

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

September 14, 2010

Mayor Steenstra called the meeting to order at 7:31 p.m.

SALUTE TO THE AMERICAN FLAG

Mayor Steenstra led the Salute to the Flag followed by the Borough Prayer and a moment of silence for the passing of former Borough employee Terry Benack.

ROLL CALL

<i>In Attendance:</i>	Mayor:	William Steenstra
	Council President:	Dean Specchio
	Council Pres. Pro Tem:	Bernard H. Vroom
	Council Members:	Linda Huntley Thomas Marinaro Jo-Ann Pituch Glenn Schiffman

<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy
	Borough Administrator:	Ted Ehrenburg
	Borough Attorney:	Joseph V. "Joe" MacMahon, Esq.
	Chief Financial Officer:	Donna Mollineaux
	Treasurer:	Sherry Gallagher

PUBLIC NOTICE STATEMENT

Mayor Steenstra 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 May 27, 2010.

EARLY PUBLIC COMMENT

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

Linda Shortman, Kampfe Lake, asked about the CAP ordinance which is on the agenda and asked how this will affect the budget.

Chief Financial Officer Donna Mollineaux stated that this will not be acted on this evening and explained the process which needs to be followed in regard to amending the budget and the eventual adoption. Mrs. Mollineaux noted that we have been directed by the State to adopt the budget by September 24, 2010.

Mrs. Shortman also spoke in regard to the website and the fact that it is not current; the agenda for this evening's meeting was not on the website.

Leslie Monsees, 153 Rafkind Road, spoke in regard to the budget amendment which is on the agenda this evening and what it entails.

Ron Caputo, 42 Bogue Drive, spoke in regard to the proposed CAP ordinance and noted that it is not easy to understand and felt that it should be spelled out for the public to be able to understand.

Chief Financial Officer Donna Mollineaux noted that while she does not disagree, this is the format which is made up and required by the State Division of Local Government.

Request was made that Chief Financial Officer make up a sheet explaining what exactly the CAP ordinance is.

Jon Dunleavy, 51 Morse Lakes Road, spoke in regard to the budget amendment and fact that delaying the adoption of the budget has caused us not to set our tax rate and any added assessments cannot be added on if budget is not passed by September 28. Mr. Dunleavy noted that it is the responsibility of the Governing Body to adopt the budget and felt a Special Meeting should be held to adopt the budget.

Linda Shortman, Kampfe Lake, stated that if the Animal Shelter budget is cut, the Council is digging a bigger whole; the problem is with the contracts which were approved and the increases.

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

PROFESSIONAL REPORTS

Municipal Clerk

At this time, Municipal Clerk noted that she along with Sandy Caparotta has compiled a “Handbook for Newly Elected Officials” and asked that the Mayor and Council review and get back to her with any comments and/or suggestions.

Municipal Clerk also stated that she would like to get some forms on the website and presented a form for someone who would like to have a Block Party. She asked that the Borough Administrator check with the webmaster to see if it could be set up on the website.

Borough Administrator

Borough Administrator noted that he has requested reimbursement for the hepatitis B vaccination of emergency services personnel and is awaiting the decision of NJDHSS.

Hydrant Flushing – Discussion held in regard to the hydrant flushing program and cost would be \$608 to have flyers mailed; consensus that it be put on the website and have the radio station announce it and ask the newspaper to advertise it.

At this time, Borough Administrator read into the record a letter of thanks from Water/Sewer Superintendent Rocco DiGregorio for those volunteers who helped with the improvements at DeLazier Field.

Borough Attorney

Borough Attorney noted that we have received a lawsuit from Surplus v. Bloomingdale who was an employee of the Board of Education; this will be sent to our insurance carrier; no further action needs to be done.

PENDING BUSINESS

Governmental Operations Committee

FY2010 Municipal Budget

Adoption of Resolution #2010-9.1: Budget Amendment

At this time, Council Members Schiffman and Huntley discussed the amendment and spoke in regard to contracts that were entered into and deferring the pension payment.

Chief Financial Officer stated that it is her responsibility as Chief Financial Officer to inform the Mayor and Council what line items that should be left alone and not reduced. The problem is revenues are down.

Discussion followed as to fact that if the budget is not adopted, the State will come in and review the budget.

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

(See Resolution Spread in Full Pages 4A-4D)

Councilman Specchio seconded the motion and it carried as per the following roll call: Huntley, YES (So as not to delay the budget); Marinaro, YES; Pituch, YES (So as not to delay the budget); Schiffman, NO; Specchio, YES and Vroom, YES.

Authorization for Special Meeting

Councilman Vroom moved that a Special Meeting be held on Thursday, September 23, 2010 at 7:30 p.m. for the following:

- Adoption of Ordinance #8-2010: Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank
- Public Hearing on Resolution #2010-9.1: Resolution to Amend Budget
- Motion for Adoption of FY2010 Municipal Budget

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council Members: Marinaro; Pituch; Schiffman; Specchio; Vroom and Huntley all YES.

Status of Passaic County Economic Development Grant for Sidewalk improvements along Hamburg Turnpike

Discussion followed in regard to parameters of this project and cost estimates passed out by the Borough Administrator; Council requested that this be put on the September 28 agenda and that the Borough Engineer be present.

Status of request for a proposed co-location on cell tower by Towerco

Borough Administrator stated that in researching this, we will have to take the agreement and terms as proposed by Towerco.

Any action in regard to PRBRSA Capital Improvement Program

Borough Administrator stated that he discussed this with the Borough Engineer that in his opinion, we do not need any more capacity moving forward.

Public Health & Safety Committee

Any Action in regard to Board of Health contract with Township of Pequannock

Consensus that the agreement be held at this time so that it can be reviewed by the Borough Attorney.

Ordinance Review Committee

Mayor Steenstra noted that the Committee is moving forward on the zoning amendments.

INTRODUCTION OF NEW BUSINESS

Governmental Operations Committee

Adoption of Resolution #2010-9.2: Interlocal for Construction with West-Essex Board of Education

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

RESOLUTION #2010-9.2 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Authorizing an Interlocal Agreement for School Construction Inspection Services By and Between the West Essex Regional Board of Education and the Borough of Bloomingdale

WHEREAS, the Governing Body has learned that the West Essex Regional Board of Education requires school construction inspection services in connection with three different public school facilities, which services can be provided by the Borough through its Construction Department pursuant to an interlocal service agreement; and

WHEREAS, the Governing Body finds and declares that such services fall within the scope of the Interlocal Services Act (“Act”), N.J.S.A. 40:8A-1, *et seq.*, which authorizes a municipality to contract with another governmental entity for the provision of a service that a municipality is empowered to render under state law; and

WHEREAS, the Governing Body further finds and declares that authorization of interlocal service agreements for school construction inspection services with the West Essex Regional Board of Education would implement the Governing Body’s declared intention of expanding the scope of its existing interlocal agreements, which would be in the best interests of the fiscal health and integrity of the Borough’s municipal government and the citizenry served thereby;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize any and all appropriate municipal officials to execute

interlocal services agreements with the West Essex Regional Board of Education for the provision of school construction inspection services in connection with three different public school facilities, subject to review by the Mayor, the Borough Attorney and the Borough Administrator as to the form and content of said agreements.

Councilman Vroom seconded the motion, and it carried as per the following roll call: Council members: Pituch; Schiffman; Specchio; Vroom; Huntley and Marinaro all YES.

Adoption of Resolution #2010-9.3: Agreement to Renew Membership in the Morris County Joint Insurance Fund

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

**RESOLUTION #2010-9.3
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Agreement to Renew Membership in the
Morris County Municipal Joint Insurance Fund***

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

WHEREAS, said renewed membership terminates as of December 31, 2010 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, THE Municipality desires to renew said membership:

NOW, THEREFORE BE IT RESOLVED as follows:

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

Adoption of Resolution #2010-9.____: Agreement with Scott Holzhauer, Appraiser for Professional Services

Consensus that this be carried t o the September 28, 2010 meeting.

Adoption of Resolution #2010-9.4: Resignation of Part-time Animal Control Officer Bonnie Long

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

**RESOLUTION #2010-9.4
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Resignation of
Part Time Animal Control Officer***

WHEREAS, Bonnie Long was a part time Animal Control Officer for the Borough; and

WHEREAS, the Borough of Bloomingdale granted ACO Long an unpaid leave of absence from her position; and

WHEREAS, ACO Long has regrettably tendered her resignation as part time ACO;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Bloomingdale accept the resignation of Bonnie Long with regret and wish her well in her future endeavors.

Councilman Specchio seconded the motion, and it carried as per the following roll call: Council Members: Specchio; Vroom; Huntley; Marinaro; Pituch and Schiffman all YES.

Adoption of Resolution #2010-9.5: Authorization for hiring of Part-time Animal Control Officer Kaitlin Kopshaw

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

**RESOLUTION #2010-9.5
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Hire of A
Part Time Animal Control Officer***

WHEREAS, there existed a need for a additional Part Time Animal Control Officer due to the granted unpaid leave of one of the part time Animal Control Officers; and

WHEREAS, Kaitlin Kopshaw of Riverdale, New Jersey has been acting in this capacity; and

WHEREAS, the permanent part time position has now been vacated by the employee on unpaid leave and there now exists an opening as a part time Animal Control Officer; and

WHEREAS, Lisa Perry, Animal Control Coordinator, has recommended that Kaitlin Kopshaw be hired to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED, that Kaitlin Kopshaw be hired as a Part Time Animal Control Officer effective September 14, 2010 at the prevailing rate of the White Collar Contract.

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council Members: Vroom, YES; Huntley, NO; Marinaro, YES; Pituch, NO; Schiffman, NO; Specchio, YES and Mayor Steenstra, YES.

Adoption of Resolution #2010-9.6: Adoption of Temporary Budget Emergency Resolution

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

RESOLUTION #2010-9.6
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, 2009 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

WHEREAS, additional appropriations will be required from September 14, 2010 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

General Administration	Salary & Wages		\$15,000.00
General Administration	Other Expenses		\$2,000.00
Mayor & Council	Other Expenses		\$500.00
Municipal Clerk	Other Expenses		\$5,000.00
Finance	Other Expenses		\$1,000.00
Tax Collection	Salary & Wages		\$2,500.00
Tax Collection	Other Expenses		\$1,000.00
Tax Assessment	Salary & Wages		\$2,000.00
Group Insurance	Other Expenses		\$20,000.00
Planning Board	Salary & Wages		\$1,000.00
Planning Board	Other Expenses		\$2,000.00
Uniform Construction Code	Other Expenses		\$4,000.00
Police	Salary & Wages		\$100,000.00
Police Dispatchers	Salary & Wages		\$10,000.00
Municipal Prosecutor	Salary & Wages		\$500.00
Roads	Salary & Wages		\$30,000.00
Roads	Other Expenses		\$5,000.00
Sanitation	Salary & Wages		\$30,000.00
Buildings & Grounds	Other Expenses		\$3,000.00
Tipping Fees	Other Expenses		\$10,000.00
Public Health Services	Salary & Wages		\$5,000.00
Animal Control	Salary & Wages		\$8,000.00
Recreation	Salary & Wages		\$2,000.00
Recreation	Other Expenses		\$2,000.00
Celebration of Public Events	Other Expenses		\$1,000.00
Senior Citizens	Salary & Wages		\$500.00
Telephone	Other Expenses		\$2,000.00
Social Security	Other Expenses		\$20,000.00
Municipal Court	Salary & Wages		\$7,000.00
Interlocal Construction	Salary & Wages		\$64,612.30
Library	Other Expenses		\$25,000.00
Interlocal West Essex BOE	Other Expenses		\$4,580.00
Interlocal Street Sweeping	Other Expenses		\$38,564.00
Interlocal Vegetative Waste	Other Expenses		\$20,385.00
Interlocal Bd. Of Health	Other Expenses		\$18,314.00
Interlocal Registrar	Salary & Wages		\$1,932.00
TOTAL			\$465,087.30

TOTAL CURRENT FUND

WATER AND SEWER UTILITY FUND

Municipal Utility Services		Salary & Wages		\$30,000.00
Municipal Utility Services		Other Expenses		\$400,000.00
Capital Outlay		Other Expenses		\$10,000.00
Total				\$440,000.00
Total				

TOTAL WATER AND SEWER

2. This action shall take effect September 14, 2010.
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.

Councilman Marinaro seconded the motion, and it carried as per the following roll call: Council Members: Huntley; Marinaro; Pituch; Schiffman; Specchio and Vroom all YES.

Introduction of Ordinance #12-2010: Bond Ordinance providing for the purchase of Water Meters and Fire Hydrants

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF WATER METERS AND HYDRANTS FOR THE WATER DEPARTMENT IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$75,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF was introduced by title by Councilman Specchio; seconded by Councilman Vroom.

Discussion followed in regard to this and there was a feeling that this should be delayed until after the hydrant flushing program to see where we are and put it on for the October meeting and have the Water/Sewer Superintendent in to discuss where we are with the hydrants.

The motion did NOT CARRY as per the following roll call: Council Members: Marinaro, NO; Pituch, NO; Schiffman, NO; Specchio, YES; Vroom, YES and Huntley, NO.

Authorization for temporary hiring of Greg Ryan

Borough Administrator noted that one of our inspectors was out on sick leave and a temporary inspector had to be hired and we need retroactive authorization to pay him.

Councilwoman Pituch noted that she felt we should have known this beforehand. Mr. Ehrenburg noted that the Inspector had to go on emergency leave and a replacement had to be hired and Mr. Hagberg hired Mr. Ryan to fill the temporary position; Mr. Ehrenburg noted that the Mayor and Council previously authorized the sick leave for the Inspector.

Adoption of Resolution #2010-9.7: Authorization for temporary hiring of Greg Ryan

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

**RESOLUTION #2010-9.7
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

Authorizing the Temporary Hiring of Greg Ryan as an Authorized Electrical Inspector for the Borough of Bloomingdale

WHEREAS, the Governing Body has determined that it is in the public interest to ensure that a licensed electrical inspector is available to assist the Borough and its residents on a regular basis; and

WHEREAS, the Governing Body has been informed that the previously appointed electrical inspector will be unavailable to provide services for up to thirty days; and

WHEREAS, the Construction Office and the Borough Administrator have recommended that Greg Ryan be appointed electrical inspector on a temporary basis for a period not to exceed thirty days, which time period may have commenced prior to passage of the within Resolution:

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby approve and authorize the utilization of Greg Ryan as temporary electrical inspector for the Borough of Bloomingdale for a period of time not to exceed thirty days and upon the same terms of compensation payable to the Borough's permanent electrical inspector.

BE IT FURTHER ORDAINED AND RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby ratify and approve any customary activities that may have been conducted by temporary electrical inspector Greg Ryan prior to his appointment to that position and occurring within the last thirty days.

Councilman Schiffman seconded the motion, and it carried as per the following roll call: Council Members: Pituch, NO; Schiffman, YES; Specchio, YES; Vroom, YES; Huntley, YES and Marinaro, YES.

**Adoption of Resolution #2010-9.8: Declaring An Emergency
For Purposes Of Awarding Contract for Macopin Road Water Main Repairs**

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

**BOROUGH OF BLOOMINGDALE
RESOLUTION #2010-9.8**

***Declaring An Emergency
For Purposes Of Awarding Contract for Macopin Road Water Main Repairs***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with a Macopin Road Water Main break;

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 Main Break be remediate through the award to John Barrett Inc., 38 Main Street, Bloomingdale, NJ 07403 which submitted the following cost estimate;

- John Barrett, Inc. \$4,725.00

and;

WHEREAS, the emergency costs to be funded through the 2010 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 Macopin Road Water Main repairs as soon as possible and does hereby award said project to John Barrett, Inc.

Councilman Marinaro seconded the motion and it carried as per the following roll call: Council Members: Schiffman; Specchio; Vroom; Huntley; Marinaro; Pituch and Schiffman all YES.

Authorization to Close Bailey Avenue for Halloween

Councilman Schiffman moved that the request made to close Bailey Avenue from 4 p.m. to 11 p.m. on Halloween be approved; seconded by Councilman Vroom and carried on voice vote with all Council Members voting YES.

LATE PUBLIC COMMENT

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

Leslie Monsees spoke in regard to the Special Meeting on the budget and fact that the Chief Financial Officer will not be present to answer questions; Mayor noted that the Borough Auditor will be in attendance.

Mrs. Monsees spoke in regard to the DPW contract and stated that the average increase was 7.8% and also spoke in regard to longevity and fact that teachers get a dollar amount not increases for amount of years of service. She also stated that the cost of health increase should have been included in the contract. Also discussed fact that the mayor and Council only cut \$10,000 from the school board budget.

Councilwoman Huntley stated that we had to believe that the costs for Special Education which they stated were correct, etc. To which Mrs. Monsees stated that the Borough should have had an outside audit done.

Borough Administrator stated that the Borough of Bloomingdale was the first municipality to make any health contributions by their unions; Mrs. Monsees stated that the 1.5 increase should have been included in the contract.

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

Carry of Ordinance #9-2010 to September 28, 2010 meeting

Councilman Marinaro moved that the Public Hearing and adoption Ordinance #9-2010 which was ***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE AMENDING THE SOIL AND SOIL REMOVAL PROVISIONS OF THE REVISED ORDINANCES OF THE BOROUGH OF BLOOMINGDALE*** and was introduced at the July 27, 2010 meeting be carried to September 28, 2010 at 7:30 p.m.

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

Adoption of Resolution #2010-9.9: Authorization for Executive Session

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

**RESOLUTION #2010-9.9
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 matters:
2. The general nature of the subject matter to be discussed is as follows:
 - A. Pending Litigation – Avalon Bay
 - B. Contract negotiations
 - C. Potential Litigation
3. Minutes will be taken.
4. 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.

This Resolution shall take effect immediately

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

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

RECONVENED

Mayor Steenstra reconvened the meeting at 10:15 p.m. and noted that no action was taken in Executive Session.

ADJOURNMENT

Since there was no further business to be conducted, Councilman Vroom moved to ADJOURN the meeting at 10:15 p.m.; seconded by Councilman Dunleavy and carried on voice vote.

Jane McCarthy, RMC
Municipal Clerk