

July 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 7:01 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

<i>In Attendance:</i>	Mayor:	Jonathan Dunleavy
	Council Members:	Mark Conklin John D'Amato Jo-Ann Pituch Linda Shortman Ray Yazdi
<i>Absent:</i>	Council President:	Glen Schiffman (Excused)
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy, RMC
	Borough Attorney:	Jane Coviello
	Borough Administrator:	Ted Ehrenburg
	Borough Auditor:	Sheyrl Nicolosi

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 December 13, 2011.

MOTION TO REMOVE MATTERS FROM AGENDA

There were no matters to be removed from Agenda

PRESENTATIONS

At this time, the Mayor and Council recognized Police Officers Dave Terpstra and Kevin Peirsel for their recent acts of heroism in rescuing a man from a burning building.

Police Chief Borrel spoke as to their act of heroism and congratulated them on behalf of the Department and praised them for their actions.

Police chief also spoke of the efforts of Fire Department Officer Michael Wanklin for his efforts in assisting the officers in pulling the man from the building.

Mayor Dunleavy also spoke of the pride we have for the Officers and Officer Wanklin and their accomplishments and presented plaques and certificate of appreciation on behalf of the Governing Body.

The presentation was applauded by all those in attendance.

EARLY PUBLIC COMMENT

Councilwoman Pituch moved that the meeting be opened to Early Public Comment; seconded by Councilman Yazdi and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue, spoke in regard to the ordinance for paving of Morse Lakes Road and asked for will be paying for this and Mayor Dunleavy stated the Association will be paying the costs as the Borough is a member of the Morris County Coop.

It was proven that the roads are private roads; fees and measurements were determined by the Borough Engineer.

Ms. Huntley spoke in regard to a prior assessment project whereby the assessment did not cover the cost and the taxpayers had to pay some of it. Mayor Dunleavy stated that any monies expended from the bond will be paid by the Morse Lakes Property Owners Association; engineering is included in the cost.

Discussion followed in regard to the wording of the ordinance and Borough Attorney stated that the word "undertake" is appropriate here because the Borough is administering the project; there is no bidding involved; Morris County Coop. does it.

Mayor Dunleavy stated that there are no drainage issues on these roads. Noted that in the history of the Borough all utilities have been an assessment project.

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

FY2012 MUNICIPAL BUDGET

Public Hearing on Resolution #2012-6.12: Resolution to Amend 2012 Budget

Councilman Yazdi opened the meeting up to a Public Hearing on Resolution #2012-6.12:

(See Resolution spread in Full Page 2A-B)

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

Linda Huntley, 86 Van Dam Avenue, spoke in regard to Mr. Yazdi commenting last year that FEMA money was used in the budget and did not agree and she sees where they are doing it this year and asked why.

Mr. Yazdi stated that we were \$575,000 above the 2% CAP with zero surplus; we were forced into some of these solutions that our Auditor pointed out to do this.

Ms. Huntley asked what the agreement made with Avalon Bay was to obtain additional funding. Mayor Dunleavy stated that \$147,000 was the settlement litigation and she stated she would like to know the specifics. Mayor Dunleavy stated that it was a settlement made last year; for the reduction in Mt. Laurel, there will be a trust fund set up and noted that Councilwoman Huntley supported this.

Ms. Huntley stated that she would like the agreement and consider this her OPRA request.

(For the record, determination was sought by the Municipal Clerk to the Government Records Council and OPRA requests MUST be in writing, not verbal at a meeting)

Since there was no one else who wished to speak at the Public Hearing on Resolution #2012-6.13, Councilman Yazdi closed the Public Hearing; seconded by councilwoman Shortman and carried on voice vote with all council Members present voting YES. ABSENT: councilman Schiffman (Excused)

Noted that no vote is necessary on this resolution.

Adoption of Resolution #2012-7.2: Emergency Resolution

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

WATER AND SEWER UTILITY FUND

Municipal Utility Services	Other Expenses	\$550,000.00
P.E.R.S	Other Expenses	\$10,000.00
Debit Service		
Interest on Notes		\$13,038.00
Principal on Notes		\$10,800.00
Interest on Bonds		\$3,431.00

2. This action shall take effect July 17, 2012.
3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Bloomingdale.

(See Resolution Spread in full Pages 3A&B)

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

Adoption of Resolution #2012-7.3: Amendment to Budget

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

(See Page Spread in full)

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

Adoption of Resolution #2012-7.4: Self Examination of Budget

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

**RESOLUTION #2012-7.4
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE
PASSAIC COUNTY, NEW JERSEY**

Resolution re: Self Examination of 2012 Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Old Bloomingdale has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2012 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Bloomingdale that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Councilwoman Pituch seconded the motion, and it carried as per the following roll call: council members: D'Amato; Pituch; Shortman; Yazdi and Conklin all YES. ABSENT: councilman Schiffman (Excused)

Adoption of Resolution #2012-7.5: Adoption of FY2012 Budget

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

(See Resolution spread in full page 4A)

Councilman D'Amato seconded the motion.

At this time, Councilman Yazdi presented a PowerPoint presentation to the public outlining where their tax dollars are going and the proposed increase per household of \$58.

(The presentation is on the Borough website)

Councilman Yazdi noted he plans on having informal meetings and invite the public in the fall as to where we are with the budget, etc.

Discussion followed in regard to lack of revenue; councilwoman Shortman stated felt revenues are important but we must know the actual costs involved with our shared services.

The resolution carried as per the following roll call: council Members: Pituch; Shortman; Yazdi; Conklin and D'Amato all YES.

REPORTS FROM THE GOVERNING BODY

Fireworks

Councilwoman Shortman stated that the fireworks were very successful but felt there is a problem when we quote a cost of \$5,000; this does not take into account overtime which is \$2,000. She also spoke of vendors which were there and asked if we charge them a fee as they make a lot of money at this event.

Mayor Dunleavy stated that most of them are youth groups or local vendors and he does not charge them.

Councilwoman Shortman felt we could charge for entrance to the fireworks as there are also out of towners there and also charge the vendors. Mayor Dunleavy didn't agree.

REPORTS FROM PROFESSIONALS

Municipal Clerk

Municipal Clerk stated that the County Clerk is holding a Veterans ID night and the dates are on the website.

REPORT FROM BOROUGH ADMINISTRATOR

Borough Administrator

Water Tank – Noted that the Water Department did a good job cutting down trees around the water tank at a savings of \$20,000; 40 trees were removed.

PROFESSIONAL REPORTS

NONE

APPROVAL OF CONSENT AGENDA

Councilman Yazdi moved that the following Consent Agenda be approved:

- A. Approval of Minutes for: Executive Sessions: June 26, June 12, May 22, May 8, and April 24, 2012; Special Meeting July 17, 2012; Work Session And Special Meeting June 12, 2012; Regular Meeting June 26, 2012
- B. Authorization to Close Hamburg Turnpike for Candlelight Walk
- C. Approval of Block Party; 11 Chestnut Street; August 11, 2012
- D. Notification of BAN Sale \$1,485,000 dated July 12, 2012; maturing May 10, 2012 and bearing interest rate of 1.25% per annum
- E. Removal from rolls of Bloomingdale Fire Department:
 - 1. Brian Klippel – moved out of town
 - 2. Amy Cook – moved out of town
 - 3. Megan Doherty - Resigned

Councilman D'Amato seconded the motion and it carried on voice vote with all Council members present voting YES. ABSENT: Councilman Schiffman (Excused)

PENDING BUSINESS

Update on Trail Grant; Walter T. Bergen Lights and Oakwood Lake

No update on grant; slight delay on the lights but will be done by Labor Day.

Oakwood Lake is out to bid; we are looking to do additional items as the bid came in low; additional paperwork needs to be done.

Notice from Planning Board in regard to their approval of the Redevelopment Plan as submitted by Burgis Associates, Inc.

Mayor Dunleavy stated we received the minutes of the July 19, 2012 Planning Board whereby they approved and recommended to the Mayor and Council the Redevelopment Plan as presented by Burgis Associates, subject to all approval previously granted by the Planning Board be fully effectuated.

Introduction of Ordinance #12-2012: Ordinance to Implement Redevelopment Plan

ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY KNOWN AND DESIGNATED AS BLOCK 73, LOT 67 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BLOOMINGDALE was introduced by title by Councilman Yazdi and seconded by Councilman D'Amato.

Discussion followed in regard to rescheduling the August 21, 2012 Regular meeting to August 14, 2012 and this ordinance will be considered at this time.

Noted the ordinance will have second and final reading and public hearing at the August 14, 2012 meeting at 7:30 p.m. which was previously scheduled for August 21, 2012.

The motion carried as per the following roll call: Council Members: Shortman; Yazdi; Conklin; D'Amato and Pituch all YES.

Discussion in regard to ROSE Fund

Councilwoman Shortman stated that she would like a consensus that the Borough Attorney be authorized to prepare wording for a referendum to change the formula for the ROSE fund and give the Mayor and Council feasibility to do so; this would be a referendum.

Discussion followed; Mayor Dunleavy concerned that it would be cut; this will not start until January 1, 2012. Also discussion as to legal wording to pay back the flood bond.

Borough Attorney will draw up the wording for a referendum for the August meeting.

**Second and Final Reading and Public Hearing on Ordinance #11-2012:
Establishing a new fee for a Temporary Certificate of Occupancy**

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE APPROPRIATING \$30,000 FROM THE COUNTY OF PASSAIC OPEN SPACE GRANT BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, AND THE STATE OF NEW JERSEY was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice Statement

Councilwoman Shortman moved that the ordinance be read by title; seconded by Councilman D'Amato and carried on voice vote with all council Members present voting YES. ABSENT: Councilman Schiffman (Excused)

The Municipal Clerk read the Ordinance by title.

**ORDINANCE #-13-2012
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE APPROPRIATING \$30,000 FROM THE COUNTY OF PASSAIC OPEN SPACE GRANT BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, AND THE STATE OF NEW JERSEY AS FOLLOWS:

Section 1. The sum of \$30,000.00 is available from the County of Passaic Open Space Grant to provide funding for the following purposes:

Description of Purpose	Amount
Riverwalk Feasibility Plan	\$30,000.00
TOTAL:	\$30,000.00

Section 2. The Capital Budget of the Borough of Bloomingdale is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This Ordinance shall take effect ten days after final publication hereof as provided by N.J.S.A. 40:49-9.

EXPLANATORY STATEMENT

Ordinance #-2006 appropriates the sum of \$30,000.00 from the County of Passaic for the Riverwalk Feasibility Study.

Councilwoman Shortman moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Yazdi and carried on voice vote with all council Members present voting YES. ABSENT: Councilman Schiffman (Excused)

Since there was no one who wished to speak under Public Comment, Councilman Yazdi moved that it be closed; seconded by Councilwoman Pituch and carried on voice vote with all council Members present voting YES. ABSENT: Councilman Schiffman (Excused)

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

INTRODUCTION OF NEW BUSINESS

Adoption of Resolution #2012-7.6: Payment of Bills

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

**RESOLUTION - #2012 -7.6
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	1,373,473.48
UTILITY	99,849.90
CAPITAL	72,923.22
UTILITY CAPITAL	920.00
TRUST	5,387.26
DOG	4,501.23
RECREATION	6,112.25
UNEMPLOYMENT	000.00
ROSE FUND	6,121.09
RECYCLING	1,215.00

TOTAL 1,570,503.73

PREPAID LIST

CURRENT	457,559.47
UTILITY	23,724.37
UNEMPLOY	85.60
RECYCLING	428.64
CAPITAL	1,514,679.00
TRUST	600.00
SPEC. ASSESS.	0,000.00
RECREATION	000.00
UTILITY CAP	000.00
DOG	000.00
ROSE FUND	0,000.00

TOTAL 1,997,077.08

Councilman D'Amato seconded the motion and the motion carried as per the following roll call: Council Members: Conklin; D'Amato; Pituch; Shortman and Yazdi all YES. ABSENT: Councilman Schiffman (Excused)

Adoption of Resolution #2012-7.7: Changer Order #1 Vreeland Avenue

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

**RESOLUTION #2012-7.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, a contract was awarded to Mike Fitzpatrick & Son, Inc., 18 Cozy Lake Road, Oak Ridge, NJ, for the Vreeland Avenue Improvements by Resolution #2012-5.8 in the amount of \$264,846.23; and,

WHEREAS, the Borough Engineer has advised Change Order No.1 is necessary for this contract, which reflects an increase in the contract in the amount of \$4,300.00 primarily due to unforeseen storm drainage repairs;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bloomingdale hereby approve Change Order No. 1 and the Borough Engineer's recommendation for an increase of \$4,300.00 to the original contract price, for the adjusted contract total of \$269,146.23; and

BE IT FURTHER RESOLVED that upon approval of Change Order No. 1 authorization be and is hereby given to pay Current Estimate No. 1 in the amount of \$4,300.00 to Mike Fitzpatrick & Son, Inc., subject to review, approval and the availability of funds.

Councilman D'Amato seconded the motion.

Councilman Conklin asked why we have change orders already on this and it was noted that some of the basin collapsed and were in poor shape.

The motion carried as per the following roll call: Council Members: D'Amato; Pituch; Shortman; Yazdi and Conklin all YES. ABSENT: Councilman Schiffman (Excused)

Adoption of Resolution #2012-7.8: Change Order #2 Vreeland Avenue

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

**RESOLUTION #2012-7.8
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, a contract was awarded to Mike Fitzpatrick & Son, Inc., 18 Cozy Lake Road, Oak Ridge, NJ, for the Vreeland Avenue Improvements by Resolution #2012-5.8 in the amount of \$264,846.23; and,

WHEREAS, the Borough Engineer has advised Change Order No.2 is necessary for this contract, which reflects an increase in the contract in the amount of \$6, 625.24 primarily due to emergency sewer repairs on 137 Vreeland Avenue; and

WHEREAS, Change Order #1 was also approved by Resolution #2012-___ on July 24, 2012 in the amount of \$4,300.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bloomingdale hereby approve Change Order No. 2 and the Borough Engineer's recommendation for an increase of \$6,625.24 to the original contract price, for the adjusted contract total of \$275,771.47; and

BE IT FURTHER RESOLVED that upon approval of Change Order No. 2 authorization be and is hereby given to pay Current Estimate No. 2 in the amount of \$6,625.24 to Mike Fitzpatrick & Son, Inc., subject to review, approval and the availability of funds.

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

Authorization to support Hopewell v. Verizon Tax Court Case

Mayor Dunleavy noted that Borough Attorney Semrau paid the fee for this case.

Councilman Yazdi moved that the Borough Attorney be authorized to join the Hopewell v. Verizon Tax Court Case; seconded by councilwoman Shortman and carried as per the following roll call: council Members: Shortman; Yazdi; Conklin; D'Amato and Pituch all YES. ABSENT: Councilman Schiffman (Excused)

Items F and G on the Agenda will be pulled in regard to authorizing the Borough Auditor to perform audits on the Water/Sewer Department and LOSAP

Discussion followed and it was noted that the Borough Administrator asked the Borough Auditor for an estimate on the utility rates not review of the Department; Councilwoman Shortman stated she would like to move on this issue anyway.

Mayor Dunleavy stated we already pay for the Borough Auditor to do an audit and this should be part of it; Borough Administrator will contact the Auditor for an explanation.

Adoption of Resolution #2012-7.9: Tax Title Lien #11-00003

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

**RESOLUTION #2012 -7.9
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #11-00003

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that, at the Borough Tax Sale held on April 4, 2012, a lien was sold on,

73 STAR LAKE ROAD, BLOOMINGDALE, for delinquent year 2011 tax, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 5, Lot 63.A, owned by William & Ann Stukenborg; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 11-00003, which was sold to US BANK CUST FOR PRO CAPITAL I, LLC with a premium of \$17,000; and

WHEREAS, the Governing Body further finds and declares that the Mortgage Company WELLS FARGO has requested redemption of TTL # 11-00003, and

WHEREAS, the Governing Body further finds and declares that WELLS FARGO, has paid all monies due on TTL #11-00003, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of \$ 7,911.34 for the lien redemption, and \$17,000.00 for premium be made payable to US BANK CUST FOR PRO CAPITAL I, LLC, 50 SOUTH 16TH STREET, SUITE 1950, PHILADELPHIA, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate # 11-00003.

1099 = \$ 205.70

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

Adoption of Resolution #2012-7.10: Tax Title Lien #000487

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

**RESOLUTION #2012 -7.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #000487

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on March 30, 2009 a lien was sold on,

71 REEVE AVENUE, BLOOMINGDALE, NJ, for delinquent year 2008 tax, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 53, Lot 116, owned by Decker, Helen ETALS; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien is known as Tax Title Lien Certificate (TTL) # 000487, which was sold to PLYMOUTH PARK TAX SERVICES, LLC and assigned to JEREMY DOPPELT REALTY MGMT at a premium of \$3,900.00; and

WHEREAS, the Governing Body further finds and declares that owners attorney, JAMES LASALA has requested redemption of TTL # 000487, and

WHEREAS, the Governing Body further finds and declares that JAMES LASALA, has paid all monies due on TTL #00487, including supporting affidavits from the lien holder and current taxes, to the Borough of Bloomingdale;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a checks in the amount of \$34,377.15 for the lien redemption and \$3,900.00 for return of the PREMIUM payable to JEREMY DOPPELT REALTY MANAGEMENT, LLC, 408 Main Street, Suite 502, Boonton, NJ, 07005 for the redemption and cancellation of Tax Title Lien Certificate # 000487.

1099 = \$6,752.43

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

Introduction of Ordinance #13-2012: Riverwalk Grant

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE APPROPRIATING \$30,000 FROM THE COUNTY OF PASSAIC OPEN SPACE GRANT was introduced by title by Councilwoman Shortman who moved that second and final reading and Public Hearing be held on August 14, 2012 at 7:30 p.m.

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

Introduction of Ordinance #14-2012: Improvement of certain roads located in Morse Lakes Development

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF CERTAIN ROADS LOCATED IN THE MORSE LAKE DEVELOPMENT IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF was introduced by title by Councilwoman Pituch who moved that second and final reading and public hearing be held on August 14, 2012 at 7:30 p.m.

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

Goal Setting

Councilman Yazdi stated that at a future meeting we should review our goals and see if we are doing what we said we would.

Street Sweeping in Riverdale

Discussion followed in regard to recent letter sent by Councilman Conklin to the Editor in regard to costs for street sweeping/Shared Services with Riverdale. Councilman Conklin felt we should reopen the discussions as he felt the costs are more than what was quoted to do this.

Mayor Dunleavy stated that he felt Governmental Operations should meet and discuss this.

Councilman Yazdi state that we discussed this three meetings ago and everyone was given the opportunity to ask questions; felt councilman's Conklin's statements in his letter was totally misrepresented.

Councilman Conklin stated that they were given the information at 9 p.m. at that meeting which was not enough time to review it before being asked to vote on it and felt we are losing money.

Consensus that the Governmental Operations Committee will meet and review.

INTRODUCTION OF NON-AGENDA ITEMS

Reevaluation of the Borough

Councilwoman Shortman stated that she felt the Borough should request on a CD disc a copy of the reevaluation done by ASI of the Borough or at least a copy in a binder. She noted that a lot of the problems would have been avoided if when the notices went out, a copy of the property record card was included.

Borough Attorney will review the contract as to what they were to provide.

LATE PUBLIC COMMENT

Councilman D'Amato opened the meeting to Late Public Comment; seconded by Councilman Yazdi and carried on voice vote with all Council Members voting YES. ABSENT: Councilman Schiffman (Excused)

Linda Huntley, 86 Van Dam Avenue, asked if we are borrowing money for police cars and noted you cannot do that.

It was noted t hat the type we bought is allowed.

Councilwoman Huntley discussed the ROSE fund tax and stated that it was 2-1/2 cents on assessed valued and asked if she can be taxed on a new assessed value.

Ms. Huntley also discussed the cost for shared services for street sweeping and noted she was told years ago that it was for gas, salary and brushes and why isn't the wear and t ear considered.

Geraldine DeLazier, 121 Glenwild Avenue, noted she felt the ROSE fund is a sneaky way to get money to pay for other things.

Mayor Dunleavy asked her if the money was to stay where it is and to purchase Federal Hill would she support it and she stated yes.

Rich Dellaripa, Pine Tree Road, asked if we are going to change your range in the ROSE fund can you put in the words “up to”.

He also spoke in regard to the budget and if the committee backed the benefits out for the former Chief Financial Officer and Councilman Yazdi stated they did not as they did not want to reintroduce the budget and noted it is a savings that will be realized.

Since there was no one else who wished to speak under Late Public Comment, councilman D’Amato moved that it be closed; seconded by councilwoman Pituch and carried on voice vote with all council Members present voting YES. ABSENT: Councilman Schiffman (Excused)

Authorization for Executive Session

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

**RESOLUTION
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 – Four 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.

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

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

RECONVENED

Mayor Dunleavy reconvened the meeting at 9:22 p.m.

ADJOURNMENT

Since there was no further business to be conducted, Councilman Yazdi moved to ADJOURN at 9:22 p.m.; seconded by Councilwoman Shortman and carried on voice vote with all Council Members present voting YES? ABSENT: Councilman Schiffman (Excused)

Jane McCarthy, RMC
Municipal Clerk