

May 22, 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 7:05 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

In Attendance: Mayor: Jonathan Dunleavy

Council Members: Mark Conklin
John D'Amato
Jo-Ann Pituch
Glenn Schiffman
Linda Shortman
Ray Yazdi

Professionals Present: Municipal Clerk: Jane McCarthy, RMC
Borough Attorney: Fred Semrau, Esq.**
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 December 13, 2011.

MOTION TO REMOVE MATTERS FROM AGENDA

Discussion followed in regard to request for helicopter training at WTB School and ordinance amending fee for Summer Junior Police Academy and shared service for property maintenance with Board of Education will be discussed as they came up after the last meeting. No items to be removed.

EARLY PUBLIC COMMENT

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

Since there was no one 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.

REPORTS FROM THE GOVERNING BODY

Senior Citizen Center

Councilwoman Shortman stated that the Senior have asked that the Council consider closing the center for cleaning; Borough Administrator stated that he has asked the Senior Center coordinator to put that request in writing.

Master Gardeners

Councilwoman Shortman stated that the Master Gardeners are at work and have expanded their garden at the Senior Citizen's Center. Noted that she is going to coordinate with the Senior Center Coordinator and the Cornet Band a band practice on the Second Street side so that the residents can come and enjoy and see the garden.

PROFESSIONAL REPORTS**Borough Attorney****Tax Appeals**

It was noted that the time to file Tax Appeals has now passed and we are preparing to defend the appeals. Total Number of appeals may be greater than 130.

Borough Attorney stated that we are moving forward with the foreclosure complaints and taking the necessary steps to do so.

Municipal Clerk**Memorial Day Parade**

Municipal Clerk stated that the parade will be held on May 28; lineup is at 8:30 in Bloomingdale and proceeds to Butler.

Primary Election

Reminder that the Primary Election is June 5; polls open from 6 a.m. until 8 p.m.

County Clerk

Noted that if you log onto the County clerk's website, you will find postings as to where her satellite offices are for passport renewals, notary applications and renewals, etc.

BOROUGH ADMINISTRATOR REPORT**Animal Shelter**

Borough Administrator stated that the Animal Shelter is doing well; we are scheduling the first week in June for an open house; we are also looking at some shared services for animal control.

Mayor Dunleavy publically thanked the Animal control Officer, her staff and the Department of Public Works for their work at fixing up the shelter so that we can be up and running; it is quite an operation.

DEPARTMENT REPORTS**DPW Department**

Mayor stated that we received a letter from our insurance company congratulating our Department of Public Works on the recent loss control report; the Department is doing a good job and there are no major concerns.

APPROVAL OF CONSENT AGENDA

Councilman Yazdi moved that the following Consent Agenda be approved:

- A. Approval of Minutes for: Work Session May 8, 2012; Executive Session April 10, 2012; Regular Meeting April 24, 2012
- B. Approval of Implementation of Email Policy
- C. Certificate of Determination and Award of Bond Anticipation Notes in the Amount of \$2,665,000
- D. Acceptance of resignation from Bloomingdale Fire Department, Ladder Company; Michael Aluzzo

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

PENDING BUSINESS

Adoption of Rules and Regulations for Block Party and Application

Councilman Yazdi moved that the application as prepared by Borough Attorney, Municipal Clerk and Police Chief along with regulations be approved; seconded by Councilwoman Shortman and carried as per the following roll call: Council members: Conklin; D'Amato; Pituch; Schiffman; Shortman and Yazdi all YES.

Action in regard to Transparency in Government

Councilwoman Shortman moved that we post the employee salaries on the website similar to the Borough of Pompton Lakes; seconded by councilwoman Pituch.

Discussion followed in regard to indicating which positions have two or three jobs combined with their salary.

Councilwoman Shortman amended her motion to include an indication of a multi-task position; seconded by councilwoman Pituch and carried as per the following roll call: Council Members: D'Amato; Pituch; Schiffman; Shortman; Yazdi and Conklin all YES.

Authorization of cleanup of Sloan Park and moving playground

The Borough Engineer is working with the Department of Environmental Protection to get the final permits.

The Borough Administrator sought out estimates; one hard copy and one verbal to clean up the park; we need the approval of the Board of Education for installation of the playground.

Mike Fitzpatrick and Son gave an estimate of \$3,380.44 to clean up the park; it was an additional \$1,000 to move the playground.

Discussion followed in regard to the playground; Councilwoman Shortman felt it could go at the Senior Center; Mayor felt the Walter T. Bergen School would have more use; this will wait until we see if the Board of Education approves.

Councilwoman Shortman moved that approval be given to Mike Fitzpatrick and Son to cleanup Sloan Park at his estimate of \$3,380.44; seconded by Councilman Yazdi and carried as per the following roll call: Council members: Pituch; Schiffman; Shortman; Yazdi; Conklin and D'Amato.

Mayor stated that we have spoken with the Borough Engineer and he stated the DEP hopes to have the preapplication approval for Sloan Park by the end of May.

Authorization for lake communities to participate in Morris County Coop

Councilman Yazdi moved that authorization be given for the lake communities to participate in the Morris County Coop program; seconded by Councilman D'Amato.

Borough Attorney when asked stated that if there is a community that wanted to do a road improvement whereby the cost was much higher if they did it themselves, it would be an assessment program; borough would have to be the lead agency; you can add other private roads.

Councilman Yazdi that that he would amend his motion to include any privately owned roads.

Mayor Dunleavy opened the meeting to the public on this issue.

Chuck DeBlicke of Glenwild Lake, asked about the per ton charges for the asphalt; Mayor stated that it was 52% for Morse Lakes; low bidder for the Morris County Coop is Tilcon. In response to if they do repair work; Mayor stated that whatever funding mechanism the Borough opts into and passes a resolution authorizing it.

Councilman Yazdi amended his motion to include privately owned roads; Councilman D'Amato seconded the amendment.

Council Members Schiffman and Shortman noted that would recuse themselves as they are members of the lake communities.

Borough Attorney noted that this is the type of benefit that is community wide and no benefit to any one member and he would not perceive it as a benefit; it is available to anyone in the lake communities. A council member would not have to recuse themselves if they so chose.

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

Authorization for paving of Raffman, Knolls, Jeffries and section of Morse Lakes Road through the Morris County Coop

Councilman Yazdi moved to authorize the paving of Raffman, Knolls, Jeffries and section of Morse Lakes Road through the Morris County Coop; seconded by Councilman D'Amato.

Councilwoman Shortman stated that even though our budget is very tight, these roads have been neglected far too long and deserve to be repaired.

Mayor stated that there is no hope for DOT funding this year.

Discussion followed as to fixing our infrastructure; Borough Engineer did look at the utility needs on these roads and there are no problems; there is an issue on Jeffries with drainage which will be dealt with by the homeowners.

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

Status of Webmaster

Councilman D'Amato stated he has a formal proposal which looks good and he would like them to come in and give a formal presentation; this will be on the next work session.

Status of hiring Chief Financial Officer and Finance Department Assistant

Borough Administrator is setting up interviews for the Finance Department Assistant; have not set up the Chief Financial Officer interviews at this time.

Letter from Pequannock River Coalition dated May 14, 2012 as to erosion control work at DeLazier Field.

Mayor Dunleavy stated that we received a letter from Pequannock River Coalition thanking the Borough for continuing to fund the erosion control work at DeLazier Field. They will continue to monitor the site and keep the Borough informed.

PUBLIC HEARING ON PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND APPLICATION – WALTER T. BERGEN MIDDLE SCHOOL RESTROOMS

At this time, Mayor Dunleavy spoke in regard to the application that the Borough will be applying for through the Passaic County Open Space Farmland Preservation Trust Fund, i.e.:

- A. Recreational Facility Improvements to the Walter T. Bergen Middle School Field – \$100,000 for restrooms – Block 5; Lots 33, 34, 35, 36 and 37

Councilman Yazdi moved to open the meeting to a Public Hearing on their grant application; seconded by Councilwoman Shortman and carried on voice vote.

Arlene Sinke, 38 Walter Drive, asked where the bathrooms would be and expressed some concern as to possibility of vandalism and it was noted that the police patrol these areas routinely.

Mayor Dunleavy stated that they will be on the backside of the tennis courts and will be open during Recreation activities. There is a buffer area between this location and the residential area.

Mr. Galente, 33 Walter Drive, also discussed parking which is not related to the bathrooms but the Mayor stated that they should discuss this with the Police Department.

Jennifer Ellis, 160 Pine Tree Road, applauded the Mayor and Council for submitting this application and noted that it will put a positive effect on the Borough with its enhanced recreation facilities.

Paul Bogus, 30 Walter Drive, asked where the water line is for these bathrooms and it was noted that they must be run where the Borough leases this property.

In response to Mr. Witty, Mayor Dunleavy stated that they will be hooked into the sewer system.

Since there was no one else who wished to speak during the Public Hearing on this application, Councilwoman Pituch moved that it be closed; seconded by Councilwoman Shortman and carried on voice vote with all Council Members voting YES.

Second and Final Reading and Public Hearing on Ordinance #6-2012

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE'S OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice Statement

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

The Municipal Clerk read the Ordinance by title.

**ORDINANCE #6-2012
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE'S OPEN SPACE,
RECREATION, FLOODPLAIN PROTECTION, AND FARMLAND AND
HISTORIC PRESERVATION TRUST FUND***

2-65.1 Establishment.

There is hereby established a reserve in the General Capital Fund of the municipal budget of the Borough of Bloomingdale that shall be noted and designated as the Recreation and Open Space Establishment **Trust** Fund ("ROSE Fund"). A separate bank account shall be established and maintained by the Borough of Bloomingdale for such reserve, which shall be entitled "ROSE Fund." (Ord. No. 10-2001)

2-65.2 Purposes.

The ROSE Fund shall be utilized by the Governing Body for the following purposes:

- a. To finance the maintenance, improvement and/or expansion of public recreational facilities within the Borough;
 - b. To finance the acquisition of land and/or development rights in land; the appraisal of such land and/or rights in land; and any other items of expense accrued in connection with any such acquisition or appraisal, as may be permitted by law;
 - c. To finance the down payment required to issue bonds and/or notes to raise capital for public recreational facility or open space preservation projects; and
 - d. To finance debt service incurred in connection with the issuance of bonds and/or notes to raise capital for public recreational facility or open space preservation projects.
- (Ord. No. 10-2001)

2-65.3 Sources of Funding.

- a. The ROSE Fund shall be funded through the dedication thereto of the amount of two and one-half (\$0.025) cents per one hundred (\$100.00) dollars of assessed valuation of each annual tax levy commencing with the year 2001. Regular members and alternate members of the Planning Board, Environmental Commission, and Recreation Commission, shall be eligible to be members of the ROSE Fund Advisory Board.
 - b. The ROSE Fund shall also be permitted to accept donations, testamentary bequests and other sources of private and public funding.
 - c. Any and all interest accruing shall remain in the ROSE Fund account and may be utilized for any of the purposes of the ROSE Fund outlined in subsection 2-65.2.
- (Ord. No. 10-2001)

2-65.4 Creation of the ROSE Fund Advisory Board.

- a. There is hereby established the ROSE Fund Advisory Board ("Board"), which shall consist of five (5) members, including one (1) Planning Board Commissioner; one (1) Environmental Commissioner; one (1) Recreation Commissioner; and two (2) residents of the Borough of Bloomingdale who are not presently serving as Commissioners of the Planning Board, Environmental Commission and/or Recreation Commission.
- b. Members of the Board shall be appointed by the Mayor, subject to confirmation by the Borough Council, for terms of one (1), two (2) and three (3) years, such that not more than two (2) members are appointed in any one (1) year.

c. A liaison representing the Governing Body shall be appointed by the Mayor, subject to confirmation by the Borough Council, for a term of one (1) year.
(Ord. No. 10-2001)

2-65.5 Appointment of Officers of the ROSE Fund Advisory Board.

a. The Board shall select from among its members a Chairperson, who shall act as its Presiding Officer, and a Vice Chairperson, who shall act as its Presiding Officer in the absence of the Chairperson.

b. The Board shall also select a Secretary, whose function shall be to maintain accurate minutes of the Board's meetings and records of the Board's proceedings.
(Ord. No. 10-2001)

2-65.6 Function of the ROSE Fund Advisory Board.

The Board is hereby empowered to make recommendations to the Governing Body with respect to the identification and prioritization of projects for financing through appropriations from the ROSE Fund. Such recommendations shall be determined through the following process:

a. The members of the Board shall review the Borough's Open Space Master Plan ("Plan").

b. Upon said review, the Board shall conduct at least two (2) public hearings with respect to the Plan. Such hearings shall be conducted on seven (7) days' published written notice and in accordance with the Open Public Meetings Act. A record of each such hearing shall be maintained by the Board for its review and comment thereon.

c. Upon the completion of the Board's public hearings, the Board shall prepare and submit to the Governing Body the ROSE Fund Report ("Report"), which shall set forth the Board's recommendations for specific open space preservation and recreational facility maintenance, improvement and/or expansion projects to be financed through appropriations from the ROSE Fund.

d. The Report shall identify the location, type and funding allocation required for each open space (i.e. land acquisition, development rights purchase, etc.) and/or recreational (i.e. maintenance, expansion, etc.) project proposed for funding from the ROSE Fund.

e. The Report shall also prioritize each such project against other like projects (i.e. open space vs. open space; recreation vs. recreation) as well as against other types of projects (i.e. open space vs. recreation). In prioritizing projects for funding from the ROSE Fund, the Board shall consider, but shall not be limited to, the following factors:

1. The physical characteristics of the land, including the presence of wetlands, surface waters, flood plains, slopes greater than fifteen (15%) percent in grade, ridgelines, forested areas, scenic landscapes and historic features;

2. The environmental impact of the land, including with respect to endangered species, plant and wildlife habitat, trout production streams or headwaters, groundwater recharge areas, and wellhead areas;

3. The zoning and use of the land as compared with surrounding and adjacent parcels, including its linkage with existing tracts of open space and/or recreational facilities;

4. The suitability of the land for active and/or passive public use;

5. The availability and accessibility of the land for public use;

6. The likelihood and timing of development of the land; and

7. The affordability of the project, including the availability of funding from other sources, whether public or private.

f. Upon its completion, the Board shall present its Report to the Governing Body, which shall review the same and shall determine in its sole direction from the recommendations set forth therein the projects that shall be financed, in whole or in part, through appropriations from the ROSE Fund.

(Ord. No. 10-2001)

2-65.7 Appropriations from the ROSE Fund.

a. As directed by the Governing Body, monies deposited in the ROSE Fund shall be utilized to finance projects involving the maintenance, improvement and/or expansion of recreational facilities and/or the acquisition of vacant land and land containing improvements, and Blue Acres projects where the principal purposes of said acquisition are the preservation of open space and/or the promotion of the use of public recreational facilities within the Borough of Bloomingdale. No funds shall be appropriated for any such project until the disbursement is authorized by the Governing Body in the manner prescribed by law.

b. Upon selection of the acquisition projects to be financed, in whole or in part, through appropriations from the ROSE Fund, the Governing Body may proceed to acquire by gift, purchase or eminent domain proceedings, pursuant to N.J.S.A. 20:3-1, et seq., such parcels within the financial constraints established by the Governing Body.

Councilman Yazdi opened the meeting to a Public Hearing at this time; seconded by Councilwoman Pituch and carried on voice vote.

Jennifer Altfeld, 17 Cedar Street, asked what the difference was between this ordinance and the one on the books.

Noted that this is not municipal land use ordinance; this is an open space trust fund money which will allow the ROSE fund to possibly purchase condemned properties. This has nothing to do with the Riverwalk.

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

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

Second and final reading and public hearing on Ordinance #7-2012: Soil and Mulch Delivery Permits

Councilman Yazdi moved to TABLE this ordinance to June 12, 2012; seconded by Councilman D'Amato and carried as per the following roll call: Council Members: D'Amato; Pituch; Schiffman; Shortman; Yazdi and Conklin all YES.

INTRODUCTION OF NEW BUSINESS

Adoption of Resolution #2012-5.5: Payment of Bills

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

**RESOLUTION - #2012 -5.5
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		PREPAID LIST	
CURRENT	2,648,058.21	CURRENT	511,028.91
UTILITY	28,285.32	UTILITY	22,644.89
CAPITAL	151,693.94	UNEMPLOY	000.00
UTILITY CAPITAL	1,326.00	RECYCLING	410.08
TRUST	10,111.89	CAPITAL	0,000.00
DOG	2,011.23	TRUST	5,520.00
RECREATION	1,646.73	SPEC. ASSESS.	0,000.00
UNEMPLOYMENT	000.00	RECREATION	400.00
ROSE FUND	10,300.53	UTILITY CAP	000.00
RECYCLING	382.50	DOG	0,000.00
		ROSE FUND	0,000.00
TOTAL	2,853,816.35	TOTAL	540,003.88

Councilman D’Amato seconded the motion.

Councilwoman Pituch asked why some amounts that were paid out to volunteer groups for cleanup where more than others; Mayor stated that one payment was for eight baseball teams.

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

Adoption of Resolution #2012-5.6: Amending temporary budget

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

RESOLUTION #2012-5.6
BOROUGH OF BLOOMINGDALE
EMERGENCY RESOLUTION
N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)

WHEREAS, pursuant to N.J.S.A. 40a:4-19 the Borough council of the Borough of Bloomingdale adopted Resolutions to provide temporary funds for the period from January 1, 2011 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

WHEREAS, additional appropriations will be required from May 22, 2012 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF BLOOMINGDALE, NEW JERSEY, that:

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

Beautification	Other Expenses		\$4,000.00
Shelter	Salary & Wages		\$5,000.00
Public Events	Other Expenses		\$9,000.00
Planning Board	Other Expenses		\$10,000.00
TOTAL			\$28,000.00

2. This action shall take effect May 22, 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.

Discussion followed in regard to the \$9,000 for Public Events; noted that we should include in the cost DPW and Police overtime, etc.

Councilwoman Shortman stated we have to sit down and go over the Public Events budget; we still do not know what our bottom line budget is; we should see each line item for each event.

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

Adoption of Resolution #2012-5.7: Authorizing bid for rear loading refuse truck

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

**RESOLUTION #2012-5.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***AUTHORIZING AWARD OF CONTRACT FOR REAR-LOADING REFUSE
COLLECTION TRUCK***

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that a notice to bidders for the award of a contract for the acquisition of one rear-loading refuse collection truck for the Bloomingdale Department of Public Works was advertised in accordance with the local public contracts law; and

WHEREAS, the Governing Body further finds and declares that one bid was received, opened and read on Tuesday, May 15, 2012; and

WHEREAS, the Governing Body further finds and declares that Borough Attorney Fred Semrau has reviewed the submitted bid proposals and has recommended that said contract be awarded to the lowest responsible bidder, Cambria Automotive, Inc., 565 Dowd Avenue, Elizabeth, New Jersey, for their bid in the amount of \$170,446.00;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that a contract for the acquisition of a one rear-loading refuse collection truck for the Bloomingdale Department of Public Works be awarded to the lowest qualified bidder, Cambria Automotive, inc., 565 Dowd Avenue, Elizabeth, New Jersey, for their bid in the amount of \$170,446.00

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

Adoption of Resolution #2012-5.8: Authorizing bid for Vreeland Avenue Improvements

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

**RESOLUTION #2012-5.8
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing Award of Contract for Vreeland Avenue Improvements

WHEREAS, Notice to Bidders for the Vreeland Avenue Improvements of the Borough of Bloomingdale was advertised in accordance with the Local Public Contracts Law; and

WHEREAS, eleven bids were received, opened and read on May 8, 2012; and

WHEREAS, said bids were reviewed and recommended by the Borough Engineer and Borough Attorney; and

WHEREAS, Certification of Funds has been received by the Borough Treasurer;

NOW, THEREFORE, BE IT RESOLVED that the Vreeland Avenue Improvements be awarded to the lowest qualified bidder, Mike Fitzpatrick & Son, 18 Cozy Lake Road, Oak Ridge, New Jersey 07438 at their total bid proposal of \$264,846.23; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and are hereby authorized to execute the contract agreement.

Councilman Schiffman 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 #2012-5.9: Requesting Sheriff Richard H. Berdnick to reinstate the Sheriff's Labor Assistance Program

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

**RESOLUTION #2012-5.9
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***REQUESTING SHERIFF RICHARD H. BERDNICK, REINSTATE THE "SHERIFF'S
LABOR ASSISTANCE PROGRAM"***

WHEREAS, the Borough of Bloomingdale, like other smaller Passaic County Communities has taken full advantage of the SLAP assistance program from the Sheriff's Office for many years; and

WHEREAS, in many cases this program has supplied much needed additional labor to countless projects including last year's clean up in the aftermath of the floods; and

WHEREAS, the Borough was led to believe this programs cancellation was a result of budget cuts by the Board of Chosen Freeholders only to find the Sheriff's budget was increased by nearly 4% over last year in an era of a 2% cap; and

WHEREAS, the residents of the Borough of Bloomingdale and Passaic County should not be held hostage to internal County policies.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bloomingdale, County of Passaic, and State of New Jersey that it hereby implores Sheriff Richard H. Berdnick to re-instate the SLAP program which has benefited all of the Communities of Passaic County for many years by allowing non-violent offenders to perform Community Service.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Sheriff Richard H. Berdnick, The Passaic County Board of Chosen Freeholders, members of the 39th Legislation and our sister Passaic County Communities.
Record

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 #2012-5.10: Authorizing contract for fireworks display

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

**RESOLUTION 2012-5.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***RECOMMENDATION OF AWARD FOR FIREWORKS TO INTERNATIONAL
FIREWORKS MFG. CO. INC.***

NOW THEREFORE, BE IT RESOLVED that a contract for Fireworks Display be awarded to International Fireworks Mfg. Co. Inc. in the amount of \$5,000.00, display to be held on Friday, June 29th, 2012; and

WHEREAS, certification of funds has been received from the Borough Treasurer;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the contract agreement.

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

Adoption of Resolution #2012-5.11: Supporting Assembly Bill No. 2027 and Senate Bill No. 380 creating the Jessica Lunsford Act n NJ

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

**RESOLUTION #2012-5.11
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***SUPPORTING ASSEMBLY BILL NO. 2027 AND SENATE BILL NO. 380 CREATING
THE "JESSICA LUNSFORD ACT" IN NEW JERSEY***

WHEREAS, assembly Bill No. 2027 and Senator Bill No. 380 propose to create the "Jessica Lunsford Act" which would revise the sentencing of certain sex offenders and persons who may harbor them; and

WHEREAS, this bill would also require electronic monitoring of sex offenders who prey on minors while on bail or released from incarceration; and

WHEREAS, this legislation also is to establish child protection zones requiring fourth degree sex offenders to reside some 2,500 feet away from an elementary or secondary school, playground or child care center; and

WHEREAS, under this bill sexual acts against minors would be punishable as a crime in the first degree, with terms of imprisonment of 25 years to life; and

WHEREAS, New Jersey is only one of eight states that has not enacted some form of this legislation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale, County of Passaic, State of N.J. hereby supports this proposed legislation as New Jersey expands on "Megan's Law" to protect our most important resource, our children.

BE IT FURTHER RESOLVED, that a copy of the resolution be provided to the Governor, President of the Senate, Speaker of the Assembly, members of the 39th Legislative District and our neighboring sister municipalities.

Councilman Schiffman 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 #2012-5.12: Authorizing the release of retainage posted by Kulpeska Land Improvement Corp. for the Chestnut Street Culvert and payment on final invoice

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

RESOLUTION #2012-5.12
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

**RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF
BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY
AUTHORIZING RELEASE OF RETAINAGE POSTED BY KULPESKA LAND
IMPROVEMENT CORP. FOR THE CHESTNUT STREET CULVERT
REPLACEMENT AND PAYMENT OF FINAL INVOICE**

WHEREAS, in 2012 Kulpeska Land Improvement Corp., 248 Franklin Avenue, Rockaway, NJ posted a maintenance bond for public improvements of the Chestnut Street Culvert Replacement in the amount of \$3,876.00 for two years; and

WHEREAS, the Municipal Clerk's Office has received a request from Kulpeska Land Improvement Corp. for the release of their retainage and final payment in the amount of \$5,676.50; and

WHEREAS, the Borough Engineer has no objection for the release of the retainage and payment of the final invoice; and

WHEREAS, the Borough Attorney has reviewed the two-year maintenance bond and found it to be in order;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Bloomingdale hereby authorizes the release of the retainage and final invoice in the amount of \$5,676.50 posted by Kulpeska Land Improvement Corp. public improvements of the Chestnut Street Culvert Replacement; and

BE IT FURTHER RESOLVED, that the appropriate Borough officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution and forward the retainage and final payment to Kulpeska Land Improvement Corp., 248 Franklin Avenue, Rockaway, NJ in the amount of \$5,676.50.

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 #2012-5.13: Declaring Emergency for 19 & 21 Bailey Avenue watermain

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

RESOLUTION #2012-5.13
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

***Declaring An Emergency
For Purposes Of Awarding Contract for 19 & 21 Bailey 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 Bailey 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:

TOTAL EXPENSE FOR WATER BREAK - \$3,200, 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 Bailey Avenue water line 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: Shortman; Yazdi; Conklin; D’Amato; Pituch and Schiffman all YES.

Request from Atlantic health Systems to use the Walter T. Bergen School for landing zone training

Councilman Yazdi moved for approval of Atlantic Health Systems to use the Walter T. Bergen School field for a landing zone; seconded by Councilwoman Shortman.

Discussion as to brining in a helicopter and Councilman D’Amato stated that there is a procedure to be followed when doing this type of training.

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

Introduction of Ordinance #8-2012: Amending fee ordinance to include Summer Junior Police Academy

AN ORDINANCE AMENDING SECTION 2-80 OF ORDINANCE #13-2011 OF THE CODE OF THE BOROUGH OF BLOOMINGDALE TO INCLUDE THE FEE CHARGED FOR THE MUNICIPAL SERVICE OF SUMMER JUNIOR POLICE ACADEMY was introduced by title by Councilman Yazdi who moved that second and final reading and public hearing be held on June 12, 2012 at 7:30 p.m.

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

Action in regard to Recycling Coordinator

Mayor stated that we investigated the process of becoming a certified Recycling Coordinator and the courses are available in the fall; they are all booked at this time. Our DPW Superintendent has agreed to take them next year. We can hire the Recycling Coordinator from Riverdale for \$1,000/year.

Councilman Yazdi moved to hire the Recycling Coordinator from Riverdale for his Recycling license for \$1,000/year; seconded by Councilman D'Amato.

Discussion as to other avenues for the license and it was noted that this is the best price.

Councilwoman Pituch stated she would like to further investigate this and table the matter.

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

Discussion in regard to Shared Services with Board of Education for Property maintenance

Mayor stated that since our last meeting he saw in the paper that the Board was separating their maintenance out of their custodial contract; he asked the Administrator to check to see if we could do this service. We could do this for \$10,000 annually and asked that we enter into a contract to do a shared service.

Councilman Yazdi offered the motion.

Councilwoman Shortman moved to TABLE this item; seconded by Councilwoman Pituch.

They noted that it needs to be discussed at a Work session.

Mayor stated that the Board of Education approved it at their meeting.

Borough Attorney stated that there can be no discussion as there was no second on Councilman Yazdi's motion; Councilman D'Amato seconded Councilman Yazdi's motion.

Discussion followed; Councilwoman Shortman stated that we do not have the manpower and is against voting on something that we have not discussed.

DPW Superintendent stated it will take two men ½ day a week.

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

Discussion in regard to Qualified Purchasing Courses

Mayor stated that this matter was brought up early in the year; we are required to have a Qualified Purchasing Agent; cost is about \$3,200.

Discussion as to hiring someone until we have someone certified; this will be discussed at the next meeting; possibly someone who is interviewing for the Chief Financial position will have this certification.

Authorization for contract with Borough of Butler for electric for the Walter T. Bergen lighting

Councilman Yazdi moved that authorization be given to enter into a contract with Butler Electric for \$10,000 to bring the power for the lights at the Walter T. Bergen field lighting project; seconded by Councilman D'Amato and carried as per the following roll call: Council Members: Schiffman; Shortman; Yazdi; Conklin; D'Amato and Pituch all YES.

Introduction of Ordinance #9-2012: Amending Ordinance #15-2010 for the reconstruction of Woodward Avenue, changing the aggregate amount to \$35,000

BOND ORDINANCE AMENDING ORDINANCE 15-2010 PROVIDING FOR THE RECONSTRUCTION OF WOODWARD AVENUE IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$175,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$150,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$166,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF was introduced by title by Councilman Yazdi who moved that second and final reading and public hearing be held on June 12, 2012 at 7:30 p.m.; seconded by Councilman D'Amato and carried as per the following roll call: Council members: Shortman, YS; Yazdi, YES; Conklin, NO; D'Amato, YES; Pituch, YES and Schiffman, NO.

INTRODUCTION OF NON-AGENDA ITEMS

Emergency Work off of Union Avenue

Noted that the Borough Engineer had to do some emergency work off of Union Avenue due to facts that pipes were not installed properly years ago.

Councilman Yazdi moved to open the meeting to the public on the non-agenda items; seconded by Councilman Schiffman and carried on voice vote.

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

Adoption of Resolution #2012-5.14: Approving Pleasantview Avenue Tax Appeal Settlement and #2012-5.15: Approving Mountaintop Tax Appeal Settlement

Councilman Yazdi offered the following Resolutions and moved for their adoption:

**RESOLUTION #2012-5.14
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing and Approving Pleasantview Avenue LLC Tax Appeal Settlement

WHEREAS, Pleasantview Avenue LLC commenced 2009, 2010 and 2011 Tax Court tax appeals against the Borough of Bloomingdale, bearing Docket Nos. 012011-2009, 012167-2010, and 012825-2011 respectively; and

WHEREAS, the Governing Body has received and considered the recommendations of the Assistant Municipal Attorney, Municipal Tax Assessor, and the Borough's real estate valuation expert for tax appeals, that the above tax appeals be amicably resolved as set forth below; and

WHEREAS, the Governing Body has determined that is in the best interest of the residents of Bloomingdale to settle the tax appeals as recommended by the municipal professionals:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Pleasantview Avenue LLC 2009 tax appeal bearing Docket No. 012011-2009 upon the following terms: (1) the original 2009 assessment of \$167,800.00 for Land and \$152,200.00 for Improvements, for a Total Assessment of \$320,000.00, hereby is revised to a Settlement

Assessment of \$167,800.00 for Land and \$67,200.00 for Improvements, for a Total Assessment of \$235,000.00.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Pleasantview Avenue LLC 2010 tax appeal bearing Docket No. 012167-2010 upon the following terms: (1) the original 2010 assessment of \$167,800.00 for Land and \$152,200.00 for Improvements, for a Total Assessment of \$320,000.00, hereby is revised to a Settlement Assessment of \$167,800.00 for Land and \$67,200.00 for Improvements, for a Total Assessment of \$235,000.00.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Pleasantview Avenue LLC 2011 tax appeal bearing Docket No. 012825-2011 upon the following terms: (1) the original 2011 assessment of \$167,800.00 for Land and \$152,200.00 for Improvements, for a Total Assessment of \$320,000.00, hereby is revised to a Settlement Assessment of \$167,800.00 for Land and \$67,200.00 for Improvements, for a Total Assessment of \$235,000.00.

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

**RESOLUTION #2012-5.15
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing and Approving Mountaintop Dev. Assoc. LLC Tax Appeal Settlement

WHEREAS, Mountaintop Dev. Assoc. LLC commenced 2009, 2010 and 2011 Tax Court tax appeals against the Borough of Bloomingdale, bearing Docket Nos. 005034-2009, 006473-2010, and 000654-2011 respectively; and

WHEREAS, the Governing Body has received and considered the recommendations of the Assistant Municipal Attorney, Municipal Tax Assessor, and the Borough's real estate valuation expert for tax appeals, that the above tax appeals be amicably resolved as set forth below; and

WHEREAS, the Governing Body has determined that is in the best interest of the residents of Bloomingdale to settle the tax appeals as recommended by the municipal professionals:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Mountaintop Dev. Assoc. LLC 2009 tax appeal bearing Docket No. 005034-2009 and its 2010 tax appeal bearing Docket No. 006473-2010 upon Mountaintop Dev. Assoc. LLC's withdrawal of said appeals with prejudice.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby authorize and approve the settlement of the Mountaintop Dev. Assoc. LLC 2011 tax appeal bearing Docket No. 000654-2011 upon the following terms: (1) the original 2011 assessment of \$720,000.00 for Land and \$507,500.00 for Improvements, for a Total Assessment of \$1,227,500.00, hereby is revised to a Settlement Assessment of \$720,000.00 for Land and \$380,000.00 for Improvements, for a Total Assessment of \$1,100,000.00.

Councilman Schiffman 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 #2012-5.16: Click-It or Ticket

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

RESOLUTION #2012-5.16
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

*Supporting the Click It or Ticket Mobilization
May 21, 2012 – June 3, 2012*

WHEREAS, there were 633 motor vehicle fatalities in New Jersey I 2011; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the national Highway Traffic Safety Administrator estimates that 135,000 lives were save by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 21, 2012 – June 3, 2012 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 94.51% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on roadways;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Bloomingdale declares its support for the Click It or Ticket seat belt mobilization both locally and nationally from May 21, 2012 – June 3, 2012 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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 #2012-5.17: Authorizing emergency repair in amount of \$13,842.07 for Glenwild Avenue Sewer Repairs

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

RESOLUTION #2012-5.17
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Declaring An Emergency
For Purposes Of Awarding Contract for Glenwild Avenue Sewer Service Repairs

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed at Glenwild Avenue with a Utility 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 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 Utility Department has correctly recommended that the aforementioned Sewer repairs be remediated through the award to the following:

FITZPATRICK & SON - \$13,842.07

WHEREAS, the emergency costs to be funded through the 2012 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 Glenwild Avenue sewer 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.

Adoption of Resolution #2012-5.18: Authorizing emergency repair at Andrew Place

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

RESOLUTION #2012-5.18
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

Declaring An Emergency
For Purposes Of Awarding Contract Storm Water Service Repairs in the area of
249 Andrew Place

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares an emergency situation has developed at Andrew Place 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 DPW 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 DPW Department has correctly recommended that the aforementioned Storm Water Service repairs be remediated through the award to Fitzpatrick and Son; and

WHEREAS, the emergency costs to be funded through the Capital A/C 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 repair of the Storm Water drain and pipe manhole located in the area of 249 Andrew Place as soon as possible and does hereby award said project to the entities mentioned above.

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

LATE PUBLIC COMMENT

Councilman Schiffman moved that the meeting be open to Late Public Comment; seconded by Councilman Yazdi and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue, asked if the landing of a helicopter would interfere with the lights at the Walter T. Bergen field; and Councilman D'Amato noted that it would not as it is more towards the tennis courts.

Ms. Huntley also commented on using our DPW to do property maintenance at the Board of Education and stated that using one man a full day means that obviously he has nothing to do now in that time.

Jack Miller, Reeve Avenue, asked where we stood with the desnagging contract and it was noted there was paperwork issued; we will reach out to the Engineer as to where we are.

Rich Dellarippa, Pine Tree Road, noted that the Board of Education will draw up a shared se3rvice agreement and be sent to the Board for final approval.

Brian Spellmon, 103 Natalie Court, asked if the contractor asked permission to temporarily store fill in the back parking lot.

Borough Administrator stated that permission was asked and granted.

Mr. Spellmon asked about the recycling center and Borough Administrator stated we are still researching it.

Hayley Conklin, Elizabeth Street, asked why we would be cutting grass at the Samuel Donald School which has no grass and it was noted that we would be doing weed whacking and mulch.

Richard Dellaripa stated that this will reduce our operating cost and keep it in the town.

Discussion followed as to cutting grass, etc.

Since there was no one else who wished to speak under 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 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 – Seven Matters
 - B. Personnel – One matter
 - C. Contract Negotiations – One matter
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.

(At this time, 9:06 p.m., the Mayor and Council went into Executive Session)

RECONVENED

Mayor Dunleavy reconvened the meeting at 11:14 p.m.

ADJOURNMENT

Since there was no further business to be conducted, Councilman Yazdi moved to ADJOURN at 11:15 p.m.; seconded by Councilwoman Shortman and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk

APPROVED JUNE 26, 2012