordinance

AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CATEGORIES AND TITLES OF OFFICERS, NON-CONTRACTUAL EMPLOYEES AND CONTRACTUAL EMPLOYEES OF THE BOROUGH OF BLOOMINGDALE was introduced by title by councilwoman Alfield who moved that second and final reading and public hearing be held on August 18m 2009 at 7:30 p.m.

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

Discussion of letter dated June 16, 2009 from State of NJ DCA Commissioner in regard to jurisdiction of Housing Elements and Fair Share Plan

At this time, Mayor Steenstra read into the record a letter received from the State indicating COAH has the responsibility to review a petition and issue substantive certification. Discussion followed.

Adoption of Resolution #2009-7.5: Authorizing Submission of Municipal Alliance Application

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

RESOLUTION #2009-7.5
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

***Authorizing Submission of FY2010 Municipal Alliance
DEDR Grant Program Application to County of Passaic***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Borough’s Municipal Alliance Program has been an unqualified success in fostering greater awareness and prevention of alcohol, tobacco and drug use among the youth of the Borough; and

WHEREAS, the Governing Body further finds and declares that is in the best interests of the health, safety and welfare of the Borough and its citizenry, particularly its young people, to authorize the submission of a FY2010 Municipal Alliance DEDR Grant Program Application to the Passaic County Municipal Alliance Program;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Bloomingdale Municipal Alliance to submit a FY2010 Municipal Alliance DEDR Grant Program Application to the Passaic County Municipal Alliance Program; and

BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the appropriate municipal officials to execute the FY2010 Municipal Alliance DEDR Grant Program Application in furtherance of that effort.

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

Ordinance Review Committee

No Report

Ratables and Revenues Committee

No Report

Grant Writers Committee

Councilwoman Huntley noted that she received an email from the Environmental commission as to an opportunity to apply for an energy audit grant. Discussion followed as to this application and noted that it will be forwarded to the Chief Financial Officer to review but it has to be submitted by July 31, 2009.

Councilwoman Huntley moved for the submission of the application for an energy audit grant; seconded by Councilman Marinaro and carried on voice vote.

Sanitary Sewer Backup/Union Avenue

Borough Administrator stated that there was a sanitary sewer backup on Union Avenue and he will have to approve the emergency retroactively at the August 18 meeting.

PUBLIC HEARING FY2009 MUNICIPAL BUDGET

Adoption of Resolution #2009-7.6: Authorizing Proposed FY2009 Municipal Budget to be Read by Title

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

BE IT RESOLVE, that the Municipal Clerk be authorized to read the FY2009 Proposed Municipal Budget by Title.

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.

The Municipal Clerk read the Budget by title.

Councilman Specchio moved that the meeting be opened to the Public Hearing on the Proposed FY2009 Municipal Budget; seconded by Councilwoman Altfield and carried as per the following roll call: Council Members: Vroom; Altfield; Crum; Huntley; Marinaro and Specchio all YES.

Thomas Tintle, Van Dam Avenue, asked if the pension was fully funded.

At this time, Chief Financial Officer Donna Mollineaux noted that the pension was deferred and explained the reasons for doing so.

Mr. Tintle felt that the budget should actually reflect the cost of running the borough for a year; you will have to start paying in 2012 and asked if any funds were taken out of water/sewer.

Chief Financial Officer Donna Mollineaux noted that they did no and in fact the Governing Body passed a resolution a few years ago that that would not be done.

Mr. Tintle discussed the employee givebacks and fact that that money might be rolled into surplus and also stated that losing leaf collection will save us \$150,000.

Since there was no one else who wished to speak under the Public Hearing, Councilman Specchio moved that it be closed; seconded by Councilman Crum and carried as per the following roll call: Council Members: Altfield; Crum; Huntley; Marinaro; Specchio and Vroom all YES.

Adoption of Resolution #2009-7.7: Amendment to FY2009 Municipal Budget

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

See pages spread in full Pages 8A-B)

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

Adoption of Resolution #2009-7.8: Adoption of FY2009 Municipal Budget

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

(See Pages spread in full 8C)

Councilman Specchio seconded the motion.

Councilwoman Huntley spoke in regard to the Water Department budget as to hiring an additional person and did not feel it was needed and the salaries were excessive; spoke of not budgeting for retirement and noted that a hiring freeze is essential.

The motion carried as per the following roll call: Council Members: Huntley, NO; Marinaro; YES; Specchio, YES; Vroom, YES; Altfeld, YES and Crum, YES.

PUBLIC HEARING OF ORDINANCE #7-2009: 15 Ton Weight Limit

Councilwoman Altfeld moved to withdraw the adoption of this ordinance as it is no longer applicable; seconded by councilman Marinaro and carried on voice vote with all members voting YES.

PUBLIC HEARING OF ORDINANCE #9-2009: Amending Chapter V, Animal Control

Borough Attorney stated that he has received some proposed revisions to this ordinance and asked that this ordinance be reintroduced with the revisions for second and final reading and public hearing on August 18, 2009 at 7:30 .m.

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER V, ANIMAL CONTROL, TO CREATE THE POSITION ANIMAL SERVICES

COORDINATOR/DIRECTOR OF introduced by title by Councilman Specchio who moved that second and final reading and public hearing be held on August 18, 2009 at 7:30 p.m.; seconded by Councilwoman Altfeld and carried on voice vote.

LATE PUBLIC COMMENT

Mayor Steenstra opened the meeting to Late Public Comment at this time.

John Capazucca, 12 Raffman Road, expressed his concern over the bagging of the leaves effective this year and asked who will be picking up the leaves that fall in the street and how are they going to monitor this.

Borough Attorney addressed the situation with the leaf pickup and the DEP regulations and the Kelly law.

Mayor stated that the DPW will be picking up the leaves which fall in the street and as far as monitoring it, there are still issues which have to be addressed.

Walter Baka, 11 Raffman Road, also expressed his concern as to the borough not picking up leaves anymore and concerned about the hardship on older residents.

Jon Dunleavy, 51 Morse Lakes Road, asked if the Mayor and Council would be putting out a flyer of some sort notifying the resident and the Chief Financial Officer noted that there had been discussion of putting a notice in with the tax bills.

Ron Cece, Morse lakes, also expressed concern with the town monitoring who is blowing their leaves in the street.

Councilman Marinaro stated that Councilwoman Altfeld had done an analysis of surrounding towns and most have gone to bagging leaves.

Laurie Weinbrock, 45 Highland Road, asked what part of the borough was not receiving service and it was noted that Glenwild, Kampe and Lake Iosco.

Ms. Weinbrock asked if the Borough opted into the Highlands Master Plan and was informed we are planning to do that.

Discussion of court ordered judgment for BLC and process which will be followed once development has started. Noted that this would settle the Borough's second round COAH obligation.

Jon Dunleavy noted that we still would not have our third round obligation addressed and someone could still come in with a builders remedy lawsuit to which the borough Attorney noted is correct.

John Capazucca asked who the owners of the nursing home and borough Attorney stated that it is a LLC company.

Betty Frey, 33 Ridge Road, asked what every happened to the presentation give by resident Tim Traynor to satisfy our COAH obligation and Borough attorney stated that that a lawsuit was filed by the property owner and Judge Brogan rendered the decision.

Carla Meconis, , thanked the Mayor and Council for their decision to go to bagging of leaves and noted that it is safer for the children with piles of leaves not being left in the road.

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

LATE EXECUTIVE SESSION

Adoption of Resolution #2009.7.9: Authorization for Late Executive Session

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

RESOLUTION #2009-7.9 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 – 5 matters
 - B. Possible Litigation – 1 matter
 - C. Negotiations – 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 Specchio seconded the motion, and it carried on voice vote with all Council Members voting YES.

(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 #2009-7.10: Authorization to expend funds to repair Fire Department Engine #662

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

**RESOLUTION #2009-7.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

A Resolution of the Borough of Bloomingdale Authorizing the Expenditure of up to \$34,000.00 for Repairs to Fire Engine 662

WHEREAS, the Governing Body finds and declares that it essential to the public health, safety and welfare to maintain a fire company fleet of vehicles sufficient to meet the needs of the residents of the Borough of Bloomingdale; and

WHEREAS, the Governing Body has been informed that Fire Engine 662 is in need of substantial repairs; and

WHEREAS, the Governing Body is interested in learning whether it would be cost effective to the taxpayers of the Borough to repair Fire Engine 662:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize the Borough Administrator to solicit bids for repair work to Fire Engine 662 at a cost not to exceed \$34,000.00.

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

Adoption of Resolution #2009-7.11: Termination of DPW Employee Timothy Solo

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

**RESOLUTION #2009-7.11
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, on September 23, 2008 Mr. Solo Mr. Solo was given the following discipline for operating a Borough vehicle in a manner inconsistent with Borough standards: (1) suspension 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.; and

WHEREAS, Mr. Solo received a Rice notice informing him that his employment status would be discussed during the July 21, 2009 Executive Session meeting of the Governing Body because of his violation of Borough policies on July 8, 2009, specifically, leaving his assigned work area without permission and/or notification of his supervisor; and

WHEREAS, on July 21, 2009 the Governing Body did discuss with Borough Administrator Ted M. Ehrenburg, Superintendent of the Department of Public Works Al Gallagher, Foreman Fred Cook, Mr. Solo, and his Union representative Bernice L. Krawczyk, the continued employment status of Mr. Solo; and

WHEREAS, during those discussions Mr. Solo and his Union representative acknowledged that Mr. Solo violated Borough policies on July 8, 2009 and the Department of Public Works employees expressed to the Council their continuing concern that Mr. Solo does not follow Borough policies, as demonstrated by Mr. Solo's disciplinary history:

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

Adoption of Resolution #2009-7.12: Appointment of CFO Donna Mollineaux as Assistant to the Administrator

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

**RESOLUTION #2009-7.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***A Resolution of the Borough of Bloomingdale Designating and Appointing
Donna Mollineaux as Assistant to the Borough Administrator***

WHEREAS, the Governing Body finds and declares that the administration of Borough business will be best served by designating and appointing an Assistant to the Borough Administrator who will be able to assist the Borough Administrator in the Administrator's duties:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby designate and appoint Donna Mollineaux as Assistant to the Borough Administrator and does further declare that for the Year 2010 Donna Mollineaux shall serve in this position without receiving any additional compensation for the services provided.

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

ADJOURNMENT

Because there was no further public business to be conducted, Councilwoman Altfield moved to **ADJOURN** the meeting at 11:19 p.m.; seconded by Councilman Vroom and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk