

**WORK SESSION  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

March 6, 2012

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.

**ROLL CALL**

**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
	Borough Attorney:	Fred Semerau, 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 January 4, 2012.

Mayor Dunleavy stated that he would like to discuss item 12C: Comparison of Borough Auditor Contracts in Executive Session; no action will be taken until it is discussed.

Mayor Dunleavy also stated that he would like to go into Executive Session before Early Public Comment for one matter of contract negotiations.

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

**RESOLUTION #2012  
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. Contract Negotiations – One mater
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 Shortman 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 7:44 p.m. and noted that no action was taken in the Executive Session.

## **EARLY PUBLIC COMMENT**

Councilman Schiffman opened the meeting to Early Public Comment; seconded by Councilman Yazdi and carried on voice vote.

Carla DeWitt, Kampfe Lake, discussed the recent revaluation by Appraisal Systems and expressed her dissatisfaction as to their unresponsiveness and her concerns as to their knowledge of land valuation.

Borough Administrator Ehrenburg stated that he is aware of Mrs. DeWitt's situation and the Assessor's Assistant and Assessor are trying to sort it out; he will be meeting with the principals of the company but stressed that if anyone has concerns they should contact the Assessor and noted that anyone could send a message through the Borough email as to their concerns.

Peter Dorram, 12 E. Shore Road, Kampfe Lake, also stated that he would like another look at his property as the cost of the land should not exceed 1/3 of the total cost of the home and the land.

Bob Scherrick, 4 S. Lake Iosco, President of Lake Iosco, noted that 305% of the land value went up in Lake Iosco and stated that he believes the process was flawed and hoped that they could work with the Mayor and Council to resolve amicably rather than the tax appeal process.

Karl Incaio, Glenwild Avenue, also expressed his concern about the value his home was appraised at.

Ron Caputo, 42 Bogue Drive, discussed that there could be 70 homes with tax appeals which would be an expense to the Borough and felt that we should have certified appraisers come back.

Borough Attorney stated that he has been involved with eighteen revaluations with ASI and stated the Governing Body cannot be involved and stated that it is important at this point and time that before we criticize the integrity of the entire process, we need some answers first. Then a determination can be made by the Assessor as to whether this is correct or not. The Assessor is going to meet with some individuals next Monday night; only the Assessor or the County Board of Taxation can change the numbers.

Carla DeWitt asked who makes up the County portion in tax appeals and it was stated that the Borough gets the County portion back. We have to plan for uncollected taxes in the budget process.

In response to Mr. Dorram, it was stated that the Assessor has the authority to amend the numbers.

In response to Mr. Scherrick, it was stated that if the Assessor was of the opinion that the values need to be addressed, he could issue an opinion to the County Board of Taxation before May 1.

Linda Huntley, 86 Van Dam Avenue, disagreed that the inequities are just in the lake communities and stated that she was assessed for a hot tub and patio and she brought it to their

attention and it was adjusted. Borough Attorney stated that the process did work then if they made the adjustments.

Borough Administrator asked that the lake communities create a list of those with problems and email it to him.

Ron Caputo asked why the anticipated tax rate of .371 was on the website and the Borough Attorney stated that this was just an arbitrary number.

Michael O'Brien, 6 W. Shore Road, stated that they received a letter while away on vacation and they were not able to get an appointment as they were told they missed the deadline. Borough Attorney stated that he will follow-up on this.

Carlo Leduc, 81 Star Lake Road, expressed his concern with the Borough Auditor contract and fact that we had proposals less than \$35,000. We could use the savings to pay insurance, etc. Also expressed fact that the Auditor had stated we had \$400,000 left in our budget when it is only \$4,500.

Councilman Schiffman stated that the Borough Auditor is not here to defend himself and we should address these concerns with him.

Mr. Leduc stated that he hopes the appointment of a Borough Auditor will be made fiscally responsible.

Wendy Connolly, Lake Iosco, discussed the deficit in the budget and her concerns and also issues with the Appraisal Company.

Since there was no one else who wished to speak under Early Public Comment, Councilman Schiffman moved that it be closed; seconded by Councilman D'Amato and carried on voice vote with all Council Members voting YES.

## **RECESS**

At this time, the Mayor and Council recessed.

## **RECONVENED**

Mayor Dunleavy reconvened the meeting at 8:58 p.m.

## **REPORTS FROM THE MAYOR AND COUNCIL**

### **Budget Committee**

Councilwoman Shortman stated that they met with the Police and Fire Departments and they gave very concise and professional reports. No other meetings are scheduled at this time.

Councilwoman Shortman moved that we open the Budget Meetings to the public; seconded by Councilwoman Pituch.

Councilman Yazdi stated that he felt it would deter our Department Heads from being able to speak freely as to maybe some of their plans/ideas. He stated that before we pass the budget, we would open it up to the public for any questions.

Mayor Dunleavy agreed and noted that there are Public Hearings on the budget.

Discussion followed.

Councilman Schiffman stated that he sees both sides of the issue and spoke of transparency.

Councilman Yazdi spoke of the Police Chiefs recommendation which he made and the Committee supported it; it was noted that he could express his ideas to his committee.

Borough Attorney stated that a notice could be posted on the door that there are Budget meetings and the public could attend but not participate; no publication would be necessary.

Councilwoman Pituch stated that in the past a resident Mark Crum sat on the Budget committee and Councilwoman Shortman stated that she personally has no problem with Linda Huntley being on the Budget Committee.

Councilwoman Shortman withdrew her motion and Councilwoman Pituch withdrew her second.

## **PROFESSIONAL REPORTS**

### **Borough Attorney**

#### **State Redevelopment and Development Plan**

Borough Attorney stated that he is still monitoring the State Plan; this will be discussed under Pending Business.

#### **BASS Proposal**

Borough Attorney stated that BASS did formally withdraw their proposal; this will be discussed in Executive Session.

#### **Highlands Act**

Borough Attorney stated that there are recent developments in the Highlands Act with respect to developments.

#### **Board of Health**

Councilwoman Pituch stated that there was a Board of Health meeting last evening and we still have two vacancies for Alternates.

### **Finance Office**

Borough Administrator spoke of the resignation of Chief Finance Officer and fact that there now is only one person in that office. He noted that there have been requests made of the office and most of the time; he is not copied on them so he is aware of the workload and fact that they might not be able to accommodate them.

Discussion followed.

Councilwoman Pituch offered a motion that she be made Chairperson of the Budget committee; seconded by Councilwoman Shortman.

In response to Councilwoman Pituch, Borough Attorney stated that if the appointment was made by the Mayor with the advice and consent of the Council, then it would be up to the Mayor to change it; do not believe it would be appropriate for the council to make that change.

Councilwoman Shortman stated that she will copy the Borough Administrator on any requests she may make of Departments.

Councilman D'Amato spoke of the "Chain of Command" being followed; Borough Administrator should be requested to get the information and the committee should be copied. He stated that the bickering has to stop and we need to be civil and respectful.

In regard to putting Linda Huntley on the Budget Committee, Councilman Schiffman stated that he pulled this and it is no longer on the agenda for consideration.

Borough Attorneys stated that in regard to requests for information, that can only come from one master; if there were t here requests, who do they answer first; you should be considering going through the Administrator.

### **Reports**

Councilwoman Shortman stated that she likes the new system in regard to the Police Department monthly reports.

### **PENDING BUSINESS**

#### **State Development and Redevelopment Plan**

At this time, Meredith Mascitello, Bailey Avenue, spoke in regard to her concerns in regard to this plan, i.e. Fact that no mapping has been completed, number of Public Hearings was the minimum required; vague terminology; spoke I regard to Agenda 21. Noted she would like to

see the Governing body pass a resolution concerning the State Plan and gave the Governing Body one to consider.

Discussion followed as to when the Highlands was put into effect; Borough Attorney stated that this does not have the legal teeth the Highlands has.

Mayor and Council will review the information and discuss at a future date.

***Adoption of Resolution #2012-3.1: Certification of the Annual Audit and Corrective Action Plan***

Councilman Yazdi offered the following Resolution and moved for its adoption; seconded by Councilman Schiffman:

**RESOLUTION #2012-3.1  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**CORRECTIVE ACTION PLAN 2010  
Borough of Bloomingdale  
Passaic County, NJ**

1. RECOMMENDATION-That all fees collected by Recreation Department be approved by enabling ordinance adopted by the Borough Council.

CORRECTIVE ACTION-Many of the fees were reviewed and presented to Borough Council previously for approval. Those remaining will be submitted by the Appropriate department for approval.

RESPONSIBILITY OF THE RESPECTIVE DEPARTMENT, THE  
BOROUGH CLERK AND THE MAYOR AND COUNCIL

2. RECOMMENDATION-That departmental collection procedures be reviewed for the Recreation department, Fire department, Police department and Clerk's office to ensure compliance with deposit provisions of N.J.S.A. 40A:5-15.

CORRECTIVE ACTION-The above mentioned departments will take better care to deposit monies within the 48 hours as required per the State Statute.

RESPONSIBILITY OF THE BOROUGH CLERK'S OFFICE

3. RECOMMENDATION-That the cash receipt book for the Fire Department be totaled on a monthly basis.

CORRECTIVE ACTION-While the above mentioned department has kept an accurate cash book for their respective departments, they will total each month in compliance with the auditor's comment.

#### RESPONSIBILITY OF THE RESPECTIVE DEPARTMENT

4. RECOMMENDATION-That the cash receipts book from the Tax Assessor be available for audit review.

CORRECTIVE ACTION-The Tax Assessment office keeps receipts of each deposit made through central receipting and have a receipt book for 2011.

5. RECOMMENDATION-That the general ledger establish and maintain control accounts for tax receivable.

CORRECTIVE ACTION-The automated general ledger, in place, has controls for the taxes receivable.

#### RESPONSIBILITY OF THE FINANCE DEPARTMENT

6. RECOMMENDATION-That certain Federal and State grants be reviewed and appropriate action taken as to their disposition.

CORRECTIVE ACTION-A list has been given to the Borough Engineer to follow up as to the outstanding grants. The Administrator and Finance Department continue to monitor the progress. Many have been spent or cancelled and action continues to be taken.

#### RESPONSIBILITY OF THE FINANCE DEPARTMENT, THE ADMINISTRATOR AND MAYOR AND COUNCIL AS TO THE FOLLOW UP OF THE BOROUGH ENGINEER'S FINDINGS

7. RECOMMENDATION-That business registration certificates for all vendors be available for audit review

CORRECTIVE ACTION-The Finance department along with the other departments that make purchases continue to obtain business certificates for the vendors.

#### RESPONSIBILITY OF THE FINANCE DEPARTMENT AND ALL

DEPARTMENTS THAT MAKE PURCHASES

8. RECOMMENDATION-That the lease agreement with the County of Passaic for the Senior Citizen Center be available for audit review.

CORRECTIVE ACTION-The lease is in negotiations.

RESPONSIBILITY OF THE BOROUGH ATTORNEY AND MAYOR AND COUNCIL.

9. RECOMMENDATION-That dog license reports be filed with the State of New Jersey on a timely basis.

CORRECTIVE ACTION-With personnel changes, this is now being done.

RESPONSIBILITY OF TAX COLLECTOR GOING FORWARD

10. RECOMMENDATION-That the detailed listing supporting the escrows over \$5,000.00 be reconciled to the master controls.

CORRECTIVE ACTION-The accounts were reviewed and changes were made to how the bank reports the escrows in an effort to show the accounts are reconciled.

RESPONSIBILITY OF THE FINANCE OFFICE

11. RECOMMENDATION-That the general ledger has a control account for customer accounts receivable established and maintained for the Water and Sewer Utility.

CORRECTIVE ACTION-The automated general ledger, in place, has controls for the rents receivable.

RESPONSIBILITY OF THE FINANCE DEPARTMENT

12. RECOMMENDATION-That certain payroll deductions payable be reviewed and appropriate action taken as to payment or cancellation.

CORRECTIVE ACTION-Review was made as to the payroll deductions and necessary action will be taken.

REPONSIBILITY OF THE FINANCE DEPARTMENT

RESOLUTION #2012-3.1  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE

*Acknowledging Receipt and Review of FY2010 Audit Report*

*and Adopting Corrective Action Plan*

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the fiscal year ended December 31, 2010 has been filed by a Registered Municipal Account with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body of the Borough; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board (“Board”) of the State of New Jersey that all members of said governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the Governing Body of the Borough have personally reviewed as a minimum the Annual Report of Audit for FY2010, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of-certification shall be adopted by said governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of said governing body to the following penalty provisions of N.J.S.A. 52:27BB-52:

*R.S. 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.*

and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer has prepared a Corrective Action Plan, which is incorporated herein by reference, for the purpose of

acting upon and/or implementing the foregoing sections entitled “General Comments” and “Recommendations,” as set forth in the Borough’s Annual Report of Audit for FY2008; and

WHEREAS, all members of the Governing Body have received, reviewed and approved the Corrective Action Plan for purposes of its implementation; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of the Borough of Bloomingdale hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a copy of this resolution and the required affidavit to said Board to show evidence of said compliance; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby adopt the Corrective Action Plan for the FY2010 Audit Report, as prepared and recommended by the Chief Financial Officer, and direct the appropriate municipal officials to undertake its immediate implementation.

Councilwoman Shortman expressed her concern that some of the recommendations were also listed in 2009 and still show up on this audit; they should be corrected.

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

**Comparison of Borough Auditor Contracts and Appointment of Borough Auditor**

Mayor Dunleavy stated that this will be discussed in Executive Session.

**Update on Goal Setting**

This will stay on the Pending List.

**Status on Property on Van Dam Avenue**

Noted that this home was destroyed in the flood; owner removed the building; lien has been placed on the property; this will stay on pending.

**Update on Archiving**

This is a budgetary item.

**Discussion in regard to four-day work week in Construction Office**

Mayor Dunleavy noted that the Construction Official was before us recommending his office goes back to a four-day work week from 8 a.m. until 6 p.m.; we did not act on this; staffing was the primary issue.

Councilman Conklin felt we should stay with the five-day work week and is not in favor of changing back.

Borough Administrator discussed the fact that gasoline is going up, etc. Noted that we provide construction services to other towns; either we have a person there and pay overtime or we will have to close if we have no coverage.

Councilman Yazdi moved that the Construction Office go back to a four day work week; seconded by Councilman D'Amato and the motion DID NOT CARRY as per the following roll call: Council Members: D'Amato, YES; Pituch, NO; Schiffman, NO; Shortman, NO; Yazdi, YES and Conklin, NO.

### **INTRODUCTION OF NEW BUSINESS**

#### **Acceptance of Resignation of Chief Financial Officer Donna Mollineaux**

Councilwoman Shortman stated that she felt it was unprofessional for our CFO to tell us she was resigning and get her letter until March 6.

Mayor Dunleavy stated that notice was given but we did not have a meeting until March 6. He stated that she was recommendations were ignored, her contract voided and she did give two weeks' notice.

Councilman Schiffman moved to accept the resignation of Donna Mollineaux as Chief Financial Officer; seconded by Councilman D'Amato and carried as per the following roll call: Council Members: Pituch, PASS; Schiffman, YES; Shortman, YES; Yazdi, YES; Conklin, YES; D'Amato, YES and Pituch, YES.

#### **Adoption of Resolution #2012-3.2: Amending the 2012 Temporary Budget**

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

### **RESOLUTION #2012-3.2**

#### ***OF THE GOVERNING BODY***

#### **OF THE BOROUGH OF BLOOMINGDALE**

#### ***Amending the 2012 Temporary Municipal Budget***

**WHEREAS**, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that the FY2012 Temporary Municipal Budget was adopted on January 3, 2012, for the purpose of providing for temporary appropriations for the conduct of municipal governance; and

**WHEREAS**, the Governing Body has been advised by the Chief Financial Officer and the Borough Treasurer that additional temporary appropriations in the FY2012 Temporary Municipal Budget are required in order to provide funding for the conduct of municipal governance;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the FY2012 Temporary Municipal Budget be and is hereby amended to provide for the following additional temporary appropriations in the Current Account:

Clean Communities Grant	Other Expenses	\$11,500.00
Municipal Alliance Grant	Other Expenses	\$17,243.00
Municipal Alliance Cash Match	Other Expenses	\$4,310.00
Total Current		\$33,053.00

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 for appropriate action in conformity with this Resolution.

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

**Adoption of Resolution #2012-3.3: Authorizing Agreement with “Out to Bid LLC:**

Councilman Yazdi offered the following Resolution that the Borough of Bloomingdale enter into an agreement with “Out to Bid LLC”; copy of agreement on file in the Municipal Clerk’s office.

Councilman Schiffman seconded the motion.

Mayor Dunleavy noted that there is no cost to the Borough of this.

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

**Adoption of Resolution #2010-3.4: Declaring Halloween Snowstorm an Emergency Situation**

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

RESOLVED, that the Borough of Bloomingdale suffered significant damage during the “Halloween” snowstorm and declares that they fall under the State of Emergency provisions.

Councilman D’Amato seconded the motion.

Borough Administrator stated that he is working with Pete Croop to get information to the State Office of Emergency Management for reimbursement.

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

**Discussion in regard to Clerk’s Office Tuesday evening hours**

It was noted that no other Department other than the Clerk’s office is open until 6 p.m. and recommendation that they work the same hours as the other Departments from 8 a.m. until 4 p.m., Monday through Friday.

Councilwoman Shortman moved t o discontinue the Tuesday evening hours; seconded by Councilman Schiffman and carried as per the following roll call: council Members: Conklin; D’Amato; Pituch; Schiffman; Shortman and Yazdi all YES.

**Adoption of Resolution #2012-3.5: Watermain Break**

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

**RESOLUTION #2012-3.5**  
**OF THE GOVERNING BODY**  
**OF THE BOROUGH OF BLOOMINGDALE**

***Declaring an Emergency***  
***For Purposes of Awarding Contract for Sandra Lane and Linden Lane***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed at Sandra and Linden Lane 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	\$14,207.50 – Patching \$1,035.00
Tilcon	\$ 230.52
Capital Supply Company	\$ 223.08
Utility	\$ 2,496.86
<b>TOTAL EXPENSE FOR WATER BREAK</b>	<b>\$18,192.90</b>

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 Sandra and Linden Lane 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: D’Amato; Pituch; Schiffman; Shortman; Yazdi and Conklin all YES.

Discussion followed in regard to calling workers out for overtime and number which were called out; two DPW workers went out due to the icing condition from the break.

**LATE PUBLIC COMMENT**

Jack Miller, Reeve Avenue, spoke in regard to the way the Governing Body conducts themselves at meetings and stated that they need to respect one another; leave the egos at the door.

Mr. Miller questioned the order of the priority list for engineering projects; Mayor stated that this was just a list he put together as to when the various projects will be put out to bid, etc.

Mr. Miller spoke in regard to Poplar Street and questioned whether it was in the original Bond Ordinance; Borough Attorney stated that we will have to check the bond and bond counsel.

Ron Caputo, 42 Bogue Drive, stated that Ross Kushner has met with the City of Newark in regard to the Charlottesville Flood gates and fact that it will cost ½ million to 1 million dollars to

repair. DEP will not allow them to use the flood gates only for flood mitigation. Noted that we should do a resolution asking that more money be released for such a project.

Mayor noted that this will be on the next agenda.

Meredith Mascitello, 43 Bailey Avenue, asked if we could ask the County to do some road patches, i.e. Jeffrey Drive.

Mayor spoke of the 2012 Road Paving Program and noted that Glenwild from Union to Van Dam and Macopin are listed; some drainage issues need to be looked at.

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

### **Authorization for Executive Session**

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

## **RESOLUTION #2012- 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. Litigation – One matter
  - B. Negotiations – two 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 Schiffman seconded the motion, and it carried on voice vote.

**(At this time, 10:48 p.m., the Mayor and Council went into Executive Session)**

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 12:20 p.m.

**Adoption of Resolution #2012-3.6: Authorization for COPS Grant**

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

**RESOLUTION #2012-3.6**  
**OF THE GOVERNING BODY**  
**OF THE BOROUGH OF BLOOMINGDALE**

***2012 Cops Recovery Hiring Program Grant***

WHEREAS, the U.S. Department of Justice has made funds available through the Office of Oriented Policing Services to hire new and/or rehire career law enforcement officers in an effort to create and preserve jobs and, to increase community policing and crime prevention efforts; and

WHEREAS, such funds will be made available through participation in the Cops Hiring Recovery Program (CHRP); and

WHEREAS, the Borough of Bloomingdale agrees to retain each officer position awarded for at least twelve (12) months following the conclusion of thirty-six (36) months of federal funding for that position; and

WHEREAS, the Borough of Bloomingdale acknowledges the retention requirement cannot be satisfied through attrition;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare its full support of the Cops Hiring Recovery Program for 2012; and

BE IT FURTHER RESOLVED that the governing Body of the Borough of Bloomingdale does hereby authorize the submission to the U.S. Department of Justice, an application for a 2012 Cops Recovery Hiring Program Grant and does hereby further authorize the appropriate municipal officials to complete any and all tasks necessary to perfect such an application.

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

**Adoption of Resolution #2012-3.7: Authorization for Borough to run the Animal Shelter**

Councilman Schiffman offered the following Resolution that the Borough of Bloomingdale will be authorized to run the Animal Shelter for the balance of 2012.

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

**Adoption of Resolution #2012-3.8: Authorization for hiring part-t time Chief Financial Officer**

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

**RESOLUTION #2012-3.8  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***APPOINTING DONNA M. MOLLINEAUX AS CHIEF FINANCIAL  
OFFICER ON AN INTERIM BASIS***

**WHEREAS**, the Borough of Bloomingdale has a need to appoint an acting Chief Financial Officer (“CFO”) on an interim basis; and

**WHEREAS**, the Borough’s former CFO, Donna M. Mollineaux, has agreed to accept such appointment; and

**WHEREAS**, Ms. Mollineaux meets the statutory qualifications to hold the position; and

**WHEREAS**, the appointment of Ms. Mollineaux as acting CFO shall be for a period of ninety (90) days unless a full time CFO is hired or which ever is sooner and at a rate of \$50.00 per hour

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, that the

appointment of Donna M Mollineaux as Acting Chief Financial Officer of the Borough as described hereinabove be and is hereby authorized.

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

### **ADJOURNMENT**

Since there was no further business to be conducted, Councilwoman moved that the meeting be adjourned at 12:20 a.m.; seconded by Councilman Conklin and carried on voice vote.

Jane McCarthy, RMC  
Municipal Clerk