**January 19, 2016**

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, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:00 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Michael Sondermeyer

Ray Yazdi

Absent: Councilwoman: Dawn Hudson

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Tracy Schnurr, Esq.

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on November 28, 2015.

**EARLY PUBLIC COMMENT**

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

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

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS AND MAYOR’S REPORT**

**Board of Education**

Councilman Dellaripa stated that the Board of Education will be holding their monthly meetings on Tuesdays now; they are posted on their website and they will not conflict with the Mayor and Council meetings.

**Economic Development Commission**

Mayor stated that the Economic Development Commission is still conducting their survey and will be meeting tomorrow evening to go over the input they received from the residents; a telephone alert message will go out to the residents to please fill out the survey.

**County Snow Shoveling program**

Due to fact that we didn’t receive notice until late, the County has reopened the program just for Bloomingdale. They only shovel one path and there are income requirements.

Councilman Costa asked if there are any other services to help seniors shovel during a storm and the Mayor advised that the Boy Scouts are on call.

**Recreation Commission**

Councilman Sondermeyer stated that the Commission changed meetings to the second Monday of the month which is a conflict for him with the Library meetings; asked that someone take one of these as the Liaison.

**Ryerson/Reeve project**

Mayor stated that the utility work began; test holes for Ryerson and Reeve Avenue and we broke ground for sewer laterals.

**White Collar/Blue Collar Contracts**

Mayor stated that negotiations are moving along.

**FEMA mapping**

No update

**Gypsy Moth**

The survey which was done outline 212 acres which should be sprayed between Glenwild and Kampfe Lake. Both associations felt the problem is broader than the 212 acers; 182 are Norvin Green which is owned by the State. Mayor asked the State to review and pay for this section.

Kampfe Lake is paying for their section and the Glenwild President is looking into it.

The State is looking to spray in May.

**COAH update**

Ken Nelson, the Professional who we hired to review this will be at the Planning Board meeting on Thursday.

**Fire Department**

Mayor thanked the Fire Department for completing a grant to solicit money to replace our air tanks.

**APPROVAL OF CONSENT AGENDA**

Councilman D’Amato moved to approve the following Consent Agenda:

1. Adoption of Minutes: Mayor and Council Regular Meeting December 15, 2015 and Reorganization/Work Session January 5, 2016
2. Application for membership in Bloomingdale Fire Department; Brian Hoeft and Sarah Cochran
3. Acceptance of retirement notice from DPW Foreman Fred Cook. (Mayor Dunleavy thanked Fred Cook for his years of service to the Borough and noted we will officially thank him at a future date)

Councilman Sondermeyer seconded the motion and it carried on voice vote with all members voting YES. ABSENT: Councilwoman Hudson

**PENDING ITEMS**

None

**INTRODUCTION OF NEW BUSINESS**

***Adoption of Tax Office Resolution No. 2016-1.99: Tax Title Lien Redemption and Cancellation #14-00008***

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

**RESOLUTION #2016-1.99**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #14-00008***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 22, 2014, a lien was sold on,

35 HAMBURG TPK, Bloomingdale, for delinquent year 2014 Tax, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3032, Lot 4, owned by 35 Hamburg, LLC; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to TOWER AS CUSTODIAN FOR EBURY with a premium of $23,100.00, and

**WHEREAS,** the Governing Body further finds and declares that 35 HAMBURG, LLC the property owner, has requested redemption of TTL #14-00008, and

**WHEREAS,** the Governing Body further finds and declares that 35 HAMBURG, LLC has paid all monies, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $26,384.76 for the lien redemption and $23,100.00 for the premium, be made payable to TOWER AS CUSTODIAN FOR EDBURY, PO BOX 37695, BALTIMORE, MD 21297 for the redemption and cancellation of Tax Title Lien Certificate #14-00008

1099 = $2371.40

Councilman Costa seconded the motion and it carried as per the following roll call: Council Members: Costa; D’Amato; Dellaripa; Sondermeyer and Yazdi all YES. ABSENT: Councilwoman Hudson

***Discussion in regard to Recreation Fees***

Noted that the Recreation Commission would like to implement a field usage fee. The Commission felt the fee should be for less than five Tri Boro resident player, $700; $500 for teams less than eight Tri Boro resident players and ten or more Tri Boro resident players, no charge.

Discussion followed in regard to cost and felt it should be $700 for four or less; $500 for five or six and seven or more, no charge.

Consensus is to go with the Recreation Commission’s recommendation and the fee ordinance will be amended.

***Adoption of Resolution No. 2016-1.100: Municipal Alliance Grant***

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

**RESOLUTION NO. 2016-1.100**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**Governor’s Council on Alcoholism and Drug Abuse**

**Fiscal Grant Cycle July 1, 2016 to June 30, 2017**

**WHEREAS,** the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS,** The Borough Council of the Borough of Bloomingdale, County of \_Passaic\_, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS,** the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS,** the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of \_Passaic;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of \_Bloomingdale, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the ­Bloomingdale Municipal Drug Alliance grant for fiscal year 2017 in the amount of:

DEDR $\_\_16,792.00\_\_\_\_\_\_\_

Cash Match $\_\_\_4,198.00\_\_\_\_\_\_\_

In-Kind $\_\_12,594.00\_\_\_\_\_\_\_

1. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Councilman D’Amato seconded the motion and it carried on voice vote with all members present voting YES. ABSENT: Councilwoman Hudson

***Discussion in regard to body cameras/Police Department***

Mayor noted that the Police Department received a grant for $7,500 which is enough to out the entire Police Department in body cameras and thanked the Department for submitting the grant.

***Appointment of a 100th Anniversary Committee***

Mayor Dunleavy tabled this at this time.

***Adoption of Resolution No. 2016-1.101: Approval of North Jersey Community***

***Animal Shelter Handbook***

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

**RESOLUTION #2016-1.101**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***affirming the NORTH JERSEY COMMUNITY ANIMAL SHELTER VOLUNTEER handbook & policies and procedures manual***

**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 Borough of adopts Resolution No. 2016-1.101 which affirms the Norther Jersey Community Animal Shelter Volunteer Handbook and Policies and Procedures Manual.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be posted at the North Jersey Community Animal Shelter and a copy thereof delivered to each Volunteer within five (5) days of this Resolution.

Councilman Sondermeyer seconded the motion and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

***Adoption of Resolution No. 2016-1-102: Authorizing application for and use of funds from the Passaic County Community Development Block Grant Program***

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

**RESOLUTION #2016-1.102**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Application for and use of funds from the Passaic County Community Development Block Grant Program***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Passaic County Community Development Block Grant Program has an application for funding available;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the authorization is given for the Mayor to prepare an application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

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Councilman D’Amato seconded the motion and it carried as per the following roll call: Council Members: Costa; D’Amato; Dellaripa; Sondermeyer and Yazdi all YES. ABSENT: Councilwoman Hudson

***Adoption of Resolution No. 2016-1.103: Authorizing agreement for extended services by Geese Police***

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

**RESOLUTION #2016-1.103**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Award of Contract for***

***Geese Control***

**WHEREAS**, the Borough of Bloomingdale has a need for a Geese Control Program due to the population of geese at Oakwood Pong, Bogue Pond, Walter T. Bergen Middle School and DeLazier Field which has presented a health issue for the Borough; and

**WHEREAS,** the Borough of Bloomingdale solicited quotes for the Geese Control Program; and

**WHEREAS**, one quote was received by the Borough for the Geese Control Program; and

**WHEREAS,** the Borough Administration has reviewed the submitted quote and recommended that said contract be awarded to the bidder, Tri-State Geese Police in the amount of $450.00/per week; and

**WHEREAS,** the Governing Body wishes to award a contract to Tristate Geese Police for a total price of $450.00/per week (not to exceed $7,000) from February 1, 201 through November 30, 2016 as per their proposal dated January 7, 2016; and

**WHEREAS,** the award is subject to the deposition of the ROSE fund money and certification of funds; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bid and the contract itself must be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey that a contract for the Geese Control Program be awarded as follows:

1. The Borough of Bloomingdale authorizes the Mayor and Clerk to execute an agreement with Tri-State Geese Police, P. O. Box 283, Dingmans Ferry, Pennsylvania in the amount of $450/week as per their proposal dated January 7, 2016; and
2. This contract is awarded without competitive bidding as the total prices of the contract shall not exceed the $17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3;
3. The total fee authorized for this contract shall not exceed $450/week without the prior written approval of the Governing Body, not to exceed $7,000;
4. The Political Contribution Disclosure Form, Business Entity Certification and the Determination of Value shall be placed on file in the office of the Municipal Clerk;
5. Notice of this action shall be published once in the Borough’s official newspaper as required by law; and
6. A copy of this resolution shall be provided to Tri-State Geese Police, P. O. Box 283, Dingmans Ferry, Pennsylvania for their information and guidance and be on file in the Borough Clerk’s office for public inspection.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Councilman Costa seconded the motion.

Discussion followed as to this being effective and fact that once you get rid of the resident geese you are ok; we still have some eggs that have to be addled yet.

The motion carried as per the following roll call: Council Members: Dellaripa; Sondermeyer; Yazdi; Costa and D’Amato all YES. ABSENT: Councilwoman Hudson

***Authorization for Early Executive Session February 2, 2016***

Councilman Yazdi moved for an Early Executive Session at 6 p.m. on February 2, 2016 for a matter of personnel, with the Work Session immediately following; seconded by Councilman Costa and carried on voice vote with all members present voting YES. ABSENT: Councilwoman Hudson

***Adoption of Resolution No. 2016-1.104: Shared Services Agreement with Kinnelon for Municipal Clerk services***

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

**RESOLUTION No. 2016-1.104**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Execution of an Interlocal Agreement between the Borough of Bloomingdale and the Borough of Kinnelon for a Registered Municipal Clerk***

**WHEREAS,** the Borough of Kinnelon has a need for a temporary Registered Municipal Clerk; and

**WHEREAS**, Kinnelon desires to contract with Bloomingdale for the furnishing of the services of a Municipal Clerk as required by N.J.S.A. 40A:9-133, et seq. and as hereafter set forth; and

**WHEREAS,** the Borough of Bloomingdale has agreed to accept such appointment with Jane McCarthy to serve as the temporary Registered Municipal Clerk for Kinnelon; and

**WHEREAS**, it is understood and agreed upon by Kinnelon and Bloomingdale that this appointment shall be temporary only until such time as Kinnelon employs a Municipal Clerk who has been notified that s/he has successfully completed the examination for certification as municipal clerk; and

**WHEREAS**, Jane McCarthy meets the statutory qualifications to hold the position; and

**WHEREAS**, the appointment of Jane McCarthy as the Registered Municipal Clerk shall be at a rate of $5,500 per year for the position of Registered Municipal Clerk for the term January 1, 2016 through December 31, 2016 as per agreement on file in the Municipal Clerk’s office; and

**WHEREAS**, the Interlocal Agreement shall be effective upon the adoption of approving resolutions by Kinnelon and Bloomingdale.

in the 2016 budget;

**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 Interlocal Agreement with the Borough of Kinnelon for the appointment of Jane McCarthy as the Registered Municipal Clerk for the Borough of Kinnelon as described hereinabove be and is hereby authorized.

**BE IT FURTHER RESOLVED** that the Mayor and the Deputy Clerk are hereby authorized to execute the Interlocal Agreement.

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Borough’s legal newspaper.

Councilman D’Amato o seconded the motion and it carried as per the following roll call: Council Members: Sondermeyer; Yazdi; Costa; D’Amato and Dellaripa all YES. Absent: Councilwoman Hudson

***Acceptance of resignation of Steven Crevar as a Member of the Economic***

***Development Commission***

Councilman D’Amato moved to accept the resignation of Steven Crevar as a member of the Economic Development Commission with regret; seconded by Councilman Dellaripa and carried on voice vote with all members present voting YES. ABSENT: Councilwoman Hudson

***Adoption of Resolution No. 2016-1.105: Congratulating the Health Center at Bloomingdale on their “Perfect Survey”***

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

**RESOLUTION #2016-1.105**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Designating January 21, 2016 as Bloomingdale Health Center Day***

**WHEREAS,** the citizens of the Borough of Bloomingdale place a great value upon the well-being of the senior population; and

WHEREAS, nursing home residents of any age or ability are themselves living history and are a precious resource; and

WHEREAS, nursing facilities offer supportive services that meet the unique personal needs of our older citizens and they advance a mission of responsibility for them; a responsibility that we all share by helping them live well and age well; and

WHEREAS, the Health Center at Bloomingdale provides a lively and caring community with a staff that diligently addresses each residents’ needs promptly and the residents are continually assessed for changes to optimize their function and quality of life; and

WHEREAS, the Health Center is a valuable asset to the Borough of Bloomingdale and provides many community services to our residents; and

WHEREAS, the Health Center at Bloomingdale is a licensed, regulated facility inspected by the state and federal levels; and

WHEREAS, the New Jersey Department of Health recently conducted an on-site state inspection of the facility to evaluate all aspects of resident care and nursing facility procedures and practices, accessing facility compliance; and

WHEREAS, Health Center at Bloomingdale received a perfect score from the New Jersey Department of Health;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Bloomingdale congratulates the Health Center at Bloomingdale for their accomplishments and acknowledges that they are an asset to the Borough and its residents and designates Thursday,

January 21, 2016 as The Health Center at Bloomingdale Day in the Borough of Bloomingdale.

Councilman D’Amato seconded the motion and it carried on voice vote with all members present voting YES. ABSENT: Councilwoman Hudson

**Adoption of Resolution No. 2016-1.106: Appointment of Brian Guinan as a Member of the Ordinance Review Committee**

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

**RESOLUTION No. 2016-1.106**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey, Appointment to Ordinance Review Committee***

BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale hereby appoints the following member to the Borough’s Ordinance Review Committee for a one year term; expiring December 31, 2016:

Ordinance Review Member 1 year Brian Guinan

Councilman Dellaripa seconded the motion and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

**LATE PUBLIC COMMENT**

Councilman Yazdi moved to open the meeting up to Late Public Comment; seconded by Councilman D’Amato and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

Since there was no one who wished to speak, Councilman Sondermeyer moved that it be closed; seconded by Councilman Dellaripa and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

**LATE EXECUTIVE SESSION**

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

**Borough of Bloomingdale**

Passaic County, New Jersey

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale on the 7th day of January 2014 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. ( 1 ) Personnel matters.

( ) i. ( ) Deliberations after a public hearing that may result in penalties.

1. 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 Dellaripa seconded the motion and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

**(AT this time, 7:43 p.m. the Mayor and Council went into Executive Session)**

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 9:10 p.m. and noted that no action was taken during the Late Executive Session.

**ADJOURNMENT**

Since there was no further business to be conducted, Councilman Costa moved to adjourn the meeting at 9:10 p.m.; seconded by Councilman Dellaripa and it carried on voice vote with all Council Members present voting YES. ABSENT: Councilwoman Hudson

Jane McCarthy, RMC

Municipal Clerk