

January 24, 2012

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 Dunleavy called the meeting to order at 7:02 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag followed by a moment of silence for the passing of Assemblyman Alex DeCroce.

ROLL CALL

<i>In Attendance:</i>	Mayor:	Jon Dunleavy
	Council President:	Glenn Schiffman
	Council Members:	Mark Conklin John D'Amato Jo-Ann Pituch Linda Shortman Ray Yazdi
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy
	Borough Administrator:	Ted Ehrenburg

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 January 4, 2012..

PRESENTATIONS

At this time, the Mayor and Council recognized the Butler/Bloomingdale Youth Club B-Squad Superbowl Championship Team and their Coaches.

The presentation was roundly applauded by all those in attendance.

EARLY PUBLIC COMMENT

Councilman Schiffman moved to open the meeting for Early Public Comment on agenda items; seconded by Councilman Yazdi and carried on voice vote with all Council Members voting YES.

Jack Miller, Reeve Avenue, asked about the progress in regard to flood mitigation; Mayor Dunleavy noted that we will approve this evening authorization for the Borough Engineer to seek the necessary DEP permits which is the first step.

Borough Engineer is working on nine estimates which have to be submitted to FEMA for reimbursement. Noted that they had previously gone down to the DEP and had a meeting with them.

Mayor stated that the process has begun but we are awaiting the permit approval.

Jen Altfield, 17 Cedar Street, spoke in regard to the BASS Shelter and fact that they are bringing in animals from Kentucky and she was informed that one of our residents animals was turned away because they had no room; is this a rescue shelter or an animal shelter.

Ms. Altfield spoke in regard to salaries being paid to BASS employees, maintenance costs and \$2,650/month in the Borough's line item budget for BASS.

Ms. Altfield noted that what is to stop another non- profit group from coming in and asking for money.

Councilman Schiffman noted that the Borough takes in money from other towns for Shared Services; people aren't giving donations as they did in the past.

Currently we are not reimbursing their utility bills; we have paid some in the past.

Since there was no one else who wished to speak under Early Public Comment, councilman Schiffman moved that it be closed; seconded by Councilwoman Pituch and carried on voice vote.

REPORTS FROM MAYOR AND COUNCIL

Senior Citizen Advisory Board

Councilwoman Shortman stated that the monthly calendar is on line; they are looking to get some publicity for a new program "community cars" whereby volunteers volunteer to drive people.

Environmental Commission

Councilwoman Shortman stated that the Commission discussed the logging resolution and came to the same conclusion as the Governing Body as to oppose the bill as is.

Friends of the Library

Councilwoman Shortman stated that the Library still has AJ's pizza cards available which is their fundraiser and they will be starting additional fundraisers in the spring, i.e. garage sale.

PROFESSIONAL REPORTS

DPW

Borough Administrator noted that the DPW Superintendent is still recuperating and will not return until April 1.

Pending List

County Projects

Borough Administrator noted that when he spoke with the County, it was noted that this was a budget item for 2012; he will follow up. He will call tomorrow the Morris County Co-op for possible fixing of road on Glenwild Avenue.

Job Descriptions

Borough Administrator stated that he has not started this project at this time.

Vacation Schedules

Councilwoman Shortman noted that they should be finalized by March 1, 2012.

Job Evaluations

Councilwoman Shortman stated that this needs to be done also.

Budget

Councilwoman Shortman stated that this needs to be done by February 15.

Councilwoman Shortman spoke of grant money Pompton Lakes received for desnagging.

Flood Mitigation

Noted that the County received 12.5 million in flood mitigation money; Mayor noted we should reach out to Deborah Hoffman in regard to this.

DEPARTMENT REPORTS

- A. Health Report – December 2011
- B. Health Department – Weight Loss Challenge – Feb. 7th from 4-7 p.m.
- C. Construction Department – December 2011
- D. Property Maintenance – December 2011

Municipal Clerk

Municipal Clerk noted that she attended the recent Chamber of Commerce meeting and encouraged everyone to support our local businesses.

Councilwoman Shortman asked when we will get a DPW report and Borough Administrator noted that Rocco is filling in both positions while the DPW Superintendent is out and has a lot of work to do at this time.

Adoption of Resolution #2012-1.22: Recognizing Eagle Scout James Synol

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

RESOLUTION #2012-1.22
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

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

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

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

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

BE IT FURTHER RESOLVED, that the Governing body of the Borough of Bloomingdale hereby declares January 28, 2012, as “*JAMES SYNOL DAY*” in the Borough of Bloomingdale.

Councilwoman Pituch seconded the motion, and it carried on voice vote.

APPROVAL OF CONSENT AGENDA

Councilman D'Amato moved that the following Consent Agenda be approved:

- A. Informational Items List – Month of December 2011
- B. List of Proposed Board of Health Ordinances Scheduled for Adoption March 5, 2012
- C. Special Meeting Minutes – December 30, 2011

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

PENDING BUSINESS

Discussion in regard to Borough website

Councilwoman Shortman moved that authorization be given to continue with our current Webmaster as per her proposal of \$140/week or \$560/month to maintain our website plus paying the voucher for the current bill received for maintaining and fixing the website in January; seconded by Councilman D'Amato and carried as per the following roll call: council Members: Conklin; D'Amato; Pituch; Schiffman; Shortman and Yazdi all YES.

Noted that we need to address our archiving and Councilwoman Shortman stated that our current webmaster has some ideas in that regard; Mayor stated that the Governmental Operations committee should review this.

Update on Recreational Trails Program Application

Borough Administrator spoke with Bob Jonas, authorized representative of the Trail Commission; they will be having a meeting shortly to move forward; the 2004 grant was the one which was for trail markings.

Mayor stated that we should contact Passaic County to see if they want to do anything on Friendship park; Borough Administrator will reach out again.

Discussion in regard to 2012 by-laws

Lengthy discussion in regard to proposed by-laws; Mayor noted that he did not feel the addition of the item allowing a motion to remove agenda items was a good idea; never has been in our by-laws before.

Councilwoman Pituch moved that the following 2012 By-Laws be approved:

(See Pages A-O)

Councilwoman Shortman seconded the motion, and it carried as per the following roll call: Council Members: D'Amato, NO; Pituch, YES; Schiffman, YES; Shortman, YES; Yazdi, NO and Conklin, YES.

Discussion in regard to 2012 Meeting Schedule

Councilwoman Shortman asked why some of the dates for meetings are not on the second and fourth Tuesday and mayor Dunleavy noted we made some changes due to holidays, Candlelight Walk, etc.

Update on Logging Bill

Mayor Dunleavy noted that the Assembly did not take any action on the bill.

Update on First Aid Bill

Mayor Dunleavy stated that the Governor conditionally vetoed the bill.

Discussion in regard to Street Sweeping in Lake Communities

Borough Administrator will follow-up as he only heard from one of the lake communities.

Green Acres Hiking Grant

Noted that the deadline for this grant is February 7.

Open Appointments and/or resignations

Assistant Borough Attorney

Councilman Yazdi moved to appoint Joseph MacMahon as Assistant Borough Attorney; seconded by Councilman D'Amato.

Discussion followed and it was noted that this needs to be discussed in Executive Session.

Councilwoman Shortman moved to TABLE this at this time; seconded by councilwoman Pituch and carried as per the following roll call: Council members: Pituch; Schiffman; Shortman; Yazdi; Conklin and D'Amato all YES.

Resolution #2012-1.22A: Appointment of Borough Attorney

Mayor Dunleavy nominated Fred Semrau, Esq. as Borough Attorney.

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

BOROUGH OF BLOOMINGDALE
Passaic County, New Jersey

RESOLUTION 2012-1.22A

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY,
AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE
CONTRACT FOR THE POSITION OF BOROUGH ATTORNEY
PURSUANT TO A FAIR AND OPEN PROCESS**

WHEREAS, the Borough of Bloomingdale has a need to appoint a Borough Attorney pursuant to a professional services contract, awarded through a "fair and open process" per the provisions of *N.J.S.A. 1944A-20.4 et seq.*; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for Professional Services pursuant to a "fair and open process," and the contract itself, must be made available for public inspection; and

WHEREAS, the term of a contract for this service is one year from January 1, 2012 through December 31, 2012; and

WHEREAS, Fred Semrau, Esq. will provide legal services as sought by the Borough of Bloomingdale at the annual compensation not to exceed \$75,000.00; and

WHEREAS, Fred Semrau, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough of Bloomingdale with the elected officials in the previous one year, and that the contract will prohibit the firm of Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract.

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey authorizes the Mayor and the Municipal Clerk to enter into a contract with Dorsey & Semrau, LLC as described herein to the satisfaction of the Mayor and Council; and

BE IT FURTHER RESOLVED that the contract, resolution and all other pertinent documents shall remain on file in the officer of the Municipal Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Borough's legal newspaper.

Councilman D'Amato seconded the motion.

At this time, Councilman Yazdi went over the proposals which were received, etc. and Mr. Semrau's proposal vs. the others.

The motion carried as per the following roll call: Council Members: Schiffman, NO; Shortman, YES; Yazdi, YEES; Conklin, NO; D'Amato, YES; Pituch, NO; Mayor Dunleavy, YES.

Borough Auditor

Mayor Dunleavy spoke in regard to Request for Proposals which were done and noted that the Chuck Ferraioli was lower at a savings of \$7,500.

Mayor stated that he will not make his nomination until the Annual Financial Statement is received and then the majority can appoint who they want, noting that an appointment could be made February 7 but asked that the Mayor and Council wait.

Councilman Schiffman moved that they will not make an appointment of Borough Auditor until the Annual Financial Statement is received and reviewed; seconded by Councilman Conklin and carried as per the following roll call: Council Members: Shortman, ABSTAIN; Yazdi, YES; Conklin, YES; D'Amato, YES; Pituch, YES and Schiffman, YES.

Bond Counsel

Mayor Dunleavy nominated the firm of Lomurro, Davison, and Eastman & Munoz, PA.

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

RESOLUTION 2012-1.22B

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY,
AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES
CONTRACT WITHOUT COMPETITIVE BIDDING LOMURRO
DAVISON EASTMAN & MUNOZ, P.A., TO SERVE AS MUNICIPAL
BOND COUNSEL**

WHEREAS, there exists a need for legal services to be rendered in the area of Public Finance (Bond Counsel) to the Borough of Bloomingdale; and

WHEREAS, the Borough wishes to retain Jack Kraft, Esq. of the law firm of Lomurro Davison Eastman & Munoz, P.A., to provide legal services as Municipal Bond Counsel for the 2012 calendar year; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bidding, and the contract itself, must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bloomingdale, County of Passaic and State of New Jersey, as follows:

1. The Borough of Bloomingdale hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Jack Kraft, Esq. of the law firm of Lomurro Davison Eastman & Munoz, P.A., 100 Willow Brook Road, Suite 100, Freehold, New Jersey 07728, to serve as Municipal Bond Counsel to the Borough of Bloomingdale for the 2012 calendar year, for total compensation estimated to be **\$10,000.00** or less.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed **\$10,000.00** without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough’s official newspaper as required by law.
5. A copy of this resolution shall be provided to Chief Financial Officer Donna M. Mollineaux, and Jack Kraft, Esq. of the law firm of Lomurro Davison Eastman & Munoz, 100 Willow Brook Road, Suite 100, Freehold, New Jersey 07728, for their information and guidance.

Councilman D'Amato seconded the motion, and it carried as per the following roll call: Council Members: Yazdi, YES; Conklin, YES; D'Amato, YES; Pituch, NO; Schiffman, NO; Shortman, NO; Mayor Dunleavy, YES.

Assistant Borough Attorney

Mayor noted this will be tabled until the next meeting.

Municipal Risk Consultant

Mayor Dunleavy nominated Vozza Insurance as the Municipal Risk Consultant

Councilman Yazdi moved for the appointment of Vozza Insurance as the Municipal Risk Consultant; seconded by Councilman Dunleavy and the motion **DID NOT CARRY** as per the following roll call: Council Members: Conklin, NO; D'Amato, YES; Pituch, NO; Schiffman, NO; Shortman, NO and Yazdi, YES.

Councilwoman Pituch moved to appoint Brown and Brown.

Mayor Dunleavy stated that it is still is appointment and she will have to wait for the next meeting.

Councilman Schiffman moved to table the following appointments:

Licensed Water/Sewer Operator
 Licensed Sewer/System Operator
 Certified Public Works Manager

Councilwoman Shortman seconded the motion and it was carried on voice vote with all Council Members voting YES.

Economic Development Commission Alternate I – 5 year unexpired

Mayor Dunleavy nominated Al LaVoie as the Alternate I Member of the Economic Development Commission for a five year term.

Councilwoman Shortman moved for Confirmation of this appointment; seconded by Councilman Schiffman and carried as per the following roll call: Council members: D'Amato; Pituch; Schiffman; Shortman; Yazdi and Conklin all YES.

Resignation of John Hoerman as Member of the Planning Board

Councilman Schiffman moved to accept the Resignation of John Hoerman as Planning board Alt. IV Member with regret; seconded by Councilwoman Pituch and carried on voice vote.

Planning Board Alt. IV Member

Mayor Dunleavy appointed William Graf as the Planning Board Alt. IV Member.

ROSE Trust Fund Advisory Board – 3 year term

Mayor Dunleavy nominated Jack Miller as the ROSE Trust Fund Advisory Board member for a three year term.

Councilman Schiffman moved for Confirmation of this appointment; seconded by Councilwoman Shortman and carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Yazdi; Conklin and D'Amato all YES.

ROSE Recreation Commission Representative

No action required on this as Drew Juhlian is already the Representative.

Acceptance of Resignation of Maria Gopin as Board of Health member

Councilman Schiffman moved to accept with regret the resignation of Maria Gopin as a Board of health Member; seconded by councilwoman Pituch and carried on voice vote.

Appoint of Board of Health Member – 3 year unexpired term

Mayor Dunleavy appointed Mary Ellen Snyder as a Regular member for a three year unexpired term expiring 12/31/12.

Councilwoman Shortman moved for the Confirmation of this appointment; seconded by Councilwoman Pituch and carried on voice vote.

Board of Health Alternate I and Alternate II

No action at this time.

Acceptance of Resignation of Greg Tuck as Recreation Member

Councilman Schiffman moved to accept with regret the resignation of Greg Tuck as a Recreation member; seconded by councilwoman Shortman and carried on voice vote.

Appointment of Recreation Members

Mayor Dunleavy moved Drew Juhlian to a Regular Member on the Recreation Commission for a two-year unexpired term; expiring 12/31/12.

Mayor Dunleavy appointed John Timpanaro as an Alternate I Recreation member to fill Drew Juhlian's seat.

Appointment of Municipal Alliance Members

Mayor Dunleavy appointed the following to the Municipal Alliance Committee for a one year term:

Tara Hamway
Brian Brenkert
Robyn Turk
Katie Sondermeyer

Councilman Yazdi moved for the Confirmation of these appointments; seconded by Councilman D'Amato and carried on voice.

Appointment as SWAC Alternate for a one-year term

Councilman D'Amato noted he would be willing to serve in this position.

Mayor Dunleavy appointed Councilman D'Amato as the SWAC Alternate for a one year term.

Councilman Yazdi moved for the Confirmation of this appointment; seconded by Councilman Schiffman and carried as per the following roll call: Council Members: Schiffman; Shortman; Yazdi; Conklin; D'Amato and Pituch all YES.

Reappointment of OEM Coordinator and Deputy Coordinator

Noted that the County does not allow Co-Coordinators so the appointments need to be changed.

Mayor Dunleavy reappointed Fire Chief Mike Hudson as OEM Coordinator and Bernie Vroom as Deputy Coordinator for a one year term.

Councilman Schiffman moved for the Confirmation of these appointments; seconded by Councilman D'Amato and carried don voice vote.

Resignation of Lynn Ferrara as Member of the Drug Alliance

Councilman Schiffman moved for the resignation with regret of Lynn Ferrara as a Member of the Municipal Drug Alliance; seconded by Councilwoman Shortman and carried on voice vote.

Appointment of Governmental Operations Committee

Mayor Dunleavy moved that Councilman D'Amato Chair this committee with Members: Councilman Conklin and Councilwoman Shortman.

Councilman Schiffman moved for the Confirmation of this appointment; seconded by councilman Yazdi and carried on voice vote.

Appointment of Public Safety Committee

Mayor Dunleavy moved that Councilman Schiffman Chair this committee with Members: Councilman D'Amato and Councilwoman Pituch.

Councilwoman Shortman moved for the Confirmation of this appointment; seconded by Councilwoman Pituch and carried on voice vote.

Appointment of Liaison to Municipal Alliance

Mayor Dunleavy asked if anyone would like to be the Liaison to Municipal alliance; Councilwoman Shortman stated she would do it.

Councilman Schiffman moved for this appointment; seconded by Councilman D'Amato and carried on voice vote.

RECESS

Mayor Dunleavy called for a recess at this time, 8:55 p.m.

RECONVENED

Mayor Dunleavy reconvened the meeting at 9:09 p.m.

Discussion in regard to 2011 Budget Shortfalls

Mayor Dunleavy discussed fact that we do not know yet what our shortfalls will be; we are awaiting the Financial Statement from the Auditor.

Discussion followed; Councilwoman Shortman did not feel the revaluation should be in there; Mayor noted that if anyone has questions, it would be helpful to meet with our Chief Financial Officer.

Update on Bid Specifications for Refuse Collection Truck

Borough Administrator has given these to Councilman Schiffman for his review and should go out shortly.

Status of BASS Contract

The contract was sent over to the BASS Attorney and they have come back with a number of changes; this will be discussed in Executive Session.

Auction of Vehicles

Borough Administrator stated that we have auctioned off all the vehicles; if all the monies are collected, we will have received \$17,000; currently there are three items which have not been picked up yet and we may have to relist them.

Councilwoman Shortman asked that the borough Administrator send them a memo when all the items have been picked up.

ORDINANCES

Second and final reading and Public Hearing on Ordinance #1-2012: Matching Health Insurance Benefits, Sick Time and Vacation Days to the Borough Policy Manual for Certain Appointed Positions

The Municipal Clerk read the Public Notice Statement.

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

The Municipal Clerk read the ordinance by title.

BOROUGH OF BLOOMINGDALE
County of Passaic
State of New Jersey

ORDINANCE # 1-2012

AN ORDINANCE MATCHING HEALTH INSURANCE BENEFITS, SICK TIME,
AND VACATION DAYS TO THE BOROUGH POLICY MANUAL FOR CERTAIN
APPOINTED POSITIONS

WHEREAS, the Governing Body of the Borough of Bloomingdale has considered matching health insurance benefits, sick time, and vacation days for the positions of: (1) Borough Treasurer; (2) Animal Control Director; (3) Chief Financial Officer; (4) DPW Superintendent; (5) Water and Sewer Superintendent; and (6) Business Administrator to the Borough of Bloomingdale Employee Handbook & Policies and Procedures Manual, thereby adding section 9-1.6 to the Borough Code.

WHEREAS, the Administration of the Borough of Bloomingdale finds that such an addition is warranted;

NOW, THEREFORE, it is thereby duly ordained:

Section 1: All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section 2: Section 9-1.6 is hereby added to the Borough Code, which shall state that:

Health insurance benefits, sick time, and the number of vacation days for the positions of (1) Borough Treasurer; (2) Animal Control Director; (3) Chief Financial Officer; (4) DPW Superintendent; (5) Water and Sewer Superintendent; and (6) Business Administrator shall match the Borough of Bloomingdale Employee Handbook & Policies and Procedures Manual.

All employees that hold the above listed positions as of the effective date of this ordinance shall have the above listed benefits match the Bloomingdale Employee

Handbook & Policies and Procedures Manual as they are stated in the manual on the effective date of this ordinance.

Section 3: Severability – The provisions of this Ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof.

Section 4: This Ordinance Controls – In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinances of the Borough of Bloomingdale, the provisions hereof shall be determined to govern and control.

Section 5: Effective Date – This Ordinance shall take effect immediately upon final passage and publication according to law.

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

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

Councilman Schiffman moved for the adoption of the ordinance; seconded by Councilman Yazdi and carried as per the following roll call: Council Members: Shortman; Yazdi; Conklin; D'Amato; Pituch and Schiffman all YES.

INTRODUCTION OF NEW BUSINESS

Adoption of Resolution #2012-1.23: Payment of Bills

Councilman Schiffman moved that the bill list be approved; seconded by Councilman Yazdi.

Discussion followed in regard to pulling the bills for NJ Extreme; Whritenour Electric.

It was noted that the bill for Whritenour Electric was for the electric for the Christmas lights at Sloan park; councilwoman Shortman stated that we had passed a motion that no funds would be spent out of the ROSE fund without prior permission; consensus that bill for Whritenour Electric will be paid and Mayor will discuss the NJ Extreme bill with Councilwoman Shortman.

RESOLUTION - #2012 -1. OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Authorizing Payment of Municipal Obligations

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

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

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

BILLS LIST

CURRENT	1,399,330.64
UTILITY	59,003.74
CAPITAL	2,760.00

PREPAID LIST

CURRENT	446,931.12
UTILITY	462,166.99
UNEMPLOY	380.88

UTILITY CAPITAL	0,000.00	RECYCLING	2,539.69
TRUST	2,188.83	CAPITAL	647.51
DOG	2,063.67	TRUST	28,415.05
RECREATION	282.50	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	000.00	RECREATION	3,553.19
ROSE FUND	2,644.00	UTILITY CAP	200,000.00
RECYCLING	323.73	DOG	000.00
TOTAL	1,468,597.11	TOTAL	1,144,634.43

Councilman Yazdi seconded the motion and it carried as per the following roll call: council Members: Yazdi; Conklin; D’Amato; Pituch; Schiffman and Shortman all YES.

Adoption of Resolution #2012-1.24: Budget Transfer

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

**RESOLUTION #2012-1.24
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Appropriation of Reserves

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-58 provides that the Governing Body may, should it become necessary during the first three months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, by resolution setting forth the facts and adopted by not less than two-thirds (2/3) vote of the full membership of the Borough Council, transfer the amount of such excess of those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer and the Borough Administrator have determined that the following transfers are both necessary and appropriate; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Chief Financial Officer be and is hereby authorized to make the following transfers in the FY2011 Reserve Budget:

FROM:

Administration OE	\$200.00
Police S&W	\$8,000.00
Tax Collector OE	\$300.00
Tax Assessor OE	\$800.00
Planning Board S&W	\$1,200.00
Planning Board OE	\$1,000.00
Police OE	\$9,400.00
Fire Prevention S&W	\$200.00
Public Defender S&W	\$1,400.00
Senior Citizen S&W	\$1,300.00
Sanitation OE	\$2,500.00
Buildings & Grounds OE	\$2,000.00
Total	\$28,300.00

TO:

Electric OE	\$8,000.00
Tipping Fees	\$20,300.00
Total	\$28,300.00

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the Chief Financial Officer and the Borough Treasurer

Councilman Yazdi seconded the motion, and it carried as per the following roll call: council Members: Conklin; D'Amato; Pituch; Schiffman; Shortman and Yazdi all YES.

Adoption of Resolution #2012-1.25: Resolution in regard to natural gas development proposed within the Delaware River Watershed

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

**RESOLUTION #2012-1.25
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, natural gas development is proposed within the Delaware River Watershed; and

WHEREAS, the Delaware River is designated as a Wild and Scenic River of federally recognized outstanding resources, natural assets, and exceptional water quality; and

WHEREAS, the Delaware River supplies drinking water to over 15 million people, many of them downstream of the Marcellus Shale fairway in the Upper and Middle Delaware River Watershed, including approximately 3 million people in New Jersey; and

WHEREAS, the Delaware River is the lifeblood of the communities along the River, is essential for commerce, tourism and recreation, and once contaminated will negatively impact those communities and those uses and can be very costly or impossible to remediate and can take a very long time; and

WHEREAS, the Delaware River Basin Commission (DRBC) has designated the non-tidal River - the entire 197 mile River from Hancock, New York to Trenton, New Jersey - as Special Protection Waters due to the exceptional water quality and "exceptionally high scenic, recreational, ecological, and/or water supply values" of the River; and

WHEREAS, these special waters and ecosystems must be maintained as per the DRBC Water Code, so that there be "no measurable change in existing water quality except towards natural conditions", requiring protection from avoidable water quality degradation; and

WHEREAS, degradation of these waters would be illegal and would impose significant hardships, public health detriment, and economic harm if degraded; and

WHEREAS, the natural gas development process involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and workover operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS, billions of gallons of fresh water will be depleted by hydraulic fracturing (the water is not returned to the source and is classified as a consumptive loss) and at least 200,000 acres of land are already leased for gas development, and that tens of thousands of wells are expected to be drilled in the Upper and Middle Delaware River Watershed; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, use of these hydraulic fracturing mixes exposes adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental, and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and

WHEREAS, the oil and gas industry remains one of the only industries that is allowed to inject such known chemical constituents directly into or adjacent to underground drinking water supplies without federal oversight; and

WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; and

WHEREAS, proposed natural gas wells in the Delaware River Watershed are planning to use chemical additives in drilling and to use hydraulic fracturing in developing these wells and exploratory wells that have been drilled have used chemical additives in drilling; and

WHEREAS, natural gas development will fragment forests in the Upper and Middle Delaware River Watershed, which is 89% forested, and convert naturally vegetated land to impervious cover and industrial conditions, increasing stormwater runoff and pollution, flooding, sedimentation, and erosion to the tributaries and the mainstem River and will emit air pollution during constructing, drilling, extraction, and production of natural gas; and

WHEREAS, the Delaware River Basin Commission is seeking funding to complete a cumulative impact analysis of natural gas development on the water resources of the Delaware River Basin; and

WHEREAS, the US Environmental Protection Agency is studying the practice of hydraulic fracturing and the study will be completed in 2012 and, if it is recommended by the study that hydraulic fracturing should be subject to the Safe Drinking Water Act, that the federal oversight of hydraulic fracturing would not be unduly burdensome on industry or the economy; and

WHEREAS, protection of New Jersey's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the 24th day of January 2012, the Borough of Bloomingdale supports strong regulation by the DRBC to prevent pollution and avoid degradation of the water resources and ecosystems of the Delaware River Watershed; and

AND BE IT RESOLVED – that the Borough of Bloomingdale supports a New Jersey statewide ban on natural gas development involving hydraulic fracturing; and.

AND BE IT RESOLVED that the Borough of Bloomingdale calls on our Congressional Representative and Senator Menendez to join Senator Lautenberg, Congressman Pallone and Congressman Holt in co-sponsoring H.R. 1084/ S. 587, the Fracturing Responsibility and Awareness of Chemicals Act (“FRAC Act”) a bill that would repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking.

Councilman Yazdi seconded the motion, and it carried as per the following roll call: Council Members: D’Amato, YES; Pituch, YES; Schiffman, NO; Shortman, ABSTAIN; Yazdi, YES; Conklin, NO.

Authorization for ad in Butler High School Yearbook

Councilman Yazdi moved that authorization be given to place an ad in the Butler High School Yearbook not to exceed \$500; seconded by Councilwoman Pituch and carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Yazdi; Conklin and D'Amato all YES.

Authorization for Borough Engineer to seek DEP permits for flood mitigation

Councilman Schiffman moved that the Borough Engineer be authorized to seek the necessary DEP permits for flood mitigation; seconded by Councilwoman Shortman and carried as per the following roll call: Council Members: Schiffman; Shortman; Yazdi; Conklin; D'Amato and Pituch all YES.

Discussion in regard to icing condition/drainage on Matthews Terrace

Discussion followed in regard to the icing condition on Matthews Terrace; the DPW has been salting the area; this is a budgetary matter and will be kept on the pending list.

Authorization for Stream Bank Restoration Work at DeLazier Field by Pequannock River Coalition

Discussion followed in regard to restoring the banks on the books on the baseball side of DeLazier field.

Councilwoman Shortman moved that the proposal by Ross Kushner of the Pequannock River coalition for the stream bank restoration work in the amount of \$1,725 be approved; seconded by Councilman Yazdi.

Councilman Schiffman noted that if we are going to desnag the brooks and remove the silt, this may destroy the plantings. Discussion followed.

Councilman Schiffman moved to TABLE this until we can discuss it with Mr. Kushner; seconded by Councilwoman Shortman and carried on voice vote.

Adoption of Resolution #2012-1.26: National Wear Red Day for Women

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

**RESOLUTION #2012-1.26
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE
Designating February, 2008 as American Heart Month and Friday, February 3, 2006, as
"Wear Red for Women Day" in Recognition and Support of the Fight Against Heart
Disease and Stroke Among Women**

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares as follows:

- ✓ Diseases of the heart are the nation's leading cause of death, and stroke is the fourth leading cause of death;
- ✓ Cardiovascular diseases (CVD) claim the lives of more than 420,000 American females (about one death per minute) each year
- ✓ Each year, nearly 52 percent of all death due to cardiovascular disease and 60 percent of stroke deaths occur in females;
- ✓ Too many women die each year because they are unaware that heart disease is their No. 1

killer;

- ✓ In 2008, the direct and indirect cost of cardiovascular diseases in the U.S., including stroke, was nearly \$298 billion;
- ✓ Nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next four leading causes of death combined, including all cancers;
- ✓ Only 16% of women survey in 2009 identified cardiovascular disease as the greatest health problem facing them;
- ✓ February is designated as American Heart Month;
- ✓ Go Red For women is the American Heart Association's national call to increase awareness about heart disease – the leading cause of death for women – and to inspire women to take charge of their heart health and reduce risk;
- ✓ All women should learn their own personal risk for heart disease, using tools such as the American Heart Association's My Life Check, Go Red For Women Heart Checkup, Go Red BetterU- and by talking to their healthcare provider;
- ✓ Taking Action and making the right choices relating to proper nutrition, physical activity and other healthy lifestyle choices are essential to living a heart healthy life; and
- ✓ By choosing to MAKE IT YOUR MISSION! You can save lives.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 3, 2012 to be

“NATIONAL WEAR RED DAY FOR WOMEN”

in the Borough of Bloomingdale and urge all citizens to show their support for women and the fight against heart disease and stroke by commemorating this day by the wearing of the color red. By increasing awareness, speaking up about heart disease and stroke, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

Councilwoman Pituch seconded the motion, and it carried on voice vote.

Adoption of Resolution #2012-1.27: Supporting the Mayor's Wellness Campaign

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

**RESOLUTION #2012-1.27
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

A Resolution Supporting the Mayors Wellness Campaign

- Whereas, Across New Jersey, communities are facing a rise in health care costs, and
- Whereas, Physical activity levels have been decreasing and obesity rates increasing, and
- Whereas, Local leaders are looking for ways to promote active living, healthy eating, and overall wellness in their communities, and
- Whereas, The Mayors Wellness Campaign works with Mayors and key leaders to shape healthier lifestyles for the men, women and children in their communities, and

- Whereas, Communities can work towards the goal of healthier citizens and lower health care costs by championing practices and programs that promote active living, and
- Whereas, The Mayors Wellness Campaign will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity issues for Bloomingdale, now therefore be it
- Resolved, by the Council of the Borough of Bloomingdale, New Jersey, ask that all residents of this community join us in supporting the Mayors Wellness Campaign, and be it further
- Resolved, That we encourage the residents of Bloomingdale to participate in Mayors Wellness Campaign activities to promote exercise, eating properly and living healthier and better lives.

Councilman D'Amato seconded the motion, and it carried on voice vote.

Discussion in regard to Article II of the Borough Code

Consensus that this will be discussed at a work session in March.

Adoption of Resolution #2012-1.28: Authorization to apply for a Passaic county Development Block Grant for sewers on Ryerson Avenue

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

**RESOLUTION #2012-1.28
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Supporting participation in the Passaic County Community Development Block Grant

WHEREAS, the Passaic County Community Block Grant will provide funding for sewers on Ryerson Avenue, part of the Passaic County Corridor Enhancement; and

WHEREAS, the Borough of Bloomingdale strives to save tax dollars, and work with the County of Passaic for residents of Bloomingdale; and

WHEREAS, as elected representatives of the Borough of Bloomingdale, we believe participating in the US Department of Housing and Urban Development funded Passaic County Community Block Grant will help us provide funding for needed activities to assist our community;

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Bloomingdale wishes to pursue a grant from the Passaic County Community Development Block Grant for sewers on Ryerson Avenue from Oak Street to the Paterson/Hamburg Turnpike; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Bloomingdale that we do hereby authorize Borough Administrator Ted Ehrenburg to serve as the Borough's principal contact person agent for the Passaic County Community Development Block Grant and authorizes Borough Administrator Ted Ehrenburg to complete the Grant Application on behalf of the Borough of Bloomingdale.

Councilwoman Shortman seconded the motion, and it carried as per the following roll call: Council Members: Shortman; Yazdi; Conklin; D'Amato; Pituch and Schiffman all YES.

Introduction of Ordinance #2-2012: Amending Recreation Fees

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING SECTION 2-64.11 "FEES FOR RECREATIONAL PROGRAMS" OF CHAPTER II "ADMINISTRATION" was introduced by title by Councilman Yazdi who moved that second and final reading and public hearing be held on February 7, 2012 at 7:30 p.m.

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

Adoption of Resolution #2012-1.29: Declaring an Emergency for Water main Break on Leary Avenue

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

RESOLUTION #2012-1.29
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Declaring an Emergency
For Purposes of Awarding Contract for Leary Avenue Water Service Repairs

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares an emergency situation has developed at Leary Avenue with a Water Service 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 Water Utility 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 Water Utility Department has correctly recommended that the aforementioned Water Service repairs be remediated through the award to the following which submitted the following cost estimate;

Phil Barrett	\$8,012.50
Tilcon	\$ 306.98
Water Works Supply Company	\$ 312.97
Utility	\$ 494.50

and;

WHEREAS, the emergency costs to be funded through the 2012 Water Utility 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 completion of the Leary Avenue repairs as soon as possible and does hereby award said project to the entities mentioned above.

Councilman D'Amato seconded the motion, and it carried as per the following roll call: Council members: Yazdi; Conklin; D'Amato; Pituch; Schiffman and Shortman all YES.

Adoption of Resolution #2012-1.30: Declaring an Emergency for Water main Break on Orchard Street

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

RESOLUTION #2012-1.30
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Declaring an Emergency
For Purposes of Awarding Contract for Orchard Street Water Service Repairs

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed at Orchard Street with a Water Service 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 Water Utility 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 Water Utility Department has correctly recommended that the aforementioned Water Service repairs be remediated through the award to the following which submitted the following cost estimate;

Phil Barrett	\$8,012.50
Tilcon	\$ 306.98
Water Works Supply Company	\$ 312.98
Utility	\$ 494.49

and;

WHEREAS, the emergency costs to be funded through the 2012 Water Utility 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 completion of the Orchard Water Service repairs as soon as possible and does hereby award said project to the entities mentioned above.

Councilman D’Amato seconded the motion, and it carried as per the following roll call: Council Members: Conklin; D’Amato; Pituch; Schiffman; Shortman and Yazdi all YES.

Adoption of Resolution #2011-1.31: Granting Paid Sick Leave to DPW Employee Albert Gallagher

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

RESOLUTION #2012-1.31
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Granting Paid Sick Leave to DPW employee Albert Gallagher

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Albert Gallagher (“Employee”) is an officer and employee of the Borough’s Department of Public Works and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of November 30, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee Albert Gallagher during the period of November 30, 2011, 2011 until no later than April 1, 2012; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify P.E.R.S. of said status and to cause the same to be included in the records maintained for said employee.

Councilwoman Shortman seconded the motion, and it carried as per the following roll call: Council Members: D’Amato; Pituch; Schiffman; Shortman; Yazdi and Conklin all YES.

Adoption of Resolution #2012-1.32: Authorization to pay Tri Boor First Aid Squad, NJ League of Municipalities and NJ Conference of Mayor’s bill

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

RESOLVED, that the following bills which were pulled from the last bill’s list be paid:

- Tri Boro First Aid Squad \$25,000
- NJ League of Municipalities \$ 50
- NJ Conference of Mayors \$395

Councilman Yazdi seconded the motion and it carried as per the following roll call: council Members: Pituch; Schiffman; Shortman; Yazdi; Conklin and D’Amato all YES.

Discussion in regard to review of “going paperless” in Borough

Councilman Yazdi discussed the fact that he would like to have a review of the cost of our “going paperless”; noted that other boroughs are doing this like Jefferson.

Councilwoman Pituch noted that presently she does not have a computer; Councilman Yazdi noted that eventually there would be laptops on the dais and members could come in to Borough Hall to access their computers.

Councilman Yazdi moved that he be authorized to have a cost analysis done; seconded by Councilwoman Shortman and carried as per the following roll call: council Members: Schiffman, YES; Shortman, RECUSED; Yazdi, YES; Conklin, YES; D’Amato, YES and Pituch, YES.

Discussion in regard to review of Budget committee

Mayor Dunleavy noted that councilman Yazdi is the Chairman with members Pituch and Shortman.

Councilwoman Shortman stated that she would like to add former Councilwoman Huntley on the Committee. Mayor stated he does not feel a need for an additional member.

It was noted that in the past private citizen Mark Crum was on the Budget committee. Discussion followed. Mayor stated that it should be our job and only our job.

Agreement was made that this will be held until we receive the Financial Statement from the Auditor.

INTRODUCTION OF NON-AGENDA BUSINESS

Adoption of Resolution #2012-1.11: payment to Webmaster for her current invoice will be vote on after Public Comment

PUBLIC COMMENT

Councilman Schiffman opened the meeting up to LATE PUBLIC COMMENT; seconded by Councilman Yazdi and carried on voice vote.

Bernie Vroom, 183 Reeve Avenue, noted that the Passaic County Grant under Item K on agenda this evening was for curbs and sidewalks.

Borough Administrator will look into it.

Geraldine DeLazier, 20 Glenwild Avenue, spoke in regard to the job done by former Councilwoman Huntley and felt she did a good job.

Mrs. DeLazier also expressed her opinion on the split of the ROSE fund and her disagreement with the proportions.

In regard to the revaluation and the ROSE Fund tax, the Attorney will be reviewing the impact our revaluation will have on the referendum. Mayor stated that the public has to realize we committed to do a lighting project and would have to be through this current operating budget.

In regard to the ROSE fund, the Ordinance defined the split.

Wendy Connolly, Lake Iosco, felt that Mrs. DeLazier's point was academic vs. recreation.

Ms. Connolly asked why Mr. MacMahon was not appointed Borough Attorney and the Mayor stated that he did not have the votes for him.

Ms. Connolly asked if we could get a list of the qualifications from those who submitted proposals.

Rich Dellaripa, Pine Tree Road, noted that one of the first things to go when the school board budget is defeated is athletics; it is hard to stay within the 2% cap.

In regard to going paperless, Mr. Dellaripa stated that it is hard unless you have an IT person to help you. Possibly you could do a shared service for one.

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

Adoption of Resolution #2012-1.33: Authorization to pay current invoices of webmaster

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

RESOLVED, that authorization is given to pay Jeannine Perry for Webmaster services as per her invoice dated January 2012 in the amount of \$1,220.00.

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

Adoption of Resolution #2012-1.33A: Authorization for Executive Session

Councilman Schiffman offered the following Resolution and moved for its adoption #2012-1.33A

**RESOLUTION #2012-1.33A
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Convening of an Executive Session

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

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

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

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

Councilwoman Pituch seconded the motion, and it carried on voice vote.

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

RECONVENED

Mayor Dunleavy reconvened the meeting at 11:42 p.m.

Appointment of John Wegele as Licensed Water/Sewer Operator

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

**RESOLUTION
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Designating Official Agent for NJDEP Wastewater Treatment Works Approval Applications

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that applications for wastewater treatment works approval must be submitted to the State of New Jersey, Department of Environmental Protection (“NJDEP”), in accordance with N.J.A.c. 7:14a-22.5; and

WHEREAS, the Governing Body further finds and declares that John Wegele, L.O. is qualified to serve as the Borough’s official agent for purposes of all wastewater treatment works approvals as may be required by the NJDEP;

WHEREAS, The Governing Body further finds and declares that John Wegele, L.O., was confirmed as Municipal Wastewater Collection Operator at an Official Meeting held on Tuesday, January 24, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that John Wegele, L.O., be and is hereby authorized to execute, as the official agent of the Borough of Bloomingdale, any and all treatment works approval applications required to be submitted to the State of New Jersey, Department of Environmental Protection, during the calendar year 2012 at a salary of \$15,000/year.

Councilman Yazdi seconded the motion, and it carried as per the following roll call: council Members: Shortman, YES; Yazdi; YES, Conklin, NO; D'Amato, YES; Pituch, YES and Schiffman, YES.

Appointment of Ben Steltzer as Certified Public Works Manager

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

**RESOLUTION #2012
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

RE-APPOINTING BENJAMIN STELTZER AS CERTIFIED PUBLIC WORKS MANAGER

BE IT RESOLVED, that the Borough Council of the Borough of Bloomingdale hereby re-appoints Benjamin Steltzer, CPWM, as the Borough of Bloomingdale's Certified Public Works Manager in accordance with NJSA40A:9-154 et seq. for a term of one year ending on December 31, 2012, to be paid \$3,500/year.

Councilman Yazdi seconded the motion, and it carried as per the following roll call: council Members: Yazdi, YES; Conklin, NO; D'Amato, YES; Pituch, YES; Schiffman, YES and Shortman, YES.

ADJOURNMENT

Since there was no further business to be conducted, Councilman Schiffman moved to AEDJOURN the meeting at 11:45 p.m.; seconded by councilman Yazdi and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk