

**WORK SESSION OF
THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE***

March 9, 2010

*Action Items from February 23, 2010 Meeting which was canceled due to inclement weather are included in this meeting.

Mayor Steenstra called the meeting to order at 7:30 p.m.

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Streenstra
	Council President:	Dean Specchio
	Council President Pro Tem:	Bernie Vroom
	Council Members:	Linda J. Huntley Thomas Marinaro Jo-Ann Pituch Glenn Schiffman
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy, RMC
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. MacMahon, Esq.
	Chief Financial Officer:	Donna Mollineaux

SALUTE TO THE AMERICAN FLAG

Mayor Steenstra led the Salute to the Flag.

PUBLIC NOTICE STATEMENT

Mayor Steenstra stated that on December 17, 2009, publication notification of the date, time and place of this Official Meeting was faxed and mailed to all local news media and posted in the Bloomingdale Municipal Building.

MAYOR REPORT

At this time, Mayor Steenstra reported that he attended a recent breakfast with Senator Pennachio and Assemblymen Webber and DeCroce in Trenton. He met the Acting Director of Community Affairs Laurie Grifa and a meeting has been set up on March 26 in Trenton with representatives from Bloomingdale to discuss Shared Services.

At this time, Mayor Steenstra announced that Police Chief Joseph Borrel was selected to attend a ten week course in Quantico, Virginia of the FBI National Academy; this is a prestigious group selected to attend (about 1% out of the Country) and an honor for Bloomingdale and Police Chief Borrel. Words of congratulations were extended to Police Chief Borrel for this honor.

Adoption of Resolution #2010-3.1: Recognizing and Congratulating Bloomingdale Police Chief Joseph Borell for his Achievement of Being Selected for Admission to the FBI National Academy

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

**RESOLUTION #2010-3.1
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Recognizing and Congratulating Bloomingdale Police Chief Joseph Borell for his Achievement of Being Selected for Admission to the FBI National Academy

WHEREAS, the Governing Body of the Borough of Bloomingdale is committed to ensuring that residents of the Borough of Bloomingdale are provided with quality services and a safe community to the fullest extent practicable ; and

WHEREAS, the Bloomingdale Police Department is an integral part of the “first line of defense” for the protection of and service to all persons in the Borough on a twenty-four hour per day, seven days per week basis; and

WHEREAS, the Bloomingdale Police Department consistently conducts itself in an exemplary and professional manner and is a credit to the Borough; and

WHEREAS, Bloomingdale Police Chief Joseph Borell as the head of the police department is responsible for the day to operations of the department and strives to make the Borough as safe as it can be for the residents of and visitors to Bloomingdale; and

WHEREAS, Chief Joseph Borell has been selected for admission to the FBI National Academy, the mission of which is to support, promote, and enhance the personal and professional development of law enforcement leaders by preparing them for complex, dynamic, and contemporary challenges through innovative techniques, facilitating excellence in education and research, and forging partnerships throughout the world; and

WHEREAS, the FBI National Academy is held at the FBI Academy located on the U.S. Marine Corps Base at Quantico, Virginia, with an enrollment of only approximately 250 law enforcement officers from around the country and around the world; and

WHEREAS, one out of every seven FBI National Academy graduates is the head of a law enforcement department and since its establishment in 1935, over 37,000 law enforcement officers have attended the FBI National Academy; and

WHEREAS, the selection of Chief Joseph Borell for admission to the FBI National Academy is indicative of the personal qualities and individual effort of Chief Joseph Borell and reflects very well upon the professionalism and dedication of the Bloomingdale Police Department as a whole; and

WHEREAS, the Governing Body of the Borough of Bloomingdale, on behalf of the residents of the Borough, wishes to take this opportunity to recognize Chief Joseph Borell for his tireless efforts to safeguard the residents of the Borough and to congratulate him for the personal accomplishment of being admitted to the FBI National Academy.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby recognize Bloomingdale Police Chief Joseph Borell for his tireless efforts to safeguard the residents of the Borough and does further hereby congratulate Chief Borell for his personal accomplishment of being admitted to the FBI National Academy; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby find and declare that the personal accomplishments of Chief Joseph Borell are a reflection of the professionalism of the Borough Police Department and does hereby commend the police department for its continuing efforts to safeguard the public.

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

PRESENTATIONS

Adoption of Resolution #2010-3.2: Recognition of the 100th Anniversary of the Boy Scouts of America

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

RESOLUTION #2010-3.2 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Honoring the 100th Anniversary of the Boy Scouts of America

WHEREAS, the Boy Scouts of America was established February 8, 1910 and for one hundred years has created a strong foundation of leadership, service and community for millions of American youth; and

WHEREAS, the boy Scouts of America provides a program that builds character, trains Scouts in the responsibilities of participating citizenship and develops personal fitness; and

WHEREAS, with every rank advancement comes new challenges, new adventures and new friends for Scouts and those Scouters who accompany them along the way; and

WHEREAS, the Boy Scouts of America has nurtured and honored over two million Eagle Scouts; and

WHEREAS, the Boy Scouts of America alumni share memories that last a lifetime; and

WHEREAS, Scouting celebrates its legacy and reaffirms its commitment to inspire and prepare future generations;

NOW, THEREFORE, BE IT RESOLVED that the Boy Scouts of America, Bloomingdale Cub Pack #86, Troop 86, Troop 286 and Venture Crew 286, their leaders and sponsoring organizations are hereby honored by the Mayor and Council of the Borough of Bloomingdale for making a difference in Bloomingdale by their dedication of Scouting's core values -- leadership, character, community service, achievement and stewardship of the environment.

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

The presentation was roundly applauded by all those in attendance.

Adoption of Resolution #2010-3.3: Resolution Congratulating Brian Ball on his attainment of Eagle Scout

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

**RESOLUTION #2010-3.3
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, Brian Ball has participated in the Boy Scouts of America, a national organization founded in 1910 for the purpose of assisting young boys develop character, citizenship and physical and mental fitness through training in wood, field and handicraft activities and community service; and

WHEREAS, Brian Ball has graduated within the organization by achieving successive ranks and merit badges through his successful completion of activities intended to foster the purpose of the Boy Scouts of America, and has attained the high rank of Eagle Scout as a result; and

WHEREAS, the Governing Body of the Borough of Bloomingdale finds and declares that Brian Ball has brought honor to his community, his family and himself through his attainment of the high rank of Eagle Scout and has distinguished himself as an example to others of what it means to be a Scout;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby recognize and congratulate Brian Ball on his attainment of the high rank of Eagle Scout; does commend to him continued participation in civic and scouting activities as a means of fulfilling his status as an Eagle Scout; and does extend to him best wishes in all of his future endeavors.

Councilwoman Pituch seconded the motion, and it was carried on voice vote with all council Members voting YES.

The presentation was roundly applauded by all those in attendance.

Recognition of the Bloomingdale Cheerleader and Pom Pon Squads

At this time, certificates of appreciation were presented to members of the Bloomingdale Cheerleader and Pom Pon Squads for the A Squad winning Team Cheer and Dance Drill; B Squad winning Team Pom Pon Overall and Team Cheer Dance 3rd Degree and C Squad Winning Team PomPon Overall.

The presentation was roundly applauded by all those in attendance.

RECESS

Mayor Steenstra recessed the4 meeting at this time, 8:05 p.m.

RECONVENED

Mayor Steenstra reconvened the meeting at 8:15 p.m.

Presentation by Jon Dunleavy of the 2010 ROSE Fund Report and Recommendations

At this time, Jon Dunleavy, Mark Crum, Paul Bastante and Ed Simoni were in attendance representation the ROSE Fund committee and presented their recommendations for 2010 (See Report Attached below)

2010 Rose Fund Advisory Board Report

To: Mayor William Steenstra
Council Borough of Bloomingdale

Date: 02/23/10

Re: 2010 Recommendations of the Rose Fund

As required by Borough Ordinance #10-2001, Section 2-65.6b, The Rose Fund Advisory board has held the two required public meetings. These meetings occurred on January 25th and February 15th 2010.

Below please find the formal recommendations of the Rose Fund Advisory Board for 2010. The Advisory Board is making three separate recommendations that will be present and we ask that each item is voted on separately. The first will be the annual recreation maintenance and project recommendations. The second will be changing the funding amounts into each category and the third will be asking for approval to apply to ANJEC for a grant to have The Land Conservancy prepare our Open Space Master Plan revisions and updates.

Review 2009 projects and renovations completed with Rose Fund

1. Fund Allocations

Since the inception of the Rose Fund Advisory Board in 2001, the funding allocations have been set at 25% for each category. These categories are Open Space, Recreation Projects, Recreation Maintenance and Discretionary. The Rose Fund Advisory Board suggests change in the current level of funding allocations for each category. The recommendation is as follows: 10% Open Space, 30% Recreation Maintenance, 30% Recreation Projects and 30% Discretionary. The reason for this change in funding is due to the fact the we have many recreation needs such as the Walter T Bergen Project and the potential Recreation Center on Balston St. The Open Space needs at this time are limited due to the Highlands Protection, Mt. Laurel Zoning and existing Open Space. Furthermore the Mayor and Council have the authority to remove and amend this split at any time in the future if the need should arise.

2. Open Space:

The Rose Fund Advisory Board recommends that the Borough immediately review the Open Space Master Plan. The last plan was completed in 2000. Since this time a few parcels have been acquired. Some parcels fall into the Highland Preservation Areas and a few are Mt. Laurel (COAH) parcels. As a result the Open Space Master plan needs to be updated. We recommend utilizing the Open Space section of the Rose fund to pay for this review as well as grants from various Environmental groups. The cost to update our Open Space Master Plan will be \$14,000. We can obtain 50% funding from ANJEC>

The Rose Advisory Board recommends reviewing and creating a priority list of Open

Space land.

The Rose Advisory Board recommends that The Borough review all Highland Council Grant opportunities. The Rose Committee also request status report on Ball Tract and Decker Tract acquisition by PRC. The Rose Advisory requests the Mayor and Council to review if Rose Fund can purchased vacant buildings for possible open space and recreation use

3. Recreation Projects

Do to the existence of the Rose Fund; this has enabled the Borough to revitalize our Recreation facilities. The following are recommendation for Recreation Projects in 2010.(items in italics are previous recommended items

1. New fencing and dugouts, backstop at WTB big field
2. *brick pointing of Grand stand at Delazier Field*
3. *complete Bergen School project*
4. install grass infield-delaizer big field
5. new batting cage delazier-old to heavy to install each year--will donate to TBLL
6. *fund Sloan Park Bridge replacement*
7. fund Oakwood Lake Project
8. Repair drainage problem MBD back field--due to incline clay washes and clogs storm drains and flood Highland Rd.
9. *Rund Recreation Center on Balston-old firehouse*
10. *Price mobile band shell for outdoor concerts and shows.*
11. replace missing playground equipment--one piece at delaizer, one piece at Bogue
12. *fund community garden- recommended in 2006*
13. *resurface WTB basketball court*
14. new electircal service for Sloan Park
15. *review historic designation for Delazier field*
16. *install additional fountains at Bogue and Oakwood pond*
17. *review potential dredging opportunities for Bogueand Oakwood,as the feed C-1 waterway*
- 18.
- 19.

4. Recreation Maintenance

The following are the recommendation for 2009 recreation maintenance.

1. continue to maintain all facilities--fertilize, aerate, seed etc.
2. open all baseball fields and add new clay--speedy dry and lime
3. replace damaged pitching mounds at all fields
4. sod for football season
5. seed and top-dress Delazier field for winter closure
6. repair and add sprinklers to Delazier field
7. paint for field lining
8. supplies for bathroom and cleaning
9. replace broken garbage cans at all parks--approx 6

Conclusion:

The Rose Fund Advisory Board has reviewed the Ordinance and has held its two required public meetings. This Board believes that the recommendations conform to the intentions of the Ordinance. We are please to report that in 2009 approximately \$50000 was refunded to the Rose Fund from PassaicCounty in regards to expenses related to the WTB project.

Discussion followed with members of the Mayor and Council as to the recommendations of the 2010 ROSE Fund Report.

Adoption of Resolution #2010-3.4: Approval of Recommendations of the ROSE Fund Report as outlined above

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

RESOLVED, that the recommendations as outlined in the February 23, 2010 ROSE Advisory Board report and presented this evening to the Mayor and Council be approved.

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council members: Pituch, PASS; Schiffman, YES; Specchio, YES; Vroom, YES; Huntley, YES; Marinaro, YES and Pituch, YES.

Adoption of Resolution #2010-3.5: Authorization for Revision of the Open Space Master Plan

At this time, Jon Dunleavy went over proposals he received for revision of our Open Space Master Plan and recommend the hiring of Passaic River Coalition at a cost of \$10,000 and also noted that ANJEC offers a grant of up to 50%.

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

RESOLVED, that authorization is given to the Passaic River Coalition to redo the Open Space Master Plan in an amount not to exceed \$10,000.

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

Adoption of Resolution #2010-3.6: Authorization to apply for an ANJEC matching grant

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

RESOLVED, that the Passaic River Coalition be authorized to apply on behalf of the Borough of Bloomingdale for the ANJEC matching grant.

Councilman Schiffman seconded the motion, and it carried as per the following roll call: council members: Schiffman; Specchio; Vroom; Huntley; Marinaro and Pituch all Yes.

Discussion as to change in allocation formula for ROSE Fund

At this time, Jon Dunleavy recommended a change in the ROSE Fund allocation as following:

10% Open Space
30% Recreation Maintenance
30% Recreation Projects
30% Discretionary

Councilwoman Huntley recommended that we kept it as it is; if additional funding is needed in another category, the ROSE Fund committee can come before the Council and request.

Discussion followed; Councilman Marinaro felt it should be split. Mr. Dunleavy stated they are an advisory council and have substantial recreation projects on the horizon. The existence of the ROSE Fund enables us to get open space; it was never designed to be the tool to acquire land. To date we have acquired 1.2 million dollars of open space, using \$60,000 out of the ROSE Fund.

Mr. Dunleavy asked the council if they want to take land off the tax rolls.

Councilwoman Pituch asked to TABLE this item; seconded by Councilwoman Huntley; the motion was NOT carried as per the following roll call: Council Members: Specchio, NO; Vroom, NO; Huntley, YES; Marinaro, NO; Pituch, YES; Schiffman, YES and Mayor Steenstra, NO.

Adoption of Resolution #2010-3.7: Changing the Allocation of Rose Trust Fund

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

**RESOLUTION #2010-3.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Accepting the Recommendations of the ROSE Fund Advisory Board and
Changing Funding Allocations of the ROSE Fund***

WHEREAS, the ROSE Fund Advisory Board has pursuant to law submitted its 2010 recommendations to the Governing Body of the Borough of Bloomingdale in writing following two public hearings conducted by the ROSE Fund Advisory Board to hear comments and recommendations from the public; and

WHEREAS, on March 9, 2010, the Governing Body considered and discussed the written recommendations of the ROSE Fund Advisory Board at its Regular Business Meeting; and

WHEREAS, the ROSE Fund Advisory Board is recommending an allocation of ROSE Fund monies as follows: 10% to Open Space; 30% to Recreation Maintenance; 30% to Recreation Projects; and 30% to Discretionary; and

WHEREAS, the Governing Body has determined to accept the recommendations of the ROSE Fund Advisory Board and the allocations proposed by the ROSE Fund Advisory Board:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby accept the 2010 recommendations of the

ROSE Fund Advisory Board, including the allocation of ROSE Fund monies as follows: 10% to Open Space; 30% to Recreation Maintenance; 30% to Recreation Projects; and 30% to Discretionary.

Councilman Specchio seconded the motion, and it carried as per the following roll call: council Members: Vroom, YES; Huntley, NO; Marinaro, YES; Pituch, NO; Schiffman, NO; Mayor Steenstra, YES.

EARLY PUBLIC COMMENT

Councilman Specchio opened the meeting up to Public Comment; seconded by Councilman Marinaro and carried on voice vote with all Council Members voting YES.

Geraldine DeLazier, DeLazier Place, felt that the public should have had an opportunity to speak in regard to the ROSE Fund and expressed her displeasure in changing the allocation formula.

Linda Shortman, Kampfe Lake, also expressed her displeasure in not being able to speak before the Governing body acted on the resolution and the changing the allocation of the formula.

Councilwoman Pituch expressed her concern as to open space in the Borough.

John Dunleavy noted that the Borough has acquired assessed value of 1.8 worth of open space land; we have not done 1.8 million dollars of recreation improvements.

In response to when the ROSE Fund Advisory Board meets, it was noted that they are only required to have two meetings a year and it is advertised.

Al Lavoie, 247 Rafkind Road, felt that we should be working together to get ratables and felt that one Council person should be a liaison to the Economic Development Committee.

Borough Attorney stated that based upon the comments this made in regard to Public comment on the ROSE Fund, if anyone wanted to reopen the vote, they could do so now; there was no motion to do so.

Karen Labazetta, 5 Woodward Avenue, asked when we expect to have the survey results for the Open Space Master Plan which would give you an inventory of land that is open in the Borough. She was informed most likely late April.

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

Adoption of Resolution #2010-3.8: Authorization for Executive Session

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

**RESOLUTION #2010-3.8
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Convening of an Executive Session

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

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

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

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

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

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

RECONVENED

Mayor Steenstra reconvened the meeting at 10:32 p.m. and noted that Councilman Specchio left after the Executive Session.

APPROVAL OF CONSENT AGENDA

Councilwoman Huntley moved for the approval of the following Consent Agenda with Item #B(3) being pulled:

- A. Informational Item List for Weeks Ending January 14, 21 and 28, 2010 and February 4, 11, 18 and 25, 2010
- B. Approval of Minutes of the following Governing Body Meetings:
 - 1. December 8, 2009 Executive Session – Council Members Pituch and Schiffman not on Council yet and Councilman Marinaro Absent
 - 2. December 22, 2009 Executive Session – Council Members Pituch and Schiffman Not on Council yet and Councilwoman Huntley recused
 - 3. ***December 22, 2009 Regular Meeting – Council Members Pituch and Schiffman not On Council yet - pulled***
 - 4. January 2, 2010 Inauguration and Reorganization – All Present
 - 5. January 5, 2010 Executive Session and Work Session – All Present
 - 6. January 19, 2010 Executive Session and Regular Meeting – All Present
 - 7. February 2, 2010 Special Meeting – All Present
 - 8. February 9, 2010 Work Session & Executive Session – All Present
- C. Copy of Resolution from Township of Wayne Urging the Legislature to Amend the Open Public Records Act to Address Various Technical and Practical Issues

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

PROFESSIONAL REPORTS

Municipal Clerk – Noted that the last day to register to vote for the School Board Election is March 30, 2010; clerks Office is open until 9 p.m.

Municipal Clerk also noted that petitions to run for Mayor or a Council position are due no later than April 12, 2010 by 4 p.m. in her office.

Borough Administrator – Borough Administrator stated that the DPW building is nearing completion and we need to come up with a date for dedication of the building.

Borough Attorney – Borough Attorney stated that he has a proposed stipulation for a tax appeal for Wachovia Bank and will bring it up later in the meeting.

PENDING BUSINESS

Governmental Operations Committee

Letter from State of New Jersey Commission of Investigations to Audit and Action, if in order to do so

Mayor Steenstra stated that he felt we should do something about this even though the state has come out and said they do not perform individual audits.

Borough Attorney MacMahon stated that for whatever reasons there seems to be questions in regard to the recordkeeping in the Borough and maybe an outside Auditor could be brought in to do an audit.

Chief Financial Mollineaux state there seems to be communications issues; the Auditor could expand the scope of his work.

Discussion followed and consensus that the Auditor will be invited to the next Work Session on April 13 to discuss our options.

It was noted that any questions the Mayor and Council may have should be prepared in advance so that they can be given to the Auditor.

Adoption of Resolution #2010-3.9: Establishing a Committee to Evaluate the Purchase and Maintenance of Borough Vehicles

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

RESOLVED that a committee be established to evaluate the purchase and maintenance of Borough Vehicles and will be comprised of the following:

Edward Ball
Anthony Finley
Michael Fitzpatrick
Mr. Lippi
DPW Mechanics and Superintendent

Councilman Schiffman seconded the motion, and it carried as per the following roll call:
Council Members: Huntley; Marinaro; Pituch; Schiffman and Vroom all Yes. ABSENT:
Councilman Specchio (Excused)

Adoption of Resolution #2010-3.10: Tilcon Soil Mining Permit

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

**RESOLUTION #2010-3.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Renewal of Tilcon New York, Inc. Soil Mining Permit

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale finds and declares that Tilcon New York, Inc. (“Tilcon”) has presented an application for the renewal

of its Municipal Soil Mining Permit, accompanied by the permit fee prescribed by municipal law; and

WHEREAS, the Governing Body has been advised by the Municipal Clerk that the foregoing application is complete in form and content for purposes of approval and that no agencies of Borough government has reported any basis for the denial of said renewal;

WHEREAS, in accordance with the Borough Soil Moving Ordinance the Planning Board of the Borough of Bloomingdale has reviewed the Tilcon application, together with the report of its Engineer, William R. Gregor, P.E., dated November 19, 2009, as well as the testimony presented by Tilcon at the Planning Board's duly constituted public hearing on December 10, 2009 and has recommended to the Mayor and Council approval of Tilcon's Soil Mining Permit for a five (5) year period:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Municipal Clerk and any appropriate agent of the Borough to renew the Municipal Soil Mining Permit issued to Tilcon for a five year period.

Councilman Schiffman seconded the motion, and it carried as per the following roll call: council members: Marinaro; Pituch; Schiffman; Vroom and Huntley all Yes. ABSENT: Councilman Specchio (Excused)

Vacancies on Boards/commissions

No action at this time.

Adoption of Resolution #2010-3.11: Agreement with Centi Church for Tax Repayment

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

**RESOLUTION #2010-3.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing and Approving Agreement With Centi Church for Repayment of
Property Tax Charges***

WHEREAS, the Governing Body has been requested to allow Centi Church, located at 116-118 Main Street, Bloomingdale, New Jersey to pay an \$8,787.65 municipal tax obligation on an installment basis, said amount representing one half of the total potential tax liability of Centi Church; and

WHEREAS, the Governing Body is satisfied that had Centi Church been current on its tax exempt status filing with the State of New Jersey there would not have been any tax obligation owing from Centi Church and that Centi Church now benefits from tax exempt

status once again; and

WHEREAS, the Governing Body believes that payment of one half of the accrued tax obligation is a fair resolution of this matter to both Centi Church and the taxpayers of Bloomingdale:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the following tax payment schedule by Centi Church to Bloomingdale: (1) Payment 1 due March 1, 2010 in the amount of \$1,380.70; (2) Payment 2 due April 1, 2010 in the amount of \$1,477.43; (3) Payment 3 due May 1, 2010 in the amount of \$1,497.22; (4) Payment 4 due June 1, 2010 in the amount of \$1,457.65; (5) Payment 5 due July 1, 2010 in the amount of \$1,477.44; and (6) Payment 6 due August 1, 2010 in the amount of \$1,497.21.

Councilman Schiffman seconded the motion, and it carried as per the following roll call: Council Members: Pituch; Schiffman; Vroom; Huntley and Marinaro all YES. ABSENT: councilman Specchio (Excused)

Public Health & Safety Committee

Adoption of Resolution #2010-3.12: Adoption of Bloodborne Exposure Control Plan as Recommended by the Board of Health

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

**RESOLUTION #2010-3.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Adopting the Bloomingdale Bloodborne Pathogen Exposure Control Plan

WHEREAS, the Governing Body of the Borough of Bloomingdale is committed to provide a safe and healthful work environment for the entire staff of the Borough; and

WHEREAS, the Governing Body finds that it will promote the public health, safety, and welfare to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standards; and

WHEREAS, the Governing Body is prepared to adopt a written Bloodborne Pathogen Exposure Control Plan to implement standards and procedures to be used to eliminate or minimize occupational exposure to bloodborne pathogens:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby approve and adopt the Bloodborne Pathogen Exposure Control Plan attached to this enabling Resolution, to be effective immediately.

Councilwoman Pituch seconded the motion, and it carried on voice vote with all Council Members present voting Yes. ABSENT: Councilman Specchio (Excused)

Introduction of Fee Ordinance as recommended by Board of Health for Hot Tubs, Spas, etc.

Consensus that this will be held at this time.

INTRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2010-3.13: Payment of Municipal Obligations

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

**RESOLUTION - #2010 -3.13
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	2,542,247.26
UTILITY	110,491.80
CAPITAL	188,500.00
UTILITY CAPITAL	1,100.00
TRUST	6,054.80
DOG	644.00
RECREATION	12,689.26
UNEMPLOYMENT	11,673.61
ROSE FUND	4,089.20
RECYCLING	0,000.00

TOTAL 2,877,489.93

PREPAID LIST

CURRENT	385,308.99
UTILITY	17,564.94
UNEMPLOY.	264.51
RECYCLING	211.72
CAPITAL	000.00
TRUST	840.00
SPEC. ASSESS.	000.00
RECREATION	000.00
UTILITY CAP	000.00
DOG	000.00

TOTAL 404,190.16

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council members: Schiffman; Vroom; Huntley; Marinaro and Pituch all Yes. ABSENT: Councilman Specchio (Excused)

Adoption of Resolution #2010-3.14: Authorizing Overpayments in Tax Office

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

**RESOLUTION #2010 – 3.14
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Overpayments in Tax Office

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Tax Assessor and the Tax Collector have processed and granted claims on certain properties, and

WHEREAS, the Governing Body further finds and declares that the 2009 property taxes on Block 5 Lot 94 were paid in full by property owner, and lien holder is entitled to refund for the following reasons,

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

US Bank CUST for CCTS Capital, LLC
Tax Lien Service
2 Liberty Place
50 South 16th Street-Suite 1950
Philadelphia, Pa 19102

On 2/4/10 above lien holder paid \$2,599.92 at Tax Sale and \$3,000.00 premium. Property owner came in and paid same day, after sale concluded, prior to certificates being completed. Lien holder entitled to refund of taxes paid and premium.

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

Transfer of Inactive Liquor License of Consuela Ramos to Frederick and Nancy Soule

Noted that this is on the March 23 meeting for consideration.

Adoption of Resolution #2010-3.15: Granting Paid Sick Leave to Bloomingdale Police Office Craig Depascale

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

**RESOLUTION #2010-3.15
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Bloomingdale Police Officer Craig Depascale

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Craig Depascale (“Employee”) is an officer and employee of the Borough’s Police Department; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of February 11, 2010; and

WHEREAS, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee Craig Depascale during the period of February 11, 2010 until no later than March 22, 2010; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify the State Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council members: Huntley; Marinaro; Pituch; Schiffman and Vroom all Yes. ABSENT: Councilman Specchio (Excused)

Adoption of Resolution #2010-3.16: Granting Unpaid Sick Leave to Bonnie Long

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

**RESOLUTION #2010-3.16
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Bloomingdale Animal Control Officer Bonnie Long

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Bonnie Long (“Employee”) is an employee of the Borough’s Animal Control Department; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on unpaid sick leave as of March 9, 2010; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant unpaid sick leave to Borough Employee Bonnie Long during the period of March 9, 2010 until no later than June 30, 2010; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify the State Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council Members: Marinaro; Pituch; Schiffman; Vroom and Huntley all YES. ABSENT: Councilman Specchio (Excused)

***Adoption of Resolution #2010-3.17: Granting Paid Sick Leave to Police Officer
Jeff Breckenridge***

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

**RESOLUTION #2010-3.17
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Bloomingdale Police Officer Jeff Breckenridge

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Jeff Breckenridge (“Employee”) is an officer and employee of the Borough’s Police Department; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of March 4, 2010; and

WHEREAS, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee Jeff Breckenridge during the period of March 4, 2010 until no later than March 18, 2010; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify the State Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Councilwoman Huntley seconded the motion, and it carried as per the following roll call: Council Members: Pituch; Schiffman; Vroom; Huntley and Marinaro all YES. ABSENT: Councilman Specchio (Excused)

Adoption of Resolution #2010-3.18: Amending the 2010 Temporary Budget

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

**RESOLUTION #2010-3.18
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Amending the 2010 Temporary Municipal Budget

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the FY2010 Temporary Municipal Budget was adopted on January 5, 2010, for the purpose of providing for temporary appropriations for the conduct of municipal governance; and

WHEREAS, the Governing Body has been advised by the Chief Financial Officer and the Borough Treasurer that additional temporary appropriations in the FY2010 Temporary Municipal Budget are required in order to provide funding for the conduct of municipal governance;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the FY2010 Temporary Municipal Budget be and is hereby amended to provide for the following additional temporary appropriations in the Current Account:

Municipal Alliance Grant	Other Expenses	\$18,400.00
Municipal Alliance Cash Match	Other Expenses	\$4,600.00

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the Chief Financial Officer and the Borough Treasurer for appropriate action in conformity with this Resolution.

Councilwoman Huntley seconded the motion, and it carried as per the following call: Council Members: Schiffman; Vroom; Huntley; Marinaro and Pituch all Yes. ABSENT: Councilman Specchio (Excused)

Adoption of Resolution #2010-3.19: Authorizing Change Order #5 for DPW Service Garage

Councilman Vroom offered a resolution authorizing Change Order #5 for the DPW Service Garage; seconded by Councilman Marinaro.

At this time, Councilman Schiffman discussed this change order and had some questions as to winder concrete and fact that haunch was not on the bid and wanted some answers before he voted on this.

Councilwoman Huntley moved to TABLE this resolution; seconded by Councilman Marinaro and carried on voice vote with all Council members present voting YES. ABSENT: Councilman Specchio (Excused)

Introduction of Ordinance #3-2010: Transparency in Municipal Government

Consensus that this will be referred to the Ordinance Review Committee and put on the April 13, 2010 meeting for discussion.

Adoption of Resolution #2010-3.20: Dedicating Water and Sewer Charges solely to the Water/Sewer Department

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

**RESOLUTION #2010-3.20
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Dedicating Municipal Water and Sewer Charges to be Used Solely for Water/Sewer Department Expenses

WHEREAS, the Governing Body has determined that it is fair and equitable to the residents of the Borough of Bloomingdale for all municipal water and sewer charges to be dedicated solely for Water/Sewer Department expenses:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby declare and direct that all municipal water and sewer charges are dedicated to and shall be used solely for Bloomingdale Water/Sewer Department expenses.

Councilwoman Pituch seconded the motion, and it carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro; Pituch and Schiffman all YES. ABSENT: Councilman Specchio (Excused)

Adoption of Resolution #2010-3.21: Tax Appeal Wachovia Bank

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

**RESOLUTION #2010-3.21
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing and Approving Wachovia Bank Tax Appeal Settlement

WHEREAS, Wachovia Bank, N.A., commenced a tax appeal against the Borough of Bloomingdale in the Tax Court, bearing Docket Nos. 008149-2008 and 0011494-2009, as well as Appeal No. 01-1001560L before the Passaic County Board of Taxation (2010 appeal) and

WHEREAS, the Governing Body has received and considered the recommendations of the Municipal Attorney, Municipal Tax Assessor, and the Borough's real estate valuation expert for tax appeals, that the above tax appeals be amicably resolved as set forth below; and

WHEREAS, the Governing Body has determined that is in the best interest of the residents of Bloomingdale to settle the tax appeals as recommended by the municipal professionals:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Wachovia Bank Tax Court tax appeals appeal against the Borough of Bloomingdale in the Tax Court, bearing Docket Nos. 008149-2008 and 0011494-2009, as well as Appeal No. 01-1001560L before the Passaic County Board of Taxation (2010 appeal) upon the following terms: (1) the 2008 tax appeal is withdrawn; and(2) the 2009 and 2010 original assessments of \$270,600.00 for Land and \$463,500.00 for Improvements, for a Total Assessment of \$734,100.00, hereby are revised to a Settlement Assessment of \$270,600.00 for Land and \$354,400.00 for Improvements, for a Total Assessment of \$625,000.00.

Councilman Schiffman seconded the motion and it was carried as per the following roll call: Council Members: Huntley; Marinaro; Pituch; Schiffman and Vroom all YES. ABSENT: Councilman Specchio (Excused)

Public Health & Safety Committee

Authorization for Membership in Bloomingdale Fire Department; Carmine Curcio

Councilman Vroom moved for the approval for membership in the Bloomingdale Fire Department of Carmine Curcio; seconded by Councilwoman Huntley and carried on voice vote with all Council Members present voting YES. ABSENT: Councilman Specchio (Excused)

Discussion by Borough Administrator of Equipment for DPW Repair Garage

Consensus that this will be discussed with the Government Operations Committee.

PUBLIC HEARING ON ORDINANCE #1-2010: Amending Borough Code Section 7-22; Bus Stops

Borough Attorney stated that due to the cancellation of the last meeting at which this ordinance was scheduled for Public Hearing, it will now have to be reintroduced.

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 7-22, BUS STOPS, TO DESIGNATE ADDITIONAL BUS STOP LOCATIONS WITHIN THE BOROUGH OF BLOOMINGDALE was reintroduced by title by Councilman Schiffman who moved that second and final reading and public hearing be held on March 23, 2010 at 7:30 p.m.

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council members: Marinaro; Pituch; Schiffman; Vroom and Huntley all YES. ABSENT: councilman Specchio (Excused)

LATE PUBLIC COMMENT

Councilwoman Pituch moved that the meeting be open to late Public Comment; seconded by Councilman Schiffman and carried on voice vote. ABSENT: Councilman Specchio (Excused)

Sam Catero, 192 Clark Street, spoke in regard to the proposals out for the water tank and concern with it as to fact that we are asking for a firm to manage the tank and he felt that he could provide that service free of charge and ask that the proposal be rejected.

Mayor recommended t hat he come in and speak with the Borough Administrator

Edward Simoni, 352 Glenwild Avenue, spoke in regard to discrepancies among some council members as to what we spend; noted that the Dodge Durangos were an asset in the snow this year; we never lacked police service; woodchipper save us money during the recent storm where 14 trees were down and our DPW were able to chip them.

Mr. Simoni asked the Council not to lose sight and work together with the budget.

At this time, Mayor Steenstra read a letter from Barbara O'Reilly as to the excellent service provided by the DPW in clearing the roads during the snow removal.

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

Adopt ion of Resolution #2010-3.22: Authorizing Executive Session

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

**RESOLUTION #2010-3.22
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:

7. The public shall be excluded from discussion of, and action upon, the hereinafter specified subject matter.
8. The general nature of the subject matter to be discussed is as follows:
9. The general nature of the subject matter to be discussed is as follows:
 - A. Personnel – One Matter
 - B. Pending Litigation – One Matter
10. Minutes will be taken.
11. 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.
12. This Resolution shall take effect immediately.

Councilman Marinaro seconded the motion, and it carried on voice vote. ABSENT: Councilman Specchio (Excused)

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

RECONVENED

Mayor Steenstra reconvened the meeting at 12:36 a.m. and noted that no action was taken during the Executive Session.

ADJOURNMENT

Since there as no further business to be conducted, Councilman Schiffman moved to ADJOURN the meeting at 12: 36 a.m.; seconded by Councilwoman Pituch and carried on voice vote. ABSENT: Councilman Specchio (Excused)

Jane McCarthy, RMC
Municipal Clerk