**February 16, 2016**

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, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:00 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the salute to the flag.

Roll Call

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Dawn Hudson

Michael Sondermeyer

Ray Yazdi

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Tracy Schnurr, Esq.

**EARLY PUBLIC COMMENT**

Councilman D’Amato moved that the meeting be open to Early Public Comment; seconded by councilwoman Hudson and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue, asked what the reason is for an Early Executive Session on March 1, 2016.

Mayor Dunleavy stated that it will be a review of the consultants’ plans on the Tilcon/Meer concept at 6 p.m. in Executive Session.

Discussion followed as to need for it being in Executive. Mayor Dunleavy stated we may just have it in open session; we will know by the end of the week and will advise her.

At this time, Ms. Huntley went over various items on the bills list and Mayor Dunleavy answered those he could and noted he will respond to her with the rest of the answers.

Since there was no one else who wished to speak, Councilman Yazdi moved that it be closed; seconded by Councilman Costa and carried on voice vote.

**REPORTS OF COMMITTEES**

***100TH Anniversary Committee***

Councilman D’Amato stated that he will be setting up a meeting for the 100th anniversary planning shortly.

***Municipal Alliance***

Councilwoman Hudson stated that some of the member of the Governing body will be participating in the volleyball game next Thursday at 6:30 p.m.

**APPROVAL OF CONSENT AENDA**

Councilman Yazdi moved that the following Consent Agenda be approved:

. Adoption of minutes of Mayor and Council February 2, 2016 Work Session

Councilman Dellaripa seconded the motion and it carried on voice vote.

**PENDING BUSINESS:**

***Discussion in regard to review of time clock and Software for the Borough***

Mayor stated that this will be a budget item; cost is about $2,500. Noted that we should try it at the DPW first.

Councilman Costa stated that now most of the work goes to the Treasurer annotated; felt this system would be more efficient and we should start with the DPW/Water-Sewer. The software integrates with our system for payroll. Any department could be added at a later time.

Mayor stated that this will be added to the budget items requested and he will amend the DPW budget by $3,000.

***Second and final reading and Public Hearing on Ordinance no. 3-2016: Amending Chapter 17, “Water”, Section 1702***

**AN OREDINANCE OF THE BOROUGH OF BLOOMINGDAE, IN TH COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 2, “ADMINISTRATION, “ Article V, “DEPARTMENTS ESTABLISHED,” AND CHAPTER 17, “WATER”, SECTION 17-2, “GENERAL REGULATIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

WAS GIVEN SECOND AND FINAL READING AND CONSIDERATION FOR ADOPTION AT THIS TIME.

Councilman Yazdi moved that the ordinance be read by title; seconded by Councilman Costa and carried on voice vote.

The Municipal Clerk read the ordinance by title.

**ORDINANCE 3-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 2, “administration,” article v, “departments established,” and chapter 17, “water,” section 17-2, “general regulations” of the Code of the Borough of Bloomingdale**

**WHEREAS**, the Borough of Bloomingdale undertook to analyze the efficiency of Borough operations; and

**WHEREAS**, as a result of the efficiency study, the Borough determined that it would be beneficial to Borough operations for the Water & Sewer Department to be merged into the Department of Public Works; and

**WHEREAS**, the newly created Division of Municipal Utility Services shall operate under the authority of the Superintendent of Public Works.

**BE IT ORDAINED,** by the Borough Committee of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

**SECTION 1.** Chapter 2, “Administration,” Article V, “Departments Established,” Section 2-33, “Department of Municipal Utility Services,” of the Code of the Borough of Bloomingdale is hereby removed in its entirety and shall be designated as “Reserved.”

**SECTION 2.** Chapter 2, “Administration,” Article V, “Departments Established,” Section 2-34, “Department of Public Works,” of the Code of the Borough of Bloomingdale is hereby amended to read in its entirety as follows:

### 2-34 DEPARTMENT OF PUBLIC WORKS.

#### 2-34.1    Creation; Divisions; Organization.

       A Department of Public Works is hereby created which is to have five (5) divisions as follows:

(1) The Division of Sanitation and Recycling;

(2) The Division of Public Buildings and Grounds;

(3) The Division of Roads;

(4) The Division of Automotive and Equipment Maintenance; and

(5) The Division of Municipal Utility Services.

The Department of Public Works shall be organized as follows:

#### 2-34.2    Superintendent of Public Works; Powers and Duties.

       The position of Superintendent of Public Works is hereby created. The Superintendent shall be responsible:

       a.     To the Council for the general policies and procedures of the Department.

       b.     To the Borough Administrator for the overall administration of the Department.

       c.     For project planning and control.

       d.     For processing purchasing beyond requisitioning and keeping all the records of same according to the voucher-encumbrance system in effect.

       e.     For handling matters, including all citizen complaints, involving citizen-owned property and for the prompt response to same to the satisfaction of the citizen and the Borough administration, whenever possible.

       f.     As Equipment Manager of the Borough, for the prompt repair and maintenance of all vehicles and equipment according to a comprehensive preventive maintenance program.

       g.     For special studies to promote the efficiency and effectiveness of the Department.

       h.     For developing, implementing and updating a safety program for the Borough and for compliance of the Department of Public Works with all State Statutes and regulations pertaining to the functions of the Department of Public Works.

       i.      For developing, in conjunction with the offices of the Borough Administrator, annual, three (3) and five (5) year programs for public works and Borough property and equipment, including drainage improvement and road maintenance and vehicles, as input to the capital budget.

       j.      For preparing the Department budgets.

k. For supervising all the daily operations in the Division of Sanitation and Recycling; the Division of Public Buildings and Grounds; the Division of Roads; the Division of Automotive and Equipment Maintenance; and the Division of Municipal Utility Services.

l.     For assigning the appropriate personnel to the daily tasks.

m.   For supervising the employees assigned to the Department of Public Works in their assigned tasks.

n.    For maintaining accurate time logs for all the assigned employees.

o.    For verifying all the requested purchase vouchers.

p. For performing or assigning all administrative functions.

#### 2-34.3    Assistant Superintendent of Public Works; Powers and Duties.

The position of Assistant Superintendent of Public Works is hereby created. The Assistant Superintendent shall assist the Superintendent in the performance of the Superintendent's duties as set forth in subsection 2-34.2 in the manner as may be directed by the Superintendent. In addition, the Assistant Superintendent shall perform all the duties of the Superintendent in the absence or inability of the Superintendent to perform such duties.

#### 2-34.4    Supervision of Employees.

       Employees of the Department of Public Works shall be under the direct supervision of the Superintendent of Public Works.

#### 2-34.5    Assigning of Employees and Equipment.

       The Superintendent shall have the authority to assign employees and equipment among the various divisions of the Department.

#### 2-34.6    Responsibilities of Division of Public Buildings and Grounds.

#### **The Division of Public Buildings and Grounds shall be responsible for maintenance of all Borough-owned buildings, all Borough-owned parks, and any other public property.**

#### 2-34.7 Responsibilities of Division of Roads.

       The Division of Roads shall be responsible for maintenance and construction of all municipally-accepted streets and roads; maintenance and construction of the municipal storm drain system; and planning and implementation of snow removal and sanding operations.

#### 2-34.8    Responsibilities of the Division of Sanitation and Recycling.

       If the Borough has undertaken to collect refuse and recycling, the Division of Sanitation and Recycling shall be responsible for such collection within the Borough limits and its deposit at the disposal sites designated by the Borough.

#### 2-34.9    Responsibilities of Division of Automotive and Equipment Maintenance.

The Division of Automotive and Equipment Maintenance is responsible for the maintenance of all Borough-owned vehicles and equipment.

#### 2-34.10 Responsibilities of the Division of Municipal Utility Services.

#### **The Division of Municipal Utility Services is responsible for the operation and maintenance of the water supply system and the sanitary sewer disposal system. The Division of Municipal Utility Services shall operate in accordance with, and be governed by, any all provisions comprising Chapters XVII, Water, and XVIII, Sewer, of the Revised General Ordinances of the Borough of Bloomingdale, and any and all applicable rules and regulations heretofore duly enacted by the Borough of Bloomingdale.**

#### 2-34.11    General Foreman of the Department of Public Works.

       a.     *Position Created.* The position of General Foreman of the Department of Public Works is hereby created.

       b.     *Appointment; Compensation.* Pursuant to N.J.S.A. 40A:9-154 et seq., a General Foreman shall be appointed by the Mayor with the advice and consent of the Council. His or her compensation shall be fixed in the Salary Ordinance.

       c.     *Powers and Duties.* The duties of the General Foreman shall be any Department of Public Works duties as assigned by the Superintendent or Assistant Superintendent of Public Works. The General Foreman shall report any problems to the Superintendent.

**SECTION 3.** Chapter 17, “Water,” Section 17-2, “General Regulations,” Section 17-2.1, “Creation of Water Department; Superintendent of Municipal Utility Services Appointed,” of the Code of the Borough of Bloomingdale is hereby amended to read in its entirety as follows:

#### 17-2.1 Creation of Division of Municipal Utility Services; Superintendent of Municipal Utility Services Appointed.

a. The Division of Municipal Utility Services of the Borough of Bloomingdale is hereby created as a division of the Department of Public Works.

b. The Superintendent of Public Works (the "Superintendent" here-in) shall be the chief executive officer of the Department. He shall be in charge of the day-to-day administration of the Department and shall be responsible for the efficient operation thereof in accordance with the provisions of this chapter.

c. The Borough shall be authorized to enter into contracts with independent contractors to perform services necessary in connection with the operation of the Division of Municipal Utility Services. The services to be performed shall be in accordance with the provisions of such contracts as are approved by the Governing Body.

**SECTION 4.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 5.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 6.** This law shall take effect immediately upon final passage, approval and publication as required by law.

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

Linda Shortman, 2 W. Shore Road, asked who did this department study and asked about the Foreman position.

Mayor stated that I was done by the Canning Group and we left the position of Foreman in the ordinance as the intention is to fill it.

The Assistant Superintendent reports to the Superintendent. Mayor stated that the Sewer and Water employee does do snowplowing and we will have a floater who will help out in DPW and Water/Sewer. There is no specific equipment just to the utility.

With the pending retirement of the Foreman, we can possibly use some of the savings to hire an additional laborer.

Since there was no one else who wished to speak, Councilwoman Hudson moved that the Public Hearing be closed; seconded by Councilman Costa and carried on voice vote.

Councilman D’Amato moved for the adoption of this ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members; Costa; D’Amato; Dellaripa; Hudson; Sondermeyer and Yazdi, all YES.

***Ordinance No. 4-2016: Amending Fee Ordinance***

Mayor stated that due to a publishing timeframe, this ordinance has to be reintroduced.

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending Chapter II, “Administration,” chapter v, “animal control,” and chapter XI, “building and housing,” of the code of the borough of bloomingdale to update certain municipal fees**

Was introduced by title by Councilman Dellaripa who moved that second and final reading and public hearing be held March 1, 2016 at 7 p.m.

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

**NEW BUSINESS**

***Adoption of Tax Office Resolution No. 2016-2.6 through 2016-2.16***

Councilman Yazdi moved for the approval of the following Resolutions:

**RESOLUTION #2016 -2.6**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #13-00026***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 27, 2013 a lien was sold on,

44 Hamburg Turnpike, Bloomingdale, for delinquent year 2013 Tax/Electric, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3033 Lot 3, owned by Casey J’s, LLC; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 13-00026, which was sold to US BANK CUST FOR PRO CAPITAL II, LLC at an interest rate of 1% and

**WHEREAS,** the Governing Body further finds and declares that Sedita, Campisano & Campisano, LLC has requested redemption of TTL # 13-00026, and

**WHEREAS,** the Governing Body further finds and declares that Sedita, Campisano & Campisano, LLC has paid all monies due on TTL #13-00026, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $31,066.39 for the lien redemption, to be made payable to US BANK CUST FOR PRO CAPITAL II, LLC, 50 SOUTH 16TH STREET, SUITE 1950, PHILADELPHIA, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate # 13-00026.

1099 = $ 6403.25

**RESOLUTION #2016 -2.7**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #14-00014***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 22, 2014 a lien was sold on,

40 Hamburg Turnpike, Bloomingdale, for delinquent year 2014 Tax/Electric, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3040 Lot 1, owned by Stanley & Sharon Zwier; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 14-00014, which was sold to PUBLIC TAX INVESTMENT for a premium of 10,100.00; and

**WHEREAS,** the Governing Body further finds and declares that Corelogic has requested redemption of TTL # 14-00014, and

**WHEREAS,** the Governing Body further finds and declares that Corelogic has paid all monies due on TTL #14-00014, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $15,772.31 for the lien redemption and $10,100.00 for the premium, to be made payable to PUBLIC TAX INVESTMENTS, PO Box 1030, Brick, NJ 08723 for the redemption and cancellation of Tax Title Lien Certificate # 14-00014.

1099 = $ 1753.33

**RESOLUTION #2016 -2.8**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #14-00034***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 22, 2014 a lien was sold on,

153 Union Avenue, Bloomingdale, for delinquent year 2014 Tax, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 5073 Lot 99, owned by Stanley & Elsie Fisher.; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 14-00034, which was sold to FWDSL & ASSOCIATES LP for a premium of 20,000.00; and

**WHEREAS,** the Governing Body further finds and declares that the Law Offices of Richard A. Shackil has requested redemption of TTL # 14-00034 and

**WHEREAS,** the Governing Body further finds and declares that Law Offices of Richard A. Shackil has paid all monies due on TTL #14-00034, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $22,551.78 for the lien redemption and $20,000.00 for the premium, to be made payable to FWDSL & ASSOCIATES LP, 5 Cold Hill Road South, Suite 11C, Mendham, NJ 07945 for the redemption and cancellation of Tax Title Lien Certificate # 14-00034.

1099 = $ 2663.05

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**RESOLUTION NO. 2016-2.9**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing State Tax Court Refund***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on December 11, 2015 the Municipality was notified of a State Tax Court judgment, and

**WHEREAS,** the Governing Body further finds and declares that this judgment is on Block 5059 Lot 3, known as 90 Main Street, owned by PJM Property Maintenance, LLCthe 2014 tax assessment for taxes, and that the 2014 taxes have already been paid by the owner, and

**WHEREAS**, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiffs’ attorney Daniel G Keough, Trustee

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a check in the amount of $1495.62 payable to Daniel G Keough, Trustee, 783 Springfield Avenue, Summit, NJ 07901.

**RESOLUTION #2016 –2.10**

**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 Corelogic, and Wells Fargo duplicated payment on 4 Elm Street , Bloomingdale, NJ for the 4th quarter of 2015 on Block 3041 Lot 15;

A refund of overpayment in the amount of $2,266.46 is being returned to Corelogic

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Corelogic

Address: Att: Liz Jackman

150 W Civic Center Drive, Suite 104

Sandy, UT 84070

Refund Amount: $2,266.46

**RESOLUTION #2016 –2.11**

**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 Steven Gerber and Ellen Britz, said owner of Block 2004 Lot 26 did appeal their 2014 added/omitted and 2015 Added Assessment and are entitled to a refund for a 2014 Added/Omitted and 2015 Added assessment which were placed on 3 East Shore Road. Judgment states that said owners are entitled to a refund of $8,835.56. Saiber, LLC, Attorneys at Law, have requested refund be sent to them.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Saiber

Address: Attorneys at Law

18 Columbia Turnpike, Suite 200

Florham Park, NJ 07932

Refund Amount: $8,835.56

**RESOLUTION #2016 –2.12**

**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 Frederick Huber, said owner of Block 3037 Lot 36 is entitled to a refund for a 2012 Homestead Benefit that was placed on property after Mr. Huber was give full veteran exemption. Mr. Huber is entitled to a refund of $756.70.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Frederick Huber

Address: 66 Red Twig Trail

Bloomingdale, NJ 07403

Refund Amount: $756.70

**RESOLUTION #2016 –2.13**

**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 Gail Sheppard, said owner of Block 1002 Lot 34 is entitled to a refund for a 2014 Added/Omitted and 2015 Added assessment which were placed on 217 Snake Den Road in error. Judgment states that Ms. Sheppard is entitled to a refund of $868.04.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Gail Sheppard

Address: 217 Snake Den Road

Bloomingdale, NJ 07403

Refund Amount: $868.04

**RESOLUTION #2016 –2.14**

**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 Robert Voli, said owner of Block 3035 Lot 9 is entitled to a refund of interest charged for 2015 property taxes. Ms. Pituch is entitled to a refund of $22.44.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Joann Pituch

Address: 13 Sally Street

Bloomingdale, NJ 07403

Refund Amount: $22.44

**RESOLUTION #2016 –2.15**

**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 Robert Voli, said owner of Block 3024 Lot 4 is entitled to a refund of interest charged for 2015 property taxes. Mr. Voli is entitled to a refund of $27.59.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

Robert Voli

Address: 9 William Street

Bloomingdale, NJ 07403

Refund Amount: $27.59

**RESOLUTION No. 2016-2.16**

**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 Peter & Marie Magnone have an overpayment of property tax on Block 3 Lot 6 Qual qfarm due to revaluation of property and is therefore entitled to refund of overpayment in the amount of $143.54

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following mortgage company:

Peter & Marie Magnone

Address: P.O. Box 2258

Cliffside Park, NJ 07010

Refund Amount: $143.54

Councilman Dellaripa seconded the motion and it carried as per the following roll call: Council Memers: D’Amato; Dellaripa; Hudson; Sondermeyer; Yazdi and Costa all YES.

Authorization for approval of contract with International Fireworks Manufacturing

Councilman D’Amato moved that a contract be approved with International Fireworks Manufacturing in the amount of $7,500; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members; Dellaripa; Hudson; Sondermeyer; Yazdi; Costa and D’Amato all YES.

***Discussion of Annual Debt Statement***

Mayor stated that we have received our Annual Debt Statement and we have an overall net debt of $9,183,460.79 which is a reduction overall from 2014 in excess of $300,000.

Discussion in regard to Reeve Avenue CDBG Grant

Mayor stated that the core samplings were done and there is no need to replace water lines on Reeve; money will be entirely on sidewalks and curbing.

***Adoption of Resolution No. 2016-2.17: Recognizing the 80th Anniversary of the Bloomingdale Free Public Library***

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

**RESOLUTION #2016-2.17**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Recognizing the 90th Anniversary of the Bloomingdale Free Public Library***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Bloomingdale Free Public Library (“Library”) will be celebrating its 90th Anniversary on May 18, 2016; and

***WHEREAS,*** the Governing Body further finds and declares that the Library has provided patrons of all ages with access to books ranging from the “classics” to the latest “best sellers”; and

***WHEREAS,*** the Governing Body further finds and declares that the Library has presented programs spanning the range from early readers to sophisticated bookworms, and everyone else in-between; and

***WHEREAS,*** the Governing Body further finds and declares that the Library has offered free access to the Internet, thereby ensuring that all members of our community have access to the latest technological advances available in our society; and

***WHEREAS,*** the Governing Body further finds and declares that the Library has encouraged its patrons to participate in community activities that have enhanced the quality of life for everyone who calls Bloomingdale home; and

***WHEREAS,*** the Governing Body further finds and declares that the Library has played an integral role in the educational, civic, cultural and social development of the Borough and its citizenry since the Library’s formation eight decades ago; and

***WHEREAS,*** the Governing Body further finds and declares that the Governing Body and the citizenry served thereby have demonstrated their sincere appreciation for the indispensable contributions made by the Library to our community by wholeheartedly supporting the 2002 General Election Referendum authorizing the construction of a new library/civic center on Glenwild Avenue, a project for which the Governing Body reaffirms its full and unconditional financial support;

***NOW, THEREFORE, BE IT RESOLVED*** that the Governing Body of the Borough of Bloomingdale hereby extends its sincere congratulations to the Bloomingdale Free Public Library upon the attainment of its 90th Anniversary, and does further extend its best wishes to the employees, trustees, benefactors and patrons of the Library for continued, successful enjoyment of all that the Library has to offer to our community for many years to come.

Co0uncilman Sondermeyer seconded the motion and it carried as per the following roll call: Council Members: Hudson; Sondermeyer; Yazdi; Costa; D’Amato and Dellaripa all YES.

***Authorization for 6:00 p.m. start of March 1, 2016 meeting***

Councilman Yazdi moved that the March 1, 2016 meeting begin at 6 p.m. with a presentation by the Otteau Group and Richard Reading Assoc. and the regularly scheduled agenda to follow immediately after; seconded by Councilman Costa and carried on voice vote with all Council Members voting YES.

***Introduction of Ordinance no. 6-2016: 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 COUNCILMAN Yazdi who moved that seconded and final reading and public hearing be held on March 1, 2016 at 7 p.m.; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: Sondermeyer, YES; Yazdi, YES; Costa, NO; D’Amato, YES; Dellaripa, YES and Hudson, YES

***2015 Annual Police Report***

Mayor stated that the Police Chief has submitted his 2015 Annual Report which is on file in the Municipal Clerk’s Office.

Mayor commended the Chief and his department on all they accomplished in 2015 and highlighted some of the areas in the report.

***Adoption of Resolution No. 2016-2.18: Bills List***

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

**RESOLUTION - #2016 –2.18**

**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

**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: **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;

BILLS LIST PREPAID LIST

CURRENT 3,089,237.00 CURRENT 945,881.07

UTILITY 117,241.74 UTILITY 467,363.76

CAPITAL 709,762.94 OPEN SPACE 00,000.00

UTILITY CAPITAL 34,870.00 TRUST ACCOUNT 119,510.52

TRUST 137,626.60 RECYCLING 0,000.00 DOG 3,385.36 DOG TRUST 000.00

RECREATION 10,668.63 UNEMPLOY 743.32 ROSE FUND 3,344.29 CAPITAL 33,998.00

RECYCLING 000.00 WATER CAPITAL 000.00

UNEMPLOYMENT 0,000.00 RECREATION 00.00

SEWER ASSESSMENT 00.00

TOTAL 4,106,136.56 TOTAL 1,567,496.67

Councilman Dellaripa seconded the motion and it carried as per the following roll call: Council Members: Yazdi; Costa; D’Amato; Dellaripa; Hudson and Sondermeyer all YES>

***Adoption of resolution No. 2016-2.19: Municipal Fair Housing CDBG***

Councilwoman Hudson offered the following resolution and moved for tis adoption’’’

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| **Resolution No. 2016-2.19**  **BOROUGH OF BLOOMINGDALE**  **Municipal Council Fair Housing Resolution** |
| The Borough of Bloomingdale supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Borough of Bloomingdale to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disabilty, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Borough of Bloomingdale further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Borough of Bloomingdale do hereby approve the following resolution.  BE IT RESOLVED, that within available resources, the Borough of Bloomingdale will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.  BE IT FURTHER RESOLVED, that the Borough of Bloomingdale shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.  BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.  Approved this 16 day of February, 2016.  ATTEST:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ February 16, 2016  Jane McCarthy, RMC  Municipal Clerk Date  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 973-838-0778  Mayor Jonathan Dunleavy Telephone Number |

Councilman Dellaripa seconded the motion and it carried as per the following roll call: Council Members: Costa; D’Amato; Dellaripa; Hudson; Sondermeyer and Yazdi all YES.

***Ratify blue collar contract***

No action at this time

**LATE PUBLIC COMMENT**

Councilman D’Amato moved that the meeting be open to Late Public Comment; seconded by Councilman Dellaripa and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue, compliment on the Police Department on their very informative Facebook page.

Linda Shortman, 2 West Shore Drive, spoke in regard to the CCO Ordinance and felt that the inspector does not do a thorough inspection.

Mayor stated that this was addressed with the office and inspections are being done according to standards and it is not going to be changed and we are satisfied that the inspections are being done.

Ms. Shortman asked how many illegal homes have been found since this ordinance was on the books; Mayor stated that he will check with the Construction Official in regard to this.

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

***Authorization for early start of March 1, 2016 meeting***

Municipal Clerk asked that a vote be taken as she isn’t sure if we did it previously.

Councilman Costa moved that the March 1, 2016 meeting start at6 pm. On March 1, 201 with the regular meeting to follow immediately; seconded by Councilman Dellaripa and carried on voice vote.

**LATE EXECUTIVE SESSION**

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

**Borough of Bloomingdale**

Passaic County, New Jersey

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale on the 7th day of January 2014 that:

1. Prior to the conclusion of this **Official Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

( ) a. ( ) Confidential or excluded matters, by express provision of Federal law or

State statute or rule of court.

( ) b. ( ) A matter in which the release of information would impair a right to receive

funds from the Government of the United States.

( ) c. ( ) Material the disclosure of which constitutes an unwarranted invasion of

Individual privacy.

( ) d. ( ) A collective bargaining agreement including negotiations.

( ) e. ( ) Purchase, lease or acquisition of real property, setting of banking rates or

investment of public funds, where it could adversely affect the public

interest if disclosed.

( ) f. ( ) Tactics and techniques utilized in protecting the safety and property of the

public, if disclosure could impair such protection. Investigation of

violations of the law.

( x ) g. (1 ) Pending or anticipated litigation or contract negotiations other than in

subsection b. (4) herein or matters falling within the attorney-client

privilege.

( ) h. ( ) Personnel matters.

( ) i. ( ) Deliberations after a public hearing that may result in penalties.

1. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).and certified as a true copy of an original.

Councilman D’Amato 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 Dunleavy reconvened the meeting at 9:50 p.m. and noted no action was taken during the Executive Session.

**ADJOURNMENT**

Since there was no further business to be conducted, Councilman Yazdi moved to ADJOURN the meeting at 9:51 p.m.; seconded by Councilwoman Hudson and carried on voice vote with all Council Members voting YES.

Jane McCarthy, RMC

Municipal Clerk