

June 11, 2013

The Work Session 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, Bloomingdale, NJ. 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 followed by a moment of silence for the passing of Senator Lautenberg.

ROLL CALL

<i>In Attendance:</i>	Mayor:	Jonathan Dunleavy
:	Council Members:	Mark Conklin* John D'Amato Richard Dellaripa Linda Shortman Michael Sondermeyer Ray Yazdi (Entered later)
<i>Professionals Present:</i>	Municipal Clerk:	Jane McCarthy, RMC
	Borough Attorney:	Fred Semrau, Esq.
	Borough Auditors:	Joseph Faccione; Andy Pascale
	Chief Fin. Ofcr.:	Tim Roberts
	Treasurer:	Sherry Gallagher

*Entered 7:07 p.m.

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 2, 2013.

NON-AGENDA ITEMS

Mayor Dunleavy noted that the following items will be discussed later in the evening:

- Authorization to hire four summer help employees for the DPW
- Thank you letter from Mrs. Apgar for work done by the DPW
- Thank you letter from Mrs. Ensley for work done at Oakwood Lake

EARLY PUBLIC COMMENT

Councilman D'Amato moved to open the meeting to Early Public Comment; seconded by Councilman Yazdi and carried on voice vote.

Al Miller, 7 Mary Street, asked if he can address the items which are on the agenda to be purchased out of Capital and utility when that is on the agenda and Mayor stated that yes he can.

Tom Tracey, 150 Rafkind Road, commented on what a good job the Borough is doing on the road reconstruction in the town.

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

FY2013 MUNICIPAL BUDGET

Second and final reading and public hearing of Ordinance No. 18-2013: Establish a CAP Bank

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) 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 Dellaripa and carried on voice vote.

The Municipal Clerk read the ordinance by title.

ORDINANCE No. 18-2013
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Bloomingdale, in the County of Passaic, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$105,650.54 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Bloomingdale shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$246,517.92 and that the CY 2013 municipal budget for the Borough of Bloomingdale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Councilman Yazdi moved to open the meeting to a Public Hearing on this ordinance; seconded by Councilman Sondermeyer and carried on voice vote.

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

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

Adoption of Resolution #2013-6.1: Resolution to read Budget by title

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

The Municipal Clerk read the budget by title.

(See Resolution Page 4A)

PUBLIC HEARING ON 2013 Municipal Budget

Councilman D'Amato moved to open the meeting to a Public Hearing on the budget; seconded by councilwoman Shortman and carried on voice vote.

Al Miller, 7 Mary Street discussed the various capital items and utility items which the Borough intends to purchase. Surplus in the budget was discussed and Mayor addressed the mapping program for sewer and water, etc.

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

Adoption of resolution #2013-6.2: Resolution to Amend the Budget

At this time, the Borough Auditor and Chief Financial Officer went over the amendments to the Budget and noted that the Division of Local Government Services reviewed the budget and noted we have to amend for two items; \$655 in trust account and the grant program received for Clean Communities we cannot anticipate until we receive it. There is no change in the bottom line or tax rate. We cannot anticipate the additional \$94,000 from Avalon Bay as Revenue.

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

(See Resolution Pages 4B-D)

Councilman Dellaripa seconded the motion.

At this time, Councilwoman Shortman spoke in regard to the following items:

June 11, 2013

BOROUGH OF BLOOMINGDALE
RESOLUTION TO READ BUDGET BY TITLE

WHEREAS, N.J.S.A. 40A:4-8 as amended provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Budget:
 - (a) shall be made available for public inspection in the free public library, if any, of the municipality and in the free county libraries or regional libraries located in the municipality or, if no county libraries or regional libraries are located in the municipality, the county or regional library of the county in which the municipality is located, and the public officer delegated responsibility for delivering copies of the approved budget to such library shall forward to the governing body an attestation that each such delivery was made, and
 - (b) is made available to each person requesting the same, during said week and during the public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bloomingdale that it is hereby declared that the conditions of N.J.S.A. 40A:4-8, as amended set forth in subsections 1(a) and 1(b), have been met and therefore the Budget for 2013 shall be read by title only.

**BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
RESOLUTION TO AMEND BUDGET**

Resolution 2013-C.2

WHEREAS, the Local Municipal Budget for the Year 2013 was approved on the 23rd day of April, 2013, and
 WHEREAS, the public hearing on said Budget has been held as advertised, and
 WHEREAS, it is desired to amend said approved Budget, now
 THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale, County of Passaic, that the following amendments to the approved Budget of 2013 be made:

<u>Recorded Vote</u>	Ayes	(CONKLIN)	Nays	(NONE)	Absent	(NONE)
		(D'AMATO)				
		(DELLARIPA)				
		(SHOLTMAN)				
		(SONDERMEYER)				
		(YAZDI)				

	<u>From</u>	<u>To</u>
<u>General Revenues</u>		
3. Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations:		
Garden State Trust Fund	\$ 6,516.00	\$ -
Total Section B: State Aid Without Offsetting Appropriations	552,149.00	545,633.00
3. Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S. 40A:4-36 and N.J.A.C. 5:23-4.17):		
Special Item of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services:		
Uniform Construction Code Fees - Additional	75,000.00	178,759.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	197,060.00	300,819.00
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:		
Clean Communities Program	-	13,241.36
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	32,426.00	45,667.36
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:		
FEMA Reimbursement	239,000.00	142,412.00
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	698,280.00	601,692.00

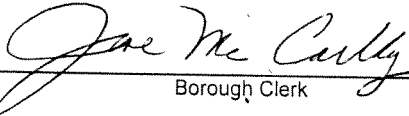
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	<u>From</u>	<u>To</u>
<u>Summary of Revenues</u>		
3. Miscellaneous Revenues:		
Total Section B: State Aid Without Offsetting Appropriations	\$ 552,149.00	\$ 545,633.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	197,060.00	300,819.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	32,426.00	45,667.36
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	698,280.00	601,692.00
Total Miscellaneous Revenues	2,291,545.00	2,305,441.36
5. Sub-Total General Revenues (Items 1, 2, 3 and 4)	2,291,545.00	2,305,441.36
7. TOTAL GENERAL REVENUES	<u>\$10,079,281.00</u>	<u>\$10,093,177.36</u>
8. <u>General Appropriations</u>		
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS":		
(1) Deferred Charges:		
Deficit - Payroll Deductions - Trust	\$ -	\$ 655.00
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	1,066,834.00	1,067,489.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	7,204,753.00	7,205,408.00
8. <u>General Appropriations</u>		
(A) Operations - Excluded from "CAPS":		
Public and Private Programs Offset by Revenues: Clean Communities Grant Program	-	13,241.36
Total Public and Private Programs Offset by Revenues	32,426.00	45,667.36
Total Operations - Excluded from "CAPS"	1,155,421.00	1,168,662.36
Detail:		
Other Expenses	1,047,386.00	1,060,627.36
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	2,732,295.00	2,745,536.36
(O) Total General Appropriations - Excluded from "CAPS"	2,732,295.00	2,745,536.36
(L) Sub-Total General Appropriations (Items (H-1) and (O))	9,937,048.00	9,950,944.36
9. TOTAL GENERAL APPROPRIATIONS	<u>\$10,079,281.00</u>	<u>\$10,093,177.36</u>
8. <u>General Appropriations</u>		
Summary of Appropriations		
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	\$ 7,204,753.00	\$ 7,205,408.00
(A) Operations - Excluded from "CAPS":		
Public and Private Programs Offset by Revenues	32,426.00	45,667.36
Total Operations - Excluded from "CAPS"	1,155,421.00	1,168,662.36
Total General Appropriations	<u>\$10,079,281.00</u>	<u>\$10,093,177.36</u>

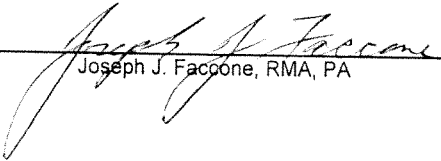
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BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2013 Local Municipal Budget, so amended.

It is hereby certified that this is a true copy of a resolution amending the Budget, adopted by the Governing Body on the 11th day of June, 2013.


Borough Clerk

It is hereby certified that all changes are in proof and the budget remains in balance.


Joseph J. Faccione, RMA, PA

- Garden State Trust Fund – noted we cannot anticipate this because the State budget was not adopted
- Asked about the \$142,000 FEMA money – noted that we cannot anticipate it until we receive it; anything in excess will go to surplus; Treasurer stated the current account did not borrow money from the ROSE fund.
Mayor stated if the governing body wants to reimburse it back to the ROSE fund then can do that but noted that in 2011 the Governing Body did not put any funding back into the ROSE fund.
- Spoke in regard to using ROSE fund money for FEMA; Mayor believes it is justified and Attorney said you can for maintenance and improvements

Councilman Yazdi spoke about our 12 million worth of debt.

Councilwoman Shortman asked why gas was kept at \$104 when we spent \$107 and it was noted that last year an excessive amount of money was used for gas due to the storms and this year the prices have gone down.

She asked why capital improvement fund is now \$50,000; Mayor stated that we needed \$45,000 just for Rafkind Road.

Noted that the referendum question says the lights will be paid from the ROSE fund; Councilwoman Shortman stated that the ordinance does not say the principal.

The Chief Financial Officer stated that the expenditures would be spent for the lights; Councilwoman Shortman discussed the referendum and felt the interest was part of the funding. Councilman Yazdi stated he does not feel it should be spent out of the general fund.

Mayor stated the referendum question says the bond shall be paid out of the ROSE fund; he asked if we can anticipate \$4,000 out of the ROSE; CFO said we can authorize a check to be drawn and credited back to the budget. We can put this on the next bills list per the Treasurer.

Borough attorney spoke about using ROSE fund monies for FEMA and noted that maintenance and improvements due to the storm can be used from the ROSE fund.

Discussion followed that in the past the ROSE fund was not reimbursed; Mayor felt we should only reimburse 75% because that is all we received from FEMA.

Noted that the referendum question stated the Bond should not be paid by the Open Space; it did not say the notes.

Councilwoman Shortman did not see any reason to increase Mayor and Council or administration expenses, other expenses and felt that the Recreation and the Public Events should be combined.

Councilman Yazdi noted that this is the lowest budget in ten years.

The motion carried as per the following roll call: council members: D'Amato; Dellaripa; Shortman; Sondermeyer; Yazdi and Conklin all YES.

Adoption of Resolution #2013-6.3: Adoption of FY2013 Budget

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

(See Pages 5A-B)

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

RECESS

At this time, the Mayor and Council took a five minute recess.

RECONVENED

Mayor Dunleavy reconvened the meeting at this time.

REPORTS OF PROCESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS AND MAYOR'S REPORT

Municipal Clerk

Special Election

Municipal Clerk noted the Special Election will be held on August 13, 2013 from 6 a.m. to 8 p.m.

Environmental Commission

Councilwoman Shortman, Liaison, noted that the commission met and Frank O'Reilly is working on a landscaping plan. They will be reviewing the river walk study shortly. She will provide a copy to the Municipal clerk.

Public Safety Meeting

Councilman D'Amato, Liaison, spoke about possible ordinance for permit parking. We are also waiting on the licensing for the new radio system.

Resolution 2013-6.3
SECTION 2 - UPON ADOPTION FOR YEAR 2013
(Only to be Included in the Budget as Finally Adopted)

Be it resolved by the County of Passaic Governing Body of the Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 7,514,257.00 (Item 2 below) for municipal purposes; and
- (b) \$ _____ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation; and
- (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 186,101.00 Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.
- (e) \$ 273,479.00 (Item 5 below) Minimum Library Tax.

RECORDED VOTE (Insert last name)	Ayes	<u>D'AMATO</u>	<u>COCKLIN</u>	Absent
	Nays	<u>DELLAKIPIA</u>	<u>SHORTMAN</u>	
		<u>Sandermeyer</u>	<u>NOUE</u>	
		<u>YAZOI</u>		

SUMMARY OF REVENUES

1. GENERAL REVENUES			
Surplus Anticipated		08-100	\$
Miscellaneous Revenues Anticipated		40004-10	\$ 2,305,441.36
Receipts from Delinquent Taxes		15-499	\$
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$ 7,514,257.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-195	\$
Total Amount to be Raised by Taxation for Schools in Type 1 School Districts Only		07-191	\$
4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		07-192	\$ 273,479.00
Total Revenues		40000-00	\$ 10,093,177.36

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SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:			
Within "CAPS"	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
(a&b) Operations Including Contingent			
(e) Deferred Charges and Statutory Expenditures - Municipal	30001-00	\$	6,137,919.00
(g) Cash Deficit	30004-00	\$	1,067,489.00
Excluded from "CAPS"	46-885	\$	
(a) Operations - Total Operations Excluded from "CAPS"	XXXXXXXXXX		XXXXXXXXXXXXXXXXXXXX
(c) Capital Improvements	60023-00	\$	1,168,662.36
(d) Municipal Debt Service	60002-00	\$	50,000.00
(e) Deferred Charges - Municipal	60003-00	\$	1,206,074.00
(f) Judgments	60024-00	\$	320,800.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	37-480	\$	
(g) Cash Deficit	29-405	\$	
(k) For Local District School Purposes	46-885	\$	
(m) Reserve for Uncollected Taxes	60008-00	\$	
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	50-899	\$	142,233.00
Total Appropriations	60010-00	\$	
	30000-00	\$	10,093,177.36

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 11th day of June, 2013.
 It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this _____ 11th _____ day of _____ June _____, 2013


 Jane McCarthy, Clerk

Ordinance Review Committee

Committee has recommended two ordinances; one for allowance of chickens and a parking ordinance; these will be discussed later.

Mayor's Report

At this time, Mayor Dunleavy highlighted some of the items from the report he emailed the Governing Body:

- Shared Services with Kinnelon for Jet Vacing is going well
- Van Dam sidewalk has been repaired
- Waiting on the DEP for final permits for repair of Sloan park bridge
- Will be directing DPW to do some desnagging in brooks; we are seeking permits to do some desilting of the brooks
- Paving on DeLazier place has begun
- Almost complete with our 15 years paving plan
- Met with County on our CDBG application for Ryerson sewer line
- Funding from HUD was released for the repair of the storm drain in front of the post office which will be done in the spring
- Will be doing a presentation to the County tomorrow on the Open Space Trust for DeLazier field
- We should know about our NANO loan in July

Board of Education

Councilman Dellaripa stated that the Board appointed a bond counsel that is looking at capital improvements; they may be approaching us in regard to doing an audit.

Councilman Yazdi stated we need to go to the Board of Education meetings to be informed.

Martha B. Day School Anniversary

Councilwoman Shortman stated that the school will be having a 50th Anniversary and are planning some nice events.

APPROVAL OF CONSENT AGENDA

Councilman D'Amato moved for the approval of the following Consent Agenda:

- Thank you letter from Bloomingdale PRA for borough's help through the Clean communities with their Earth Matters program.
- Approval of May 14, 2013 Work Session Minutes
- Thank you letter from Mrs. Ensley for work at Oakwood Lake

- Letter of thanks from Joe Apgar of 68 Charles Street for the quick response in cleaning the storm drains by his property by the DPW Supt. And his staff

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

PENDING BUSINESS

Second and Final Reading and public hearing on Ordinance No. 19-2013: Zoning Map Adoption

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, THE CODE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XXXIII, "LAND USE PROCEDURES," BY ADDING SECTION 33-11, "ZONING MAP" was given second and final reading and consideration for adoption at this time.

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

The Municipal clerk read the ordinance by title.

ORDINANCE 19-2013 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, THE CODE OF THE BOROUGH OF BLOOMINGDALE AMENDING CHAPTER XXXIII, "LAND USE PROCEDURES," BY ADDING SECTION 33-11, "ZONING MAP"

WHEREAS, the Borough of Bloomingdale desires to include its official zoning map in the Borough Code; and

WHEREAS, there are no amendments to the current zoning designations. This is to memorialize all Borough zoning designations.

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

SECTION 1. Chapter XXXIII, "Land Use Procedures," of the Code of the Borough of Bloomingdale is hereby amended to add Section 33-11, "Zoning Map" which shall consist of the attached zoning map.

SECTION 2. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 3. This law shall take effect immediately upon final passage, approval and publication as required by law.

Councilman Yazdi opened the meeting up to a Public Hearing on this ordinance; seconded by Councilman D'Amato and carried on voice vote.

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

Councilman D'Amato moved for the adoption of this ordinance; seconded by councilman Yazdi.

Noted that the only difference was the Adult entertainment zone did not show on the map.

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

***Second and Final Reading and public hearing on Ordinance No. 21-2013:
Appropriating \$420,000 from General Capital Surplus***

“ORDINANCE APPROPRIATING \$420,000.00 AVAILABLE FROM THE GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR VARIOUS PURPOSES DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY” was given second and final reading and consideration for adoption at this time.

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

The Municipal Clerk read the ordinance by title.

ORDINANCE 21.-2013

ORDINANCE APPROPRIATING \$420,000.00 AVAILABLE FROM THE GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR VARIOUS PURPOSES DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Section 1. \$420,000.00 is available from the Capital Surplus Fund to provide for the following purposes:

<u>Description of Purpose</u>	<u>Amount</u>
Improvements to Municipal Complex and Municipal Facilities including but not limited to Equipment and Repairs	\$ 150,000.00
Purchase a Police vehicle	\$ 40,000.00
Improvements to various Roads which is on file with the clerk's office	\$ 230,000.00
TOTAL:	\$ 420,000.00

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

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

Councilman Yazdi moved to open a Public Hearing on this ordinance; seconded by Councilman D'Amato and carried on voice vote.

Al Miller, 7 Mary Street, questioned some of the capital expenditures and asked for an explanation as they are necessary to which the Mayor went over each one.

Mr. Miller addressed, police vehicles, water utility equipment, job descriptions and performance reviews; training of personnel to operate equipment and licenses.

Mayor addressed the monies received from Avalon Bay and intent to use it for the infrastructure improvements.

Tom Tracey, 158 Rafkind Road, agreed with Mr. Miller that our personnel need to be certified to operate certain equipment.

Mayor noted that he is the Safety Officer for the Borough and our Borough Attorney is also the attorney for the Joint Insurance Fund and we do have monthly meetings and training is required.

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

Councilman Yazdi moved for the adoption of this ordinance; seconded by Councilman Dellaripa.

Discussion followed in regard to leasing police vehicles vs. purchase. Spoke in regard to canceling bonds and noted that once something is permanently bonded, you can cancel the debt.

Mayor noted he receive price on video equipment from Spartech.

Councilman Sondermeyer felt we should have all the pricing, quotes, etc. beforehand so that they can make an intelligent decision. Mayor noted he has discussed this with all but if that is the wish of the council, he can do that.

Councilwoman Shortman felt that it was not discussed.

The motion carried as per the following roll call: council members; Sondermeyer; Yazdi; Conklin; D'Amato; Dellaripa and Shortman all YES.

Authorizations to approval Capital Items form bond #21-2013:

Councilman Yazdi move for approval of the following items; seconded by Councilman Dellaripa.

Councilman D'Amato asked the Mayor to get the documentation re pricing, quotes to Councilman Sondermeyer for this review.

1. Improvements to various roads via Morris County COOP; not to exceed \$230,000
2. Generator for DPW Building, including installation \$30,000
3. Radios for Police, Fire, DPW and Search & Rescue - \$15,000
4. Video equipment for chambers - \$5000
5. Hillside Avenue storm water repairs - \$35,000
6. Five new computers for Borough hall - \$7,500
7. Curbs Union Avenue from main Street to Oak Street – #10,000
8. Fence for dumpster behind Borough Hall - \$4,600
9. Fire alarm for DPW building - \$5,700
10. Police Vehicle - \$40,000

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

Authorization for capital items under utility:

Councilman Yazdi moved that the following items be purchased under the utility; seconded by Councilman Dellaripa:

1. 2013 Dodge Ram 3500 - \$64,000
2. Jack Hammer and Compressor - \$20,000
3. Kubota - \$50,000
4. Backhoe Loader - \$98,000

Councilman Conklin felt that we should not be buying new equipment; we should be buying used. Councilwoman Shortman and felt t this should have bee discussed and we should make sure due diligence was done and see the documentation before we approve.

The motion carried as per the following roll call: Council Members: Conklin, NO; D'Amato, YES; Dellaripa, YES; Short man, NO; Sondermeyer, NO; Yazdi, YES; Mayor Dunleavy, YES.

INTRODUCTION OF NEW BUSIENSS

Letter from Thomas Neff, Director of Local Government Services re Full-Time Mayor

Mayor Dunleavy stated that we have received a letter from Thomas Neff, Director of the Local Government Services in regard to a complaint he received from Linda Huntley that the position of full time Mayor was illegal; he found no impermissible actions by the Borough and the matter has been closed.

Adoption of Resolution No. 20136.4: Authorizing borough to enter into cooperative pricing agreement with Middlesex Regional Educational Services

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

A RESOLUTION TO ADOPT THE 3- YEAR COOPERATION AGREEMENT BETWEEN PASSAIC COUNTY AND THE BOROUGH OF BLOOMINGDALE TO PARTICIPATE IN THE PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: FISCAL YEARS 2014, 2015 and 2016

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, provides federal funds to Passaic County to carry out eligible community development activities; and

WHEREAS, the **Borough of Bloomingdale** (hereinafter referred to as the "Municipality") agrees to participate in eligible activities to be carried out under the Passaic County Urban County Entitlement Community Development Block Grant Program; and

WHEREAS, the Mayor of the **Borough of Bloomingdale** is authorized to execute this Cooperation Agreement, and

WHEREAS, Passaic County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, and

WHEREAS, The County and the Municipality agree to take all actions necessary to assure compliance with the Passaic County Urban County Entitlement Program certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The provision must also include the obligation to comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. The provision must also include the obligation to comply with other applicable laws. The agreements shall also contain a provision prohibiting urban county funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification. This provision is required because noncompliance by a unit of general local government included in an urban county may constitute noncompliance by the grantee (i.e., the county) that can, in turn, provide cause for funding sanctions or other remedial actions by the Department.

WHEREAS, this agreement shall be in effect for the three year program period: Federal Fiscal Years 2014, 2015 and 2016, and remains in effect until the CDBG funds and program income received (with respect to activities carried out during the three-year qualification period) are expended and the funded activities completed, and that the County and Municipality cannot terminate or withdraw from the Cooperation Agreement while it remains in effect. The agreement shall remain in effect until expressly terminated by one of the parties hereto but said termination may only occur at the end of each three year Urban County requalification period.

WHEREAS, the County has the authority to carry out activities which shall be funded from annual Community Development Block Grant funding appropriations: the County has final responsibility for selecting projects, preparing the Five Year Plan as required by HUD and annual Action Plans; and

WHEREAS, by executing this Cooperation Agreement, the Municipality understands the following:

1. It may not apply for grants under the Small Cities or State CDBG Program for appropriations for fiscal years during the period in which it participates in the Passaic County Urban County CDBG Program;
2. This agreement shall remain in effect until the CDBG funds and income received with respect to the three year qualification period are expended and the funded activities completed;
3. The County and the Municipality may not terminate or withdraw from this agreement while this agreement remains in effect as above;
4. The Municipality has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;
5. The Municipality has a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of nonviolent civil rights demonstrations within its jurisdiction.

6. The Municipality shall be prohibited from receiving Urban County funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with its fair housing certification,
7. The Municipality, pursuant to 24 CFR 570.501(b), is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement as described in 24 CFR 570.503, and

WHEREAS, the Municipality shall comply with all applicable laws, ordinances, and codes of the State and Local governments, and shall commit no trespass on any private property in performing any of the work embraced by this Cooperation Agreement, and.

WHEREAS, the Municipality shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, handicap or familiar status. The Municipality shall take affirmative action to ensure that applicant for employment are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap or familiar status. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Municipality shall post in conspicuous places, available to employee and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause. The Municipality shall incorporate the foregoing requirements of this paragraph (a) in all its contractors for such work to incorporate such requirements in all of its contractors for such requirements in all subcontractors for program work, and

WHEREAS, the Municipality is subject to the requirements of Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968. (P.L. 88-352) and HUD regulations with respect thereto including the regulations under 24 CFR Part I. In the sale, or lease, or other transfer of land acquired, cleared, or improved with the assistance provided under this Agreement, the Municipality shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination upon the basis of race, color, religion, sex, or national origin in the sale, lease or rental, or in the use or occupancy of such land or any improvements erected thereon, and providing that the sub grantee and the United States are beneficiaries of and entitled to enforce such covenant. The Municipality in undertaking its obligation in carrying out the program assisted hereunder agrees to take such measures as are necessary to enforce such covenant and shall not itself so discriminate and

WHEREAS, the aforesaid activities are in the best interest of the **Borough of Bloomingdale** (municipality); and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the **Borough of Bloomingdale** (municipality) that the Mayor is authorized to execute the Cooperation Agreement with the County of Passaic to participate in the Passaic County Urban County Entitlement Community Development Block Grant Program for Federal Fiscal Years 2014, 2015 and 2016; and

BE IT FUTHER RESOLVED, that this resolution shall take effect immediately upon its enactment, as provided by law.

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

Adoption of Resolution No. 2013-6.5: Tax Identification statement for Recycling Enhancement Act

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

(See Page 15A)

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

Adoption of Resolution No. 2013-6.6: subordination of Bsales mortgage

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

**RESOLUTION #2013-6.6
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

***ACKNOWLEDGING SATISFACTION BY GEORGE AND
JEANETTE BSALES OF MORTGAGE AND MORTGAGE
NOTE ISSUED BY THE BOROUGH OF BLOOMINGDALE***

WHEREAS, the Borough of Bloomingdale entered into a Mortgage and Mortgage Note with George and Jeanette Bsales, dated September 27, 2002, in the amount of \$12,720.53; and

WHEREAS, Mr. and Mrs. Bsales have satisfied the Mortgage and Mortgage Note; and

WHEREAS, the Borough of Bloomindale is satisfied that Mr. and Mrs. Bsales have satisfied the Mortgage and Mortgage Note.

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 Mortgage

TAX IDENTIFICATION STATEMENT

WHEREAS, The Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Bloomingdale that Borough of Bloomingdale hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2013 in the amount of \$8,917.98. Documentation supporting this submission is available at 101 Hamburg Turnpike, Bloomingdale, NJ and shall be maintained for no less than five years from this date.

REA Tax certified by:

Name of Official:

Title of Official:

Date:

and Mortgage Note, dated September 27, 2002, in the amount of \$12,720.53 and executed by and between George and Jeanette Bsales and the Borough of Bloomingdale is hereby satisfied in full.

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

Discussion in regard to ROSE Fund Allocations

Councilwoman Shortman read a statement in regard to the ROSE fund and the allocations that are being used from that account; felt the recommendations of the advisory board are not taken into consideration. Noted she did not realize so much money was being spent out of the Open Space line item; noted that it could be used to do something like purchase Kings Corner.

Councilman D'Amato stated that expenses are not different from other years; Councilwoman Shortman disagreed and stated that mowing of the fields are paid from the discretionary line item; never the open space portion.

Mayor stated that the Finance Department pays the bills from where funds are available; and the bills are voted on in the bills list.

Adoption of Resolution No. 2013-6.7: Open Space Funding

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

RESOLVED, that Open Space funding should accumulate for acquisition for Open Space for the balance of the year.

Councilman Conklin seconded the motion.

Discussion followed in regard to maintenance that has to be done each year on fields; noted that the Finance Department pays the bills and allocates where to take the money from.

Councilwoman Shortman stated that we did not use monies in past from Open space for maintenance.

Noted that the Advisory Board makes recommendations but does not state what line item they should be charged to.

Discussion followed; noted that a committee should study this. Councilman Yazdi spoke in regard to \$80,000 being used last year to offset the budget. This will be discussed again on the meeting on June 25.

The motion DID NOT CARRY as per the following roll call: Council Members: Sondermeyer, NO; Yazdi, NO; Conklin, YES; D'Amato, NO; Dellaripa, NO; Shortman, YES.

Mayor felt a committee of Council Members D'Amato, Yazdi and Sondermeyer could meet and review the disbursements with the Treasurer.

At this point, the Borough Attorney pointed out that the Finance Department has not done anything wrong; this is coordinated with the Governing Body and put on bills list.

The motion carried with all Council Members voting YES.

Introduction of Ordinance No. 22-2013: Off Street parking

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING THE CODE OF THE PLANNING BOARD OF THE BOROUGH OF BLOOMINGDALE, ARTICLE V, "REGULATIONS GOVERNING CERTAIN USES," SECTION 92-22, "PARKING, LOADING AND AUTOMOTIVE SERVICES"; ARTICLE XI, "DEFINITIONS," SECTION 92-43, "TERMS DEFINED"; AND ARTICLE XII, "SCHEDULE OF REGULATIONS," SECTION 92-54, "R-M-O RESIDENTIAL AND OFFICE ZONE," SECTION 92-55, "B-1 GENERAL BUSINESS ZONE" AND "SECTION 92-55.1, "B-1-A COMMERCIAL ZONE" TO ALLOW MAIN STREET AND IMMEDIATE SIDE STREET PARKING IN ACCORDING WITH ALL ZONING requirements was introduced by title by Councilman Yazdi who moved t hat second and final reading and public hearing be held June 25, 2013 at 7:30 p.m.

Councilman Dellaripa seconded the motion and it carried as per the following roll call: council members: Yazdi; Conklin; D'Amato; Dellaripa; Shortman and Sondermeyer all YES.

Introduction of Ordinance No. 23-2013: Chicken and Pigeons

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING THE CODE OF THE PLANNING BOARD OF THE BOROUGH OF BLOOMINGDALE, ARTICLE V, "REGULATIONS GOVERNING CERTAIN USES," SECTION 92-21, "RESIDENTIAL AND AGRICULTURAL USES; HOTELS AND MOTELS," SECTION 92-21B, "AGRICULTURAL USES." was introduced by title by Councilman Yazdi who moved that second and final reading and consideration for adoption be held on July 23, 2013 at 7:30 p.m.

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

Introduction of Ordinance no. 24-2013: Amending fee ordinance for Road Opening permits

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, THE CODE OF THE BOROUGH OF BLOOMINGDALE BY AMENDING CHAPTER XX, "STREETS AND SIDEWALKS," ARTICLE II, "STREETS," CHAPTER 20-11, "STREET OPENINGS AND EXCAVATIONS," SECTION 20-11.5, "FEES REQUIRED," TO REQUIRE THAT UTILITY COMPANIES PAY A FEE OF \$200 FOR STREET EXCAVATIONS AND OPENINGS ON BOROUGH streets was introduced by title by Councilman Yazdi who moved that second and final reading and consideration for adoption be held on June 25, 2013 at 7:30 p.m.

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

Adoption of Resolution No. 2013-6.8: Authorization to sell 1998 dodge Truck

Councilman Yazdi moved that authorization be given to sell the 1998 dodge truck for \$250; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: Dellaripa; Shortman; Sondermeyer; Yazdi; Conklin and D'Amato all YES.

Authorization to hire summer help

Councilman Yazdi moved that the Mayor be authorized to hire four part-time people for summer help from June 20, 2013 to August 15, 2013; he and the Department Heads will finalize those to be hired; seconded by Councilman D'Amato and carried as per the following roll call: Council members: Shortman; Sondermeyer; Yazdi; Conklin; D'Amato and Dellaripa all YES.

LATE PUBLIC COMMENT

Councilman Yazdi opened the meeting to Late Public Comment; seconded by Councilman Conklin and carried on vice vote.

Al Miller, 7 Mary Street, asked about property maintenance issues and Mayor noted that he should contact Bill Tyson the property maintenance officer and he will address them. He noted that if a property is in foreclosure, it is hard to do something; we must then file a lien against the property, etc. If it is a public health and safety issue, we can send our DPW in to address it and put a lien on the property.

Lawrence Riveria, 40 Hamburg Turnpike, spoke of problems he is having with dumpster by Kaspers and mayor noted that they will look into it.

Mrs. Miller, 7 Mary Street, noted that the Governing Body were much more civil towards one another this evening and was glad to see that.

Tom Tracey, 158 Rafkind Road, stated that the Governing Body is doing a very good job with the road paving in the Borough and thanked them.

Bill Graf, 8 Linden Lane, noted that the parking ordinance needs to go back to the Planning Board for review.

Ed Simoni, 352 Glenwild Avenue, noted that the ROSE fund advisory Board was well aware that the monies were moved for expenses due to the storm and will be reimbursed by FEMA. Noted that they do not state where the money is allocated from; they recommend percentages. Suggested that we look at creating a parks and Recreation Maintenance Program and split the two funds.

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

Authorization to amend Public Hearing on Ordinance No. 22-213

Councilman Yazdi moved to amend the second and final reading and public hearing on Ordinance No. 22-2013 to July 23, 2013 at 7:30 p.m.; seconded by Councilman Sondermeyer and carried on voice vote.

Resolution for Executive Session

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

Borough of Bloomingdale

Passaic County, New Jersey

~ Resolution No. 2013 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale on the 12th day of March, 2013 that:

1. Prior to the conclusion of this **Official Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () a. () Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. () A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () c. () Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () d. () A collective bargaining agreement including negotiations.
 - () e. () Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () f. () Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (x) g. (2) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - (x) h. () Personnel matters.
 - () i. () Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s) and certified as a true copy of an original.

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

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

RECONVENED

Mayor Dunleavy reconvened the meeting at 11:15 p.m.

Adoption of Resolution #2016-6.9: Authorization to hire Daniel Greenwood as Police Officer

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

**RESOLUTION #2013-6.9
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, the Administration and Governing Body have recognized that it is in the best interests of the Citizenry of the Borough of Bloomingdale to hire a new Police Officer; and

WHEREAS, the Borough has determined that it is in its best interests to hire Daniel Greenwood as a new Police Officer; and

IT IS HEREBY RESOLVED that the Borough hire Daniel Greenwood as a police officer with a starting salary of forty thousand (\$41,718) dollars;

BE IT FURTHER RESOLVED that Daniel Greenwood's first day of employment shall be July 1, 2013.

Councilman Dellaripa seconded the motion and it carried as per the following roll call:
council members;

Adoption of Resolution #2016-6.10: Authorization to hire Vincent Graziosa as Police Officer

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

**RESOLUTION #2013-6.10
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

WHEREAS, the Administration and Governing Body have recognized that it is in the best interests of the Citizenry of the Borough of Bloomingdale to hire a new Police Officer; and

WHEREAS, the Borough has determined that it is in its best interests to hire Vincent Graziosa as a new Police Officer; and

IT IS HEREBY RESOLVED that the Borough hire Vincent Graziosa as a police officer with a starting salary of forty thousand (\$41,718) dollars;

BE IT FURTHER RESOLVED that Vincent Graziosa first day of employment shall be July 23, 2013.

Councilman Dellaripa seconded the motion and it carried as per the following roll call:
council members;

Authorization for Borough Attorney to contact Tilcon in regard to the concept proposed by them

Borough Attorney noted that Tilcon sent a letter to the Borough advising that it was in negotiations to purchase the Meer Tract property and Tilcon is suggesting that the affordable housing portion of the site would be deeded to the Borough and a portion of the property, with buffers, would be utilized by Tilcon's mining ventures. Tilcon is not asking for approval, it is asking if the Borough would entertain such a proposal.

Councilman Yazdi moved that the Borough Attorney advise Tilcon that while the Borough is not bound by such a motion, it would in fact be interested in entertaining the concept proposed by Tilcon; seconded by Councilman Conklin and carried as per the following roll call: Council Members: Yazdi; Conklin; D'Amato; Dellaripa; Shortman and Sondermeyer all YES.

ADJOURNMENT

Since there was no further business to be conducted, Councilman Yazdi moved to ADJOURN at 11:25 p.m.; seconded by Councilman Dellaripa and carried on voice.

Jane McCarthy, RMC
Municipal Clerk