**April 18, 2017**

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 7:03 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

 Council President: Dawn Hudson

 Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Michael Sondermeyer

 Ray Yazdi

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Dawn Sullivan, Esq.

 Treasurer: Sherry Gallagher

 Auditor: Andy Pascale

 Tax Office Asst. Breeanna Calabro

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on December 28, 2016.

**NON AGENDA ITEMS**

Mayor noted that the following items will be on agenda this evening:

* Increase Public Defender’s salary by $1,000

This will put us at the maximum allowable so that we do not have to forward the extra brought in to the State.

**EARLY PUBLIC COMMENT**

Councilman Sondermeyer moved to open the meeting to Early Public Comment; seconded by Councilman Dellaripa and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue asked about two items on the bills list:

* Page 22 – inbound asphalt for Anderson Field. Mayor stated this is actually removing asphalt that was in the parking lot which was supplies for the Gazebo; the National Honor Society raised $5,000 and donated it to the Animal Trust Fund
* Page 24 – Professional fees for Sloan Park. Mayor stated that the bid opening will be May 11. We spent monies getting permits for DEP, etc.

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

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

***Mayor’s report***

Mayor Dunleavy reported on the following upcoming events:

* Paper Shredding April 29 from 9-11 a.m. behind Senior Center
* Community Garden Opening; Earth Day at 12 p.m. Mayor thanked the DPW for their work in getting this together
* Reeve Avenue project has begun; formal notifications will be done when they are ready to do the water mains
* Trout Contest – wonderful success – thank you to DPW and Councilman Yazdi for their help
* Little League Opening Day was this past weekend and former Police Chief Fletcher was the Grand Marshal

**APPROVAL OF CONSENT AGENDA**

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

1. Mayor and Council Minutes: Work Session April 4, 2017
2. Approval of Bloomingdale Fire Dept. Ladies Auxiliary Flower and Bake Sale on May 13, 2017 from 9 a.m. to 2 p.m.; and waiving of the permit fee
3. 200’ Notice for use variance for Block 3029; Lots 4, 5 and 7 – 148, 150 and 152 Hamburg Turnpike
4. Acceptance of resignation with regret from Paul Laman as a member of the Economic

Development Committee

Mayor thanked Paul Laman for his years of volunteerism.

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

**PENDING ITEMS**

**Adoption of Resolution No. 2017-4.11: Dedication by Rider for Affordable**

**Housing Trust Fund**

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

**RESOLUTION NO. 2017-4. 11**

**OF THE GOVERNING BODY OF THE**

**BOROUGH OF BLOOMINGDALE**

***A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR AN AFFORDABLE HOUSING TRUST FUND REQUIRD BY NJSA 40A: 12A-3***

WHEREAS, permission is required by the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 40A: 12A-3 provides for receipt of an Affordable Housing Trust Fund by the municipality to provide for the operating costs to administer this act; and

WHERREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Affordable Housing Trust Fund are hereby anticipated as revenue are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, County of Passaic, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of

 Local Government Services to pay expenditures of the Affordable Housing

 Trust Fund required by NJSA 40a: 12A-3

The Municipal Clerk of the Borough of Bloomingdale, County of Passaic, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

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

***Second and final reading and Public Hearing of Ordinance No. 9-2017: CAP Bank Ordinance***

***CALENDAR YEAR 2017***

***ORDINANCE 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.

Councilwoman Hudson moved that the ordinance be read by title; seconded by Councilman Costa and carried on voice vote.

The Municipal Clerk read the ordinance by title.

**ORDINANCE NO. 9-2017**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**CALENDAR YEAR 2017**

**ORDINANCE 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 0.5% 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 2017 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 $244,925.28 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 2017 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 $285,746.16, and that the CY 2017 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 D’Amato moved for a Public Hearing on this ordinance; seconded by Councilman Dellaripa and carried on voice vote.

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

Councilman Sondermeyer moved for the adoption of the ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: D’Amato; Dellaripa; Hudson; Sondermeyer; Yazdi and Costa all YES.

**Public Hearing on FY2017 Municipal Budget and Adoption of Budget**

***Adoption of Resolution N0. 2017-4.12: Read Budget by title***

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

**RESOLUTION NO. 2017-4. 12**

**OF THE GOVERNING BODY OF THE**

**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:
2. 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 I the county or regional library, 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 an attestation that each such delivery was made; and
3. Is made available to each person requesting the same, during said week and during the public hearing

NOW, THEREFORE, BE IT RESOLVD by the Mayor and Council of the Borough of Bloomingdale that it is hereby declared that the conditions of N.J.SA. 40a-4-8, as amended set forth in subsections 9(a) and 1 (b) have been made and therefore the Budget for 2017 shall be read by title only.

Councilwoman Hudson seconded the motion and it carried by voice vote.

Councilman Costa moved that the Public Hearing be open on the FY2017 Municipal Budget; seconded by Councilman Dellaripa and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue, spoke in regard to spending money and despite what Mayor says she does not think revenue is the issue.

Since there was no one else who wished to speak, Councilwoman Hudson moved that it be closed; seconded by Councilman Costa and carried on voice vote.

***Adoption of Resolution No. 2017-4.13: Adoption of the FY2017 Municipal Budget***

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

(See pages attached)

Councilman D’Amato seconded the motion.

Councilman Yazdi noted that we are proud of this budget and we are doing things and making capital improvements. Everyone worked very hard and this is an “O” increase. Thanked the Treasurer, CFO, Auditors and all Departments for their work on this budget

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

**RECESS**

Councilman Costa moved for a 5 minute recess; seconded by Councilman Yazdi and carried on voice vote.

**RECONVENED**

Mayor reconvened the meeting at 7:37 p.m.

**INTRODUCTION OF NEW BUSINESS**

***Adoption of Resolution no. 2017-4.14: Payment of Bills***

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

 **RESOLUTION - #2017 –4.14**

**OF THE GOVERNING BODY**

 **OF THE BOROUGH OF BLOOMINGDALE**

## *Authorizing Payment of Municipal Obligations*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that certain municipal obligations have come due and are now payable; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

BILLS LIST PREPAID LIST

CURRENT 1,671,237.72 CURRENT 2,700,868.08

UTILITY 405,082.35 UTILIT 59,310.41

CAPITAL 14,819.58 OPEN SPACE 1,173.07

UTILITY CAPITAL 10,317.57 TRUST ACCOUNT 780.00

TRUST 136,517.29 RECYCLING 000.00 DOG 2,514.90 DOG TRUST 000.00

RECREATION 2,016.36 UNEMPLOY 474.22

 ROSE FUND 9,159.44 CAPITAL 0,000.00

RECYCLING 175.00 WATER CAPITAL 0,000.00

UNEMPLOYMENT 0,000.00 RECREATION 00.00

AFFORDABLE HOUSING 1,437.01

TOTAL 2,253,277.22 TOTAL 2,762,605.78

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

***Introduction of Bond Ordinance No. 13-2017: Extension of sewer system to property location on Van Dam Avenue***

***BOND ORDINANCE PROVIDING FOR THE EXTENSION OF THE SEWER SYSTEM TO PROPERTY LOCATED ON VAN DAN AVENUE, IN AND BY THE BOROUGH OF BLOOMINGDALE , IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF*** was introduced by title by Councilwoman Hudson who moved that second and final reading and Public Hearing be held on May 2, 2017 at 7 p.m.

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

***Adoption of Resolution No. 2017-4.15: Interlocal Agreement with Borough of Ringwood for Snake Den Road***

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

**RESOLUTION NO. 2017-4. 15**

**OF THE GOVERNING BODY OF THE**

**BOROUGH OF BLOOMINGDALE**

BE IT RESOLVED that a certain inter-local Agreement between the Borough of Bloomingdale and the Borough of Ringwood being is hereby authorized; and

BE IT FURTHER RESOLVED that said Agreement concerns a certain scope of services on Snake Den Road. The Agreement covers police protection, fire service, ambulance service and garbage recycling collection and snow removal;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute said agreement for a term January 1, 2017 through December 31, 2019.

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

***Adoption of Tax Office Resolutions No. 2017-4.16 through 2017-4.19***

Councilwoman Hudson offered the following Resolutions and moved for their adoption:

**RESOLUTION #2017 -4.16**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #15-00003***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on October 24, 2106, a lien was sold on,

131 Vreeland Avenue, Bloomingdale, for delinquent year 2015 Property Tax, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3019, Lot 2, owned by Donald D Hooker; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to US BANK CUST BV002 TRST & CRDTRS for a premium of $37,100.00, and

**WHEREAS,** the Governing Body further finds and declares that for 131 Vreeland Avenue, the attorney representing the property owner, Zeller Law, LLC has requested redemption of TTL #15-00003, and

**WHEREAS,** the Governing Body further finds and declares that Zeller Law, 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 $20,400.05 for the lien redemption and $37,100.00 for the premium, be made payable to US Bank Cust BV002 Trst& Crdtrs , 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate #15-00003

1099 = $1702.10

 **RESOLUTION #2017 -4.17**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #15-00006***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on October 24, 2106, a lien was sold on,

19 Red Twig Trail, Bloomingdale, for delinquent year 2015 Water/Sewer, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3036, Lot 13, owned by David & Jane Lawson; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to DENNIS MOELLER for a premium of $1,700.00, and

**WHEREAS,** the Governing Body further finds and declares that for 19 Red Twig Trail, the mortgage company, ServiceLink has requested redemption of TTL #15-00006, and

**WHEREAS,** the Governing Body further finds and declares that SERVICELINK 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 $1,169.72 for the lien redemption and $1,700.00 for the premium, be made payable to Dennis Moeller, 118 Long Pond Road, Hewitt, NJ 07421 for the redemption and cancellation of Tax Title Lien Certificate #15-00008

1099 = $31.59

 **RESOLUTION #2017 -4.18**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #15-00017***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on October 24, 2106, a lien was sold on,

24 Sandra Lane, Bloomingdale, for delinquent year 2015 Water/Sewer/Electric, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 5053, Lot 50, owned by Keri Cozzino; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to TWR AS CST FOR EBURY 2 NJ LLC for a premium of $5,600.00, and

**WHEREAS,** the Governing Body further finds and declares that for 24 Sandra Lane, the mortgage holder for the property owner; Bayview Loan Servicing, has requested redemption of TTL #15-00017, and

**WHEREAS,** the Governing Body further finds and declares that Bayview Loan Servicing 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 $5,043.22 for the lien redemption and $5,600.00 for the premium, be made payable to TWR S CST FOR EBURY 2 NJ LLC, PO Box 54908, New Orleans, LA 70154 for the redemption and cancellation of Tax Title Lien Certificate #15-00017

1099 = $118.19

 **RESOLUTION #2017 -4.19**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #15-00020***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on October 24, 2106, a lien was sold on,

37 Knolls Road, Bloomingdale, for delinquent year 2015 Property Tax, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 5068, Lot 18, owned by John Kuhn; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to FWDSL & ASSOCIATES, LLP for a premium OF $39,000.00 and

**WHEREAS,** the Governing Body further finds and declares that for 37 Knolls Road, the mortgage company, CHASE, has requested redemption of TTL #15-00020, and

**WHEREAS,** the Governing Body further finds and declares that the Mortgage Company, CHASE, 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 $16,261.30 for the lien redemption and $39,000.00 for the premium, be made payable to FWDSL & ASSOCIATES, L.P., 17 W Cliff Street, Somerville, NJ 08876 for the redemption and cancellation of Tax Title Lien Certificate #15-00020

1099 = $1651.76

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

 ***Introduction of Ordinance No. 14-2017: Implementation of changes as recommended by the Ordnance Committee/Zoning***

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter XV “property maintenance”, chapter 92 “Zoning”, ARTICLE V “regulations governing certain uses” and chapter 92 “Zoning”, ARTICLE XI “DEFINITIONS” of the Code of the Borough of BLOOMINGDALE was*** introduced by title by Councilman Yazdi who moved that second and final reading and public hearing will be held on June 13, 2017 at 7 p.m.

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

***Adoption of Resolution No. 2017-4.20: Adjustment to Public Defenders Salary***

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

RESOLVED, THAT our Trust Fund exceeds the dollar amount allowed for Public Defender’s salary and we must either refund the money to the State or increase the Public Defender’s salary;

NOW, THEREFORE, BE IT RESOLVED that the Public Defender’s salary be increase by $1,000.

**LATE PUBLIC COMMENT**

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

Since there was no one who wished to speak, Councilwoman Hudson moved that it be closed; seconded by Councilman Sondermeyer and carried on voice vote.

**LATE EXECUTIVE SESSION**

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

**RESOLUTION**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***MOTION FOR EXECUTIVE SESSION***

**BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale on the 18th day of April 2017 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):

( ) (1) Confidential or excluded matters, by express provision of Federal law or

State statute or rule of court.

( ) (2) A matter in which the release of information would impair a right to receive

funds from the Government of the United States.

( ) (3) Material the disclosure of which constitutes an unwarranted invasion of

individual privacy.

( ) (4) A collective bargaining agreement including negotiations.

( ) (5) 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.

( ) (6) 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) (7) Pending or anticipated litigation or contract negotiations other than in

subsection b. (4) herein or matters falling within the attorney-client privilege.

(x ) (8) Personnel matters.

( ) (9) 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).

Councilman Sondermeyer 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 8 pm. And noted that no action was taken in Executive Session

**ADJOURNMENT**

Since there was no further action to be taken, Councilman D’Amato moved to ADJOURN at 8:01 P.M.; seconded by Councilman Sondermeyer and carried on voice vote.

 Jane McCarthy, RMC

 Municipal Clerk