**August 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 7:06 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Dawn Hudson

Michael Sondermeyer

Absent: Councilman: Ray Yazdi (Excused)

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Dawn Sullivan, Esq.

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on November 28, 2015.

**NON-AGENDA ITEM**

Mayor stated that we have two Non-Agenda items which are: the hiring of a DPW employee to replace Fred Cook and accept the resignation of Ellen Gerber as a member of the Environmental Commission.

**EARLY PUBLIC COMMENT**

Councilwoman Hudson opened the meeting to Early Public Comment; seconded by Councilman Costa and carried on voice vote.

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

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS AND MAYOR’S REPORT**

**Pequannock River Coalition**

Councilman Costa noted that there will be a River Cleanup with the Pequannock River Coalition and Environmental Commission this weekend.

Councilman D’Amato noted that the Fire Department will be sending people also to assist.

**Robert Kochka 5K Run**

Councilman D’Amato noted that the Robert Kochka Memorial 5K run will be September 25th with the Car Show the night before.

**Mayor’s Report**

***Flood Damage***

Mayor stated that we suffered some flood damage from the recent rainstorms; we will be doing an amendment to a bond ordinance for the repairs.

***Ryerson Avenue Project***

Mayor stated that the project is coming along; we are dealing with some snags because of the 100 year old water lines.

***Star Lake Project***

Due to problems on Reeve Avenue project, this project was slowed down.

***Reeve Avenue Project***

Mayor stated that this is on hold until the Governor releases the Transportation Trust Funds.

Councilwoman Hudson stated that the residents are very appreciative of the social media updates on these project; Mayor stated that we notify the residents on all the projects using reverse 911, notifications at their home, et c.

***Walter T. Bergen Drainage Project***

Mayor stated that this is 99% done; additional sod was needed due to some over watering and root rot in one area.

**APPROVAL OF CONSENT AGENDA**

Councilman D’Amato moved for the approval of the following Consent Agenda:

1. Approval of Minutes: Executive Session May 17 and June 14, 2016
2. Approval of Block Party; 21 Reeve Avenue from 3 p.m. to 7 p.m.
3. Adoption of Resolution No. 2016-8.1: Senior Citizen Week

**RESOLUTION #2016-8.1**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Senior Citizen Week – August 15, 2016 to August 19, 2016***

WHEREAS, as Americans are living longer and healthier lives, the senior citizen population continues to grow; and

WHEREAS, Passaic County includes 86,403 citizens ages 60 and;

WHEREAS, the Borough of Bloomingdale Governing Body is committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, the older adults in Passaic County play an important role by continuing to contribute experience, knowledge, wisdom and accomplishments; and

WHEREAS, the Borough of Bloomingdale Governing Body celebrates the contributions older citizens have made throughout their lives; and

WHEREAS, these special citizens have led us through times of conflict, depression, peace, and have witnessed first-hand the milestones of our country;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby proclaim August 16, 2015 through August 22, 215 as Passaic County Senior Ci9tizen Appreciation Week; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale urges every citizen to take time this week to recognize older adults as powerful and vial citizens who greatly contribute to the community; and

BE IT FURTHER RESOLVED that the Governing body of the Borough of Bloomindale does hereby continue to recognize and celebrate Passaic County Senior Citizen Appreciation Week on an annual basis commencing the third week of August of each subsequent year; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale calls upon each municipality to recognize and show appreciation for the value and contributions of the older American population during this time heretofore annually.

Mayor stated that if you go on the County of Passaic website, there is a list of sponsored events for Senior Citizen Week.

**Adoption of Resolution No. 2016-8.2: Drive Sober or Get Pulled Over**

**RESOLUTION NO. 2016-8.2**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***“A RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2016 STATEWIEDE CRACKDOWN”***

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

WHEREAS, impaired driving crashes cost the United States almost $50 billion a year; and

WHEREAS, 27% of motor vehicle fatalities in New Jersey in 2013 (the last year for which complete data is available) were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the ***Drive Sober or Get Pulled Over*** 2016 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 19 through September 5, 2016; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale declares it’s support for the ***Drive Sober or Get Pulled*** ***Over*** 2016 Statewide Crackdown from August 19 through September 5, 2016 and pledges to increase awareness of the dangers of drinking and driving.

1. Annual request from Lake Iosco to use Council Chambers 11/19/16 at 12 p.m.
2. Authorization for Candlelight Walk September 11, 2016 and request for road closure.

Mayor noted that we will line up at 7 p.m. at Sloan Park and proceed to Butler Park.

Councilwoman Hudson seconded the motion and it carried on voice vote with all members present voting YES.

**PENDING ITEMS**

***Second and Final Reading and Public Hearing on Ordinance No. 19-2016: Ban Hunting on Municipal Owned Recreation Land***

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF***

***PASSAIC AND STATE OF NEW JERSEY AMENDING CHAPTER VIII, PARKS AND RECREATION AREAS, SECTION 8-1, PROHIBITED ACTS, OF THE BOROUGH CODE TO BAN HUNTING ON MUNICIPAL OWNED RECREATION LAND*** was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice Statement

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

The Municipal Clerk read the ordinance by title.

**ORDINANCE NO. 19-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF**

**PASSAIC AND STATE OF NEW JERSEY AMENDING CHAPTER VIII, PARKS AND RECREATION AREAS, SECTION 8-1, PROHIBITED ACTS, OF THE BOROUGH CODE TO BAN HUNTING ON MUNICIPAL OWNED RECREATION LAND.**

**WHEREAS,** the Borough of Bloomingdale (“Borough”) is aware of the controversy surrounding the sanctioning of hunting as a means of controlling the population of Black Bears and other wildlife in New Jersey (“State”); and

**WHEREAS,** the Borough acknowledges extensive public concern among its residents regarding this matter, especially in light of the New Jersey Department of Environmental Protection, Division of Fish and Wildlife Management’s continued expansion of the Black Bear hunting season; and

**WHEREAS**, the Borough believes that hunting is an unnecessary, inhumane, and ultimately ineffective tool for managing the wildlife population, particularly with respect to Black Bears, where safer, less drastic, and more effective solutions exist; and

**WHEREAS**, the Borough desires to formally prohibit the hunting of all wildlife, including Black Bears, on recreational land owned by the Borough.

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**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bloomingdale that the Borough Code is hereby amended as follows:

**SECTION ONE.** Section 8-1, Prohibited Acts, of the Borough Code shall be amended to establish the following subsection:

g. Hunt, trap, molest, frighten, chase, tease, shoot, throw missiles at, or purse any animal, reptile, or bird, or remove or destroy the eggs or the young of any animal, reptile or bird, at any time. No person shall use, carry or possess firearms of any description, or air-rifles, spring-guns, bow-and-arrows, slings or any other forms of weapons potentially inimical too wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park area from beyond park boundaries shall be forbidden.

**SECTION 2.**All ordinances of the Borough of Bloomingdale, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.**If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.**This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Councilman D’Amato moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Sondermeyer and carried on voice vote.

Elaine Dunn, 28 South Road, thanked the Mayor and Council for putting this ordinance on the books.

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

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

**INTRODUCTION OF NEW BUSINESS**

***Adoption of Resolution: Payment of bills***

Councilwoman Hudson moved to TABLE this until after Executive Session; seconded by Councilman Dellaripa and carried on voice vote.

***Adoption of Resolution No. 2016-8.3: Promotion of Jaimee Wenzel of Animal Shelter***

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

**RESOLUTION #2016-8.3**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Promotion of Jaimee Wenzel – North Jersey Animal Shelter***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Director of Animal Control Services and Full-time Mayor recommend the promotion of Jaimee Wenzel as the Shelter Supervisor effective to September 1, 2016; and

***WHEREAS,*** the Governing Body further finds and declares that said promotions are in the best interests of the health, safety and welfare of the animals and citizens who are served by the North Jersey Animal Shelter;

***NOW, THEREFORE, BE IT RESOLVED*** that the Governing Body of the Borough of Bloomingdale does hereby authorize the promotion of Jaimee Wenzel to Shelter Supervisor effective September 1, 2016 at a salary of $14/hr.

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

***Adoption of Resolution No. 2016-8.4: Supporting Governor’s Fairness Formula for School Funding and Property Tax Equity***

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

**RESOLUTION NO. 2016-8.4**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Supporting Governor Christie’s Fairness Formula for School Funding***

***and Property Tax Equity***

WHEREAS, the Education Law Center filed a lawsuit in Superior Court in 1981 on behalf of 20 children attending various inner city public schools; and

WHEREAS, that case was dubbed Abbott v. Burke challenged New Jersey’s system of financing public education under the Public School Education Act of 1975; and

WHEREAS, in 1985, that case was elevated to New Jersey’s Supreme Court, which in 1990 ruled that the State’s school funding law was unconstitutional for children in 28 “poorer urban” districts; and

WHEREAS, those “Abbott” districts which make up 5% of New Jersey’s public school districts, started to receive immensely more per pupil state aid than other districts statewide; and

WHEREAS, Governor Christie is proposing a solution to New Jersey’s two most pressing crises that are hurting all residents of New Jersey: the failure of urban education ad property taxes; and

WHEREAS, Governor’s Fairness Formula is an equal per pupil funding plan that would provide tax fairness for all residents and better public education for every New jersey student; and

WHEREAS, under this formula residents of Bloomingdale could see a savings of some per year which will vary by county and municipality;

NOW, THEREFORE, BE IT RESOLVED ty the Mayor and Council of the Borough of Bloomingdale that it hereby supports Governor Christie’s Fairness Formula for school funding and property tax equity which stands as the first sensible proposal to address this issue in many years; and

BE IT FURTHER RESOLVED that this resolution of support be transmitted to the Governor, President of the Senate, Speaker of the Assembly, Members of the 39th Legislative District and our sister Passaic County municipalities.

Councilman Costa seconded the motion.

Councilman Dellaripa stated that it is about $1,300/home per average; do not think an entire flat rate is fair.

The motion carried on voice vote with all Council Members present voting YES.

***Adoption of Resolution No. 2016-8.5: Climate Resolution***

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

**RESOLUTION NO. 2016-8.5**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS,** our climate is rapidly changing, leaving New Jersey families and businessesvulnerable to the impacts of more frequent and severe storms; and

**WHEREAS,** the Borough of Bloomingdale is extremely vulnerable to the effects of extreme weatherevents that are more common as a result of a changing climate; and

**WHEREAS,** our community is deeply concerned about the adverse impacts of climatechange; and

**WHEREAS,** major hurricanes alone have cost the state of New Jersey billions in the lastdecade; and

**WHEREAS,** extreme weather events have resulted in damages inthe Borough of Bloomingdale over the past decade; and

**WHEREAS,** the Borough of Bloomingdaleis dedicated to taking serious steps to reduce carbonpollution within our borders and have already taken significant steps to reduce greenhouse gas emissions including: these things; and

**WHEREAS,** the Governor and Legislature of New Jersey have a responsibility to addressclimate change in the Garden State by improving energy efficiency, addressing the cumulative impacts of concentrated industrialization, promoting adaption to climate change and sea-level rise, increasing our production of clean energy, and promoting renewable installations in brownfields and landfills; and

**WHEREAS,** the families and businesses inthe Borough of Bloomingdaleare suffering from inaction inTrenton; and

**WHEREAS,** immediate action on climate is needed to prevent the loss of property and lifeand ensure continued economic success.

**NOW THEREFORE BE IT RESOLVED** by theGoverning Body of the Borough of Bloomingdale that the Borough of Bloomingdale:

* Commits to increasing renewable energy requirement, or renewable portfolio standard (“RPS”) community-wide, to 80% by 2050
* Will audit city greenhouse gas emissions community-wide & set a strong goal for reducing emissions (80% by 2050)
* Commits to purchasing 50% (or more) of the city’s energy from renewables by 2025
* Will incentivize renewable purchases for city residents
* Will facilitate and incentivize greater clean energy investment in the community
* Commits to install renewable energy technology on city facilities where feasible
* Commits to a broad energy efficiency goal that prioritizes reducing building energy use by developing a list of best practices for building
* Commits to reducing greenhouse gas emissions and pollution from vehicles

Councilman Dellaripa seconded the motion and it carried on voice vote with all members present voting YES.

***Adoption of Resolution No. 2016-8.6: Declaring July 30, 2016 storm as an emergency which caused damage due to flooding***

Councilman D’Amato offered the following Resolution and moved for its adoption:

RESOLUTION #2016-8.6

OF THE GOVERNING BODY

OF THE BOROUGH OF BLOOMINGDALE

# ***Declaring An Emergency due to storm on July 30, 2016***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed on Clark, Catherine, Elizabeth, Star Lake, Van Dam and Valley View Streets for drainage repairs;

**WHEREAS,** the Governing Body further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

**WHEREAS,** the Governing Body further finds and declares that N.J.S.A. 40A:11-6 authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

**WHEREAS,** the Governing Body further finds and declares that the Engineering Department, acting in the reasonable belief that an emergency affecting the public health, safety and welfare requires immediate remedial action without public advertisement for services;

**WHEREAS,** the Governing Body further finds and declares that the Engineering Department has correctly recommended that the aforementioned drainage repairs be remediated through the award to the following:

* Advanced Plumbing
* John Ball
* TW Industrial
* Mike Fitzpatrick & Son

**WHEREAS**, the emergency costs to be funded through the Capital budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the repairs as soon as possible to the streets mentioned above and does hereby award said project to the entities mentioned above.

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

***Adoption of Resolution No. 2016-8.7: Renewal of NJ Municipal Employees Benefit Fund***

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

**RESOLUTION #2016-8.7**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***RENEWAL OF MEMBERSHIP IN THE NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND***

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the North Jersey Municipal Employee Benefits Fund, hereafter referred as “FUND”, as permitted by N.J.S.A. 11:15-3, 17:1-8.1 and 40A:10-36 et seq., and:

WHEREAS the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

WHEREAS, the statutes and regulation governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHERES the Governing Body of the Borough of Bloomingdale, hereinafter referred to a “LOCAL UNIT” has determined that membership in eh FUND is in the rest interest of the LOCAL UNIT;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the LOCAL UNIT here by agrees as follows:

1. Become a member of the FUND for the period outlined in the LOCAL UNIT’S Indemnity and Trust Agreements.
2. Will participate in the following type(s) of coverage(s):
3. Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND’S By-laws and Plan of Risk Management
4. Adopts and approves the FUND’s by-laws
5. Execute an application for membership and accompanying certifications.

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND’s Bylaws, and to deliver these documents to the FUND’S Executive Director with the express reservation that these documents shall become effective upon:

1. Approval of the LOCAL UNIT by the Fund.
2. Receipt from the LOCAL UNIT of a Resolution accepting the assessment.
3. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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

***Adoption of Resolution No. 2016-8.8: Renewal of Morris County JIF Membership***

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

**RESOLUTION #2016-8.8**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY JOINT INSURANCE FUND***

WHEREAS, the Borough of Bloomingdale is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2016, unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Borough of Bloomingdale agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the By-Laws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Joint Insurance Fund evidencing the Municipality’s intention to renew its membership.

Councilman D’Amato seconded the motion and it carried don voice vote with all Council Members present voting YES.

***Adoption of Resolution No. 2016-8.9: Municipal Alliance Grant 2017***

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

RESOLUTION NO. 2016-8.9

OF THE GOVERNING BODY

OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Bloomingdale, County of \_Passaic\_, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of \_Passaic;

NOW, THEREFORE, BE IT RESOLVED by the Borough of \_Bloomingdale, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the ­Bloomingdale Municipal Drug Alliance grant for fiscal year 2017 in the amount of:

DEDR $\_\_16,792.00\_\_\_\_\_\_\_

Cash Match $\_\_\_4,198.00\_\_\_\_\_\_\_

In-Kind $\_\_12,594.00\_\_\_\_\_\_\_

1. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

***Adoption of Resolution No. 2016-8.10: Chapter 159 Municipal alliance***

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

**RESOLUTION #2016-8.10**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Insertion into the FY2016 Municipal Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a County of Passaic***

***Municipal Alliance Grant***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (“Director”), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality; and

**WHEREAS,** the Governing Body further finds and declares that N.J.S.A. 40A:4-87 provides that the Director may also approve the insertion of any item of appropriation for an equal amount; and

**WHEREAS,** the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough’s FY2016 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the County of Passaic;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough’s FY2016 Municipal Budget of an item of revenue in the sum of $16,792.00, which item is now available as revenue in the form of a County of Passaic – Municipal Alliance Grant; and

**BE IT FURTHER RESOLVED** that a like sum of $16,792.00 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations*

*Municipal Alliance Grant\*

*In-Kind Match $12,594.00*

*Cash Match $4,198.00*

**AND BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Office of the Director of Local Government Services, within the State of New Jersey Department of Community Affairs, for this purpose.

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

***Adoption of Resolution No. 2016-8.11: Amendment to personnel manual in regard to sick time per state statute N.J.S.A. 40A:9-10.2***

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

RESOLVED THAT the personnel manual be amended as follows:

**SICK LEAVE POLICY AMENDMENT**

Borough policy is that employees receive a maximum of 180 days at one-half (1/2) pay. New employees hired after May 21, 2010 will follow Statute 40A:9-10:2 and will be eligible to receive compensation for any unused leave, not more than the amount accumulated at one-half (1/2) pay or not more than $15,000.

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

***“Dig In” Grant for community garden***

Mayor acknowledged that the Borough received a grant for their Community Garden in the amount of $2,500.

Councilwoman Hudson spoke of a few issues with the rain held this up; fence is going up and the sprinkler system is in. In addition to the grant we received a donation from the resident.

Noted that we would like to make this a community event and thanked the Boy Scouts and the Winklers for their work on obtaining the grant and their Eagle Scout project they are working on to put in a patch.

She thanked the DPW and Water/Sewer Departments and the Mayor for all their help.

Mayor thanked Councilwoman Hudson for spearheading this and noted that this was brought up by the Environmental Commission ears ago but recently a resident came forward with a donation and the Freeholders also.

***Introduction of Bond Ordinance No. 23-2016: Amending Bond Ordinance No. 14-2016/Various Capital Improvements***

***BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 14-2016 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY ON MAY 17, 2016, TO INCREASE THE APPROPRIATION REFERRED TO IN SECTION 3(a)(ii) BY $100,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES BY $95,000 AND TO AMEND THE DESCRIPTION OF THE IMPROVEMENT THEREIN*** was introduced by title by Councilman Costa who moved that second and final reading and public hearing be held on September 6 2016 at 7 p.m.

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

***Authorization for DPW Hiree***

Councilwoman Hudson moved that authorization be given to hire a DPW employee to replace DPW Foreman who retired; seconded by Councilman Dellaripa and carried don voice vote with all Council Members present voting YES.

***Acceptance of resignation of Ellen Gerber as Member of Environmental Commission***

Councilman Costa moved to accept the resignation of Ellen Gerber as a member of the Environmental Commission; seconded by Councilman Dellaripa

Discussion followed as to Ms. Gerber’s letter in which she felt the discussion of the AH-1 overlay zone were handled; felt there should have been a formal resolution submitted. Chairman did forward a letter to the Planning Board in regard to their discussion.

Mayor stated that he will attend the next Environmental Commission meeting to discuss this.

The motion was carried on voice vote with all Council Members present voting YES.

**LATE PUBLIC COMMENT**

Councilman Dellaripa moved that the meeting be open to Late Public Comment; seconded b Councilwoman Hudson and carried on voice vote.

Bernie Vroom, Rafkind Road, spoke in regard to the Mayor and Councils actions on federal Hill which speaks volumes as to the direction they are going in; property is fair game and Mayor and Council did a good thing.

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

***Authorization for Executive Session***

Councilman D’Amato moved the following Resolution:

**RESOLUTION**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***MOTION FOR EXECUTIVE SESSION***

**BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale on the 16th day of August 2016 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):

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

State statute or rule of court.

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

funds from the Government of the United States.

( ) (3) Material the disclosure of which constitutes an unwarranted invasion of

individual privacy.

(x ) (4) A collective bargaining agreement including negotiations.

( ) (5) 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.

( ) (6) 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.

( ) (7) Pending or anticipated litigation or contract negotiations other than in

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

( ) (8) Personnel matters.

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

2. 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).

Councilwoman Hudson seconded the motion and I t carried on voice vote.

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

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 8:12 p.m.

***Adoption of Resolution No. 2016-8.12: Payment of Bills***

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

**RESOLUTION - #2016 –8.12**

**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 3,168,849.30 CURRENT 395,899.37

UTILITY 86,436.10 UTILITY 34,337.61

CAPITAL 131,432.62 OPEN SPACE 4,615.35

UTILITY CAPITAL 124,829.99 TRUST ACCOUNT 965.00

TRUST 13,063.70 RECYCLING 942.61 DOG 1,371.46 DOG TRUST 000.00

RECREATION 13,418.63 UNEMPLOY 75.47

ROSE FUND 4,000.00 CAPITAL 14,461.51

RECYCLING 614.25 WATER CAPITAL 000.00

UNEMPLOYMENT 000.00 RECREATION 83.36

SEWER ASSESSMENT 00.00

TOTAL 3,544,016.05 TOTAL 451,380.28

Councilman D’Amato seconded the motion and it carried as per the following roll call: Council Members: Sondermeyer, YES; Costa; YES with the exception of the Tri State bill; D’Amato, YES; Dellaripa, YES and Hudson, YES ABSENT: Councilman Yazdi

**ADJOURNMENT**

Since there was no further business to be conducted, Councilwoman Hudson moved to Adjourn at 8:15 p.m.; seconded by Councilman D’Amato and carried on voice vote.

Jane McCarthy, RMC

Municipal Clerk