

May 25, 2010

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 7:31 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:	Dean Specchio
	Council Pres. Pro Tem:	Bernard H. Vroom
	Council Members:	Linda Huntley Thomas Marinaro Jo-Ann Pituch Glenn Schiffman
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. "Joe" MacMahon, Esq.
<i>Absent:</i>	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 January 6, 2010.

EARLY PUBLIC COMMENT

Councilwoman Huntley moved to open the meeting for Early Public Comment on agenda items; seconded by Councilman Vroom and carried on voice vote.

Linda Shortman, Kampfe Lake, spoke in regard to minutes which are being approved this evening and why aren't the March minutes on the website yet and felt that it is a long time for them not to be on.

Municipal Clerk stated that Mrs. Shortman is correct in her assessment that the March minutes are not on and that is due to the fact that they cannot be put on the website until they are approved; they haven't been approved due to the fact that some of the resolutions have not been drafted yet which have to be included in the minutes before adoption.

In response to the time frame for adopting minutes, Municipal Clerk noted that a prior Administration did not adopted them for a year and a half; there is nothing that states when they have to be adopted.

Edward Ball, 13 Crane Avenue, asked about the discussion the agenda for replacement of vehicles and asked if discussion could be held as to what is happening; noted that if any action is

taken, we can open it up to the public for any comments before the vote if the Council chooses to do so per the Borough Attorney.

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

ATTENDANCE OF WEBMASTER ROBERT KELLY

At this time, Webmaster Robert Kelly was in attendance and addressed concerns/issues some of the members of the Governing Body were having with their email accounts.

Councilwoman Pituch felt her email account was compromised and stated that she will no longer use email and wanted it on the record that she wanted paper copies not electronic.

Discussion followed.

Mr. Kelly gave the council Members who were experiencing problems his cell phone number and noted that he will personally address their issues and they should call him to set something up.

Linda Shortman stated that the website should be advertised more; it was noted that the Fire Department wanted to be linked to it.

Mr. Kelly left at this time and noted that he is available to the members for any questions they may have.

APPROVAL OF CONSENT AGENDA

Councilman Marinaro moved for the approval of the following Consent Agenda; seconded by Councilman Schiffman:

Councilwoman Huntley noted that in the March 23 minutes it should read "Councilwoman Huntley left the meeting.....); this will be corrected.

1. Approval of Governing Body Minutes: Executive Sessions March 9; March 23; April 13; April 27 ad May 11, 2010; Work Session of April 13, 2010 and Regular Meeting of April 29, 2010
2. Informational Items List for Weeks Ending April 8, 15, 22 and 29, 2010

PENDING BUSINESS

Governmental Operations Committee

Adoption of Resolution #2010-5.22: Formal Appointment of Borough Administrator as Municipal Housing Liaison

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

**RESOLUTION #2010-5.22
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, the Governing Body of the Borough of Bloomingdale petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on *(insert date)*; and

WHEREAS, the Borough of Bloomingdale's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Bloomingdale is required to appoint a Municipal Housing Liaison for the administration of the Borough of Bloomingdale's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough of Bloomingdale has amended Chapter XII entitled 'Revised General Ordinance' to provide for the appointment of a Municipal Housing Liaison to administer the Borough of Bloomingdale's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale in the County of Passaic, and the State of New Jersey that Ted M. Ehrenburg is hereby appointed by the Governing Body of the Borough of Bloomingdale as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section 12-7 of the Borough of Bloomingdale's Revised General Ordinance.

Councilman Marinaro seconded the motion.

Borough Attorney noted that this is a non-paying position and a requirement of our fair housing plan.

The motion carried as per the following roll call: Council members: Huntley; Marinaro; Pituch; Schiffman; Specchio and Vroom all YES.

Vacancies on Boards/commissions

Mayor Steenstra stated that he should have some names for replacement by the next meeting.

Authorization to Change June 8 Work Session Meeting

Discussion followed in regard to changing June 8 meeting as it being the Primary and cancelling the June 22 meeting and have one Regular Meeting on June 15, 2010 at 7:30 pm.

Councilman Specchio moved that the June 8 Work Session be canceled and the June 22 Meeting and a Regular Meeting Scheduled for June 15, 2010 at 7:30 p.m.; seconded by Councilman Marinaro and carried on voice vote.

PUBLIC HEALTH & SAFETY COMMITTEE

Adoption of Resolution #2010-5.23: Contract with Police Chief

Councilman Schiffman stated that he has spoken to the Police Chief in regard to his contract and this is in order to proceed.

Borough Attorney MacMahon stated that there is one issue with contributing the 1.5% for insurance immediately which needs to be changed in the contract. Mr. MacMahon noted that the other Department Heads at the last meeting put in their contracts that they would contribute the 1.5% prior to the May 21 deadline. The law now requires it after the May 21 date.

Councilman Schiffman stated that he is voting YES on this contract as it is required for the Police Chief to have a three-year contract in place in order for him to attend the FBI eleven week training course in July that he has been selected to attend.

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

DRAFT AND INSERT

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

INRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2010-5.24: Payment of Municipal Obligations

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

RESOLUTION #2010 –5.24 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Authorizing Payment of Municipal Obligations

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

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

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

BILLS LIST		PREPAID LIST	
CURRENT	1,224,138.97	CURRENT	400,861.15
UTILITY	86,877.04	UTILITY	21,911.27
CAPITAL	276,524.50	UNEMPLOY.	156.27
UTILITY CAPITAL	0,000.00	RECYCLING	482.84
TRUST	6,332.78	CAPITAL	4,383.26
DOG	790.30	TRUST	2,190.00
RECREATION	5,859.90	SPEC. ASSESS.	000.00
UNEMPLOYMENT	0.00	RECREATION	750.00
ROSE FUND	46,049.90	UTILITY CAP	000.00
RECYCLING	23.99	DOG	000.00
TOTAL	1,646,597.38	TOTAL	432,264.79

Councilman Vroom seconded the motion.

Councilwoman Huntley stated that she has questions on a few items; namely,

- Page 10 – Line Item 01311 Abbey Glen for \$692.50
- Page 11 – Line Item 03739 Superior Tree for \$1,200
- Page 14 – Line Item 01016 for radiator for 1994 Honda for \$135
- Page 14 Line Item 04152 for Cleaning of Library
- Page 19 Line Item 00727 for ROSE Fund Items which exceed Threshold
- Page 22 Line Item 03239

Councilwoman Huntley amended the motion to include the above items being pulled.

Councilman Schiffman stated that he has questions on:

- Page 1 Line Item 00574 for pressure gauge for a boiler
- Line item for Brass Nipple Valve

Councilman Schiffman seconded Councilwoman Huntley's amended motion and the motion was DENIED as per the following roll call: Council Members: Pituch, YES; Schiffman, YES; Specchio, NO; Vroom, NO; Huntley, YES; Marinaro, NO and Mayor Steenstra, Yes.

Councilman Specchio moved to approve the bills list as presented; seconded by Councilman Vroom and carried as per the following roll call: Council Members: Schiffman, NO; Specchio, YES; Vroom, YEW; Huntley, NO; Marinaro, YES and Pituch, NO and Mayor Steenstra, YES.

Mayor Steenstra stated that the Chief Financial Officer will address the bills that were in question.

Discussion of replacement of Vans/DPW and Animal Control Services

At this time, the Borough Administrator discussed the options as per his memo to the Mayor and Council dated May 25, 2010 in regard to options to replace two mechanically failed vehicles.

Consensus that this will be brought up again at the June 15, 2010 meeting.

Matter of Introduction of 2010 Municipal Budget

At this time, the Borough Attorney discussed the letter which was received today from Mark Pfeiffer from the Division of Local Government Services as to the Borough's failure to introduce its 2010 budget by the end of April 2010 and his direction to introduce it by no later than June 4, 2010.

Discussion followed as to consequences of not introducing by June 4 and fact that the budget needs four votes in the affirmative to pass.

Councilman Schiffman moved that a Special Meeting be held on June 1, 2010 at 8 p.m. for the purpose of introduction of the 2010 Municipal Budget; seconded by Councilman Specchio and carried as per the following roll call: Council members: Specchio; Vroom; Huntley; Marinaro; Pituch; Schiffman and Specchio all YES.

Public Health & Safety Committee

Authorization for Waiver of Flea Market Permit Fee for Bloomingdale Fire Department

Councilman specchio moved that the \$100 flea market permit fee for the Bloomingdale Fire Departments Flea Market to be held on June 5, 2010, be waived as per ordinance for civic organizations; seconded by Councilman Specchio and carried as per the following roll call: Council Members: Vroom; Huntley; Marinaro; Pituch; Schiffman and Specchio all YES.

PUBLIC HEARINGS ON ORDINANCES

Ordinance #4-2010: Amending Borough Code Section 2064.11; Fee Based Inspection of Non-Life Hazard Fees

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING BOROUGH CODE SECTION 14-1.4, FEE-BASED INSPECTION OF NON-LIFE HAZARD USES was given second and final reading and consideration for adoption at this time.

Councilman Specchio moved that the ordinance be read by title:

ORDINANCE No. 4-2010

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE
AMENDING BOROUGH CODE SECTION 14-1.4, FEE-BASED
INSPECTION OF NON-LIFE HAZARD USES

WHEREAS, the Governing Body of the Borough of Bloomingdale, upon the recommendations of the Bloomingdale Fire Official and Ordinance Review Committee, has determined that certain fees to be charged for inspections of non-life hazard uses required by the Uniform Fire Code should be amended:

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

Section 1. Code Section 14-1.4(a) hereby is amended by deletion of the word “annual” and replacement with the word “bi-annual.”

Section 2. Code Section 14-1.4(b) hereby is deleted in its entirety and replaced with the following:

An annual registration fee of \$75.00 will be assessed to all non-life hazard commercial establishments in compliance with the Uniform Fire Code. This fee will be invoiced during the first quarter of the year and shall be due within thirty days.

An annual registration fee of \$150.00 will be assessed to all non-life hazard residential properties in compliance with the Uniform Fire Code. This fee will be invoiced during the first quarter of the year and shall be due within thirty days.

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

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

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

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

The Municipal Clerk read the ordinance by title and the Borough Attorney read the Explanatory Statement.

Councilman Vroom opened the meeting to a Public Hearing on this ordinance; seconded by Councilman Schiffman and carried on voice vote.

Since there was no one who wished to speak during the Public Hearing, Councilman Vroom moved that it be closed; seconded by councilman specchio and carried on voice vote.

Councilman Vroom moved for the adoption of this ordinance; seconded by Councilman Specchio and carried as per the following roll call: council Members: Huntley; Marinaro; Pituch; Schiffman Specchio and Vroom all YES.

LATE PUBLIC COMMENT

Councilman Schiffman moved that the meeting be opened to Late Public Comment; seconded by Councilman Specchio and carried on voice vote.

Linda Shortman, Kampfe Lake, noted that she does not understand why the Council could not give Council Members Huntley and Schiffman an explanation of the bills in question and pull them from the list this evening and vote at the next meeting. Felt it is incomprehensible and lack of respect for others wishes.

Councilman Schiffman felt that maybe there could be a better explanation of the bills list so they could get their answers.

Councilman Marinaro stated that vendors have performed the services and should be paid; we can get answers as to these questions but they should be paid.

It was noted that the Mayor and Council have the bills list in their mail boxes by Thursday evening and have five days to address any questions or concerns.

Mrs. Shortman also noted that she hopes the mayor and Council will take into consideration the taxpayers when they put together their budget and the Senior Citizens in the town.

Borough Attorney stated that 94% of the borough's tax base is residential; problem is that there are no ratables or commercial base and 2/3 of the budget has nothing to do with the Mayor and Council.

Lori Weinbrock, 45 Highland Road, asked if there will be any resolution of the restitution to her property.

Borough Attorney and Borough Administrator explained again to Mrs. Weinbrock that they are waiting for an answer from the contractor Petillo as to fixing the problem.

Borough Attorney cautioned the Mayor and Council as to not using taxpayer's money to restore private property. Discussion followed.

Consensus that Mr. Ehrenburg will try again to contact Mr. Petillo and resolve this issue by the next meeting.

Mrs. Weinbrock spoke in regard to the Fair Housing Plan and the Borough Attorney outlined what the Joint Meeting on June 1 is for to submit a plan that says this is what we have and we can do no more.

Edward Ball, 13 Crane Avenue, asked what the repair for the 1994 Honda was and was informed that this is not a disclosable item; it is a public safety issue with the Police Department.

Mr. Ball also felt that the Mayor and Council should have reduced more of the school budget and also noted that to compare the DPW workers the same as the teachers is ridiculous; the teachers are in charge of our children. Spoke in regard to the salaries for DPW workers and fact that he would be line for one of those jobs.

Mr. Ball also spoke in regard to fact that the Water Department does snowplowing and fact that the whole town is benefiting from it and is this charged to DPW budget; why should the water customers support the whole town.

Borough Attorney stated that the Chief Financial Officer allocates between the Water Department and the Public Works.

Mr. Ball asked if the three bids for the Sloan Park repaving included Police; Borough Administrator stated that he does not know but will check.

Mr. Ball also spoke of the orange barrels by Wayne Johnson's car wash and asked if they could be removed now. He also spoke of property maintenance in the Borough and fact that we should not always rely on volunteers and residents to clean up the Borough.

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

ADJOURNMENT

Since there was no further business to be conducted, Councilman Schiffman moved to ADJOURN the meeting at 9:12 p.m.; seconded by Councilman Marinaro and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk

FIRST DRAFT – MAY 26, 2010