

**WORKSHOP MEETING
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

November 6, 2020

The Workshop 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 Jonathan Dunleavy called the meeting to order at 8:04AM.

Mayor Dunleavy led the **Salute to the Flag**.

Roll Call: (taken by the Borough Clerk)

In Attendance: Mayor Jonathan Dunleavy
Councilman John D'Amato
Councilman Richard Dellaripa
Councilman Drew Juhlin
Councilman Michael Sondermeyer
Councilman Ray Yazdi (*joined via telephone*)
Municipal Clerk, Breeanna Calabro

Excused: Councilwoman Dawn Hudson
Borough Attorney, Fred Semrau

PUBLIC NOTICE STATEMENT

Mayor Dunleavy stated that adequate notice of this meeting was advertised in the Herald News on December 23, 2019 and January 8, 2020; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.

EARLY PUBLIC COMMENT:

Motion was made by D'AMATO to open the meeting for public comment; seconded by DELLARIPA and carried per voice vote all voting AYE.

Linda Huntley: *86 Van Dam Ave, Bloomingdale NJ*

- *Inquired Council participation in meeting via telephone.*
- *Inquired on Ordinance No. 38-2020 (this item will be tabled), Mayor responded there is proposed increased density to 544 – not further discussion as the ordinance is not ready to be introduced.*

Since there was no one else who wished to speak, D'AMATO made a motion to close public comment, second by SONDERMEYER & carried on voice vote all members voting AYE, none were opposed.

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS,
COMMITTEES, LIAISONS & MAYOR'S REPORT:**

- **Municipal Clerk, Breeanna Calabro** – *Requested the October 20, 2020 meeting minutes be pulled from the consent agenda – they are not ready for action by the council*

RESOLUTION NO. 2020-11.1 CONSENT AGENDA

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

**RESOLUTION NO. 2020-11.1
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
November 6, 2020 Workshop Meeting*

WHEREAS, the Mayor and Council of the Borough of Bloomingdale has determined that to increase efficiency, the Consent Agenda shall be adopted with one resolution, and

NOW THEREFORE BE IT RESOLVED, that the following resolutions, placed on this agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in their entirety by the Mayor and Council of the Borough of Bloomingdale.

- A. Motion to approve minutes:
 - A. October 6, 2020 – Workshop Meeting
 - ~~B. October 20, 2020 – Regular Meeting (No action taken)~~
 - C. October 20, 2020- Executive Session
- B. Motion to accept resignation:
Kevin Luccio, Alternate II Planning Board Member
- C. Motion authorizing a \$5,000 donation to Tri-Boro First Aid
- D. Motion authorizing the QPA to solicit for 2021 Professional Services
- E. **Resolution No. 2020-11.2:** Appointment of Planning Board Member (M. Covert)
- F. **Resolution No. 2020-11.3:** School Choice Week (January 24 – 30, 2021)
- G. **Resolution No. 2020-11.4:** Granting Paid Sick Leave (Boffa)
- H. **Resolution No. 2020-11.5:** Establishing Remote Meeting Procedures
- I. **Resolution No. 2020-11.6:** Authorizing Purchase of Generator (ESCNJ)
- J. **Resolution No. 2020-11.7:** 2020 Passaic County Hazard Mitigation Plan
- K. **Resolution No. 2020-11.8:** Amending Reso 2020-10.16 Access Control System
- L. **Resolution No. 2020-11.9:** Utility Waiver for Tax Sale

Discussion:

The council discussed the generators being purchased. There was discussion on resolution 2020-11.9; Mayor explained the tax sale process with COVID-19 restrictions on Utility shut offs.

The motion was second by SONDERMEYER and carried per the following roll call vote:
D'AMATO (YES), DELLARIPA (YES), JUHLIN (YES), SONDERMEYER (YES), YAZDI (YES)

Consent Agenda Resolutions:

**RESOLUTION NO. 2020-11.2
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Appointment to the Planning Board

BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale, that they do provide, advice and consent to the Mayor's appointment of the following to the Planning Board:

Planning Board (Alt II)	2 year Unexpired (expiring 12/31/21)	Margaret Covert
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**RESOLUTION NO. 2020-11.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A Proclamation Commemorating the Borough of Bloomingdale's School Choice Week

WHEREAS all children in *the Borough of Bloomingdale* should have access to the highest-quality education possible; and,

WHEREAS the *Borough of Bloomingdale* recognizes the important role that an effective education plays in preparing all students in the *Borough of Bloomingdale* to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of the *Borough of Bloomingdale*; and,

WHEREAS the *Borough of Bloomingdale* is home to a multitude of high-quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and,

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS, the *Borough of Bloomingdale* has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, the Governing Body of the *Borough of Bloomingdale* does hereby recognize January 24 – January 30, 2021 as **BLOOMINGDALE’S SCHOOL CHOICE WEEK** and calls this observance to the attention of all our citizens.

**RESOLUTION NO. 2020-11.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Borough Employee

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Michael Boffa (“Employee”) is an employee of the Borough of Bloomingdale; and

WHEREAS, the Governing Body further finds and declares that the Employee has been out of work on paid sick leave as of October 22, 2020; and

WHEREAS, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Michael Boffa, during the period of October 22, 2020 through December 2, 2020; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify the Police and Firemen's Retirement System of said status and to cause the same to be included in the records maintained for said employee.

**RESOLUTION 2020-11.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY
OF PASSAIC AND STATE OF NEW JERSEY, TO ESTABLISH REMOTE
MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE
OF EMERGENCY**

WHEREAS, on March 9, 2020 in response to COVID-19, Governor Phil Murphy issued Executive Order 103, which declared a state of emergency that has been extended by the Governor and remains in full force to this day; and

WHEREAS, by way of additional Executive Orders, the Governor has established extensive social distancing protocols to protect the health, safety and welfare of New Jersey citizens; and

WHEREAS, in accordance with the Executive Orders relating to COVID-19 and the Open

Public Meetings Act, N.J.S.A. 10:4-6 et seq. (“OPMA”), local government units, including the Borough of Bloomingdale, continued to hold public meetings via remote platforms to ensure the continued operation of local government with participation by the public, in a way that limits public health risk; and

WHEREAS, although the Borough of Bloomingdale has moved to a meeting format wherein in-person attendance is permitted pursuant to occupancy limitations, the Borough recognizes that meetings may return to remote only if necessary; and

WHEREAS, in March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services (“DLGS”) issued “Local Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey,” which provided specific guidance regarding holding remote public meetings under the OPMA; and

WHEREAS, on September 24, 2020, the DLGS issued Local Finance Notice 2020-21 (“LFN 2020-21”), which provided a synopsis of newly promulgated emergency regulations N.J.A.C. 5:39-1.1 through 1.7, which establish standard protocols for remote public meetings governed by the OPMA and held during a Governor-declared state of emergency; and

WHEREAS, LFN 2020-21 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2020 New Jersey Register, with comments submitted no later than November 18, 2020; and

WHEREAS, under emergency regulation N.J.A.C. 5:39-1.4(h), a local government unit is required to adopt by resolution standard procedures and requirements for public comment made during remote public meetings, as well as for public comments submitted in writing ahead of the remote public meeting.

**RESOLUTION NO. 2020-11.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF
PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A
CONTRACT TO POWER PLACE INC. FOR GAS POWERED PORTABLE
GENERATORS THROUGH ESCNJ CO-OP #65MCECCPS**

WHEREAS, the Mayor and Borough Council of the Borough of Bloomingdale wish to purchase Portable Generators for the Department of Public Works; and

WHEREAS, said equipment may be purchased from Power Place through ESCNJ Bid No. 18/19-09 (Generator Equipment and Maintenance); and

WHEREAS, the maximum amount of the contract is not to exceed \$9,000.00, and the Chief Financial Officer has certified the availability of funds in the annexed certification ; and

WHEREAS, public bids are not required when the purchase is made through a cooperative pricing system in accordance with N.J.S.A. 40A:11-11(6) of the Local Public Contracts Law.

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 purchase of Gas Powered Portable Generators is hereby awarded to Power Place, of Rockaway, NJ, in accordance with the terms and conditions contained in ESCNJ Bid No. 18/19-09, and the Mayor and Borough Clerk are hereby authorized to execute same.

**RESOLUTION NO. 2020-11.7
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE ADOPTION OF THE 2020 PASSAIC COUNTY, NEW JERSEY
HAZARD MITIGATION PLAN UPDATE**

WHEREAS, all jurisdictions within Passaic County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Passaic County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Passaic County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Bloomingdale:

- 1) Adopts in its entirety, the 2020 Passaic County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

**RESOLUTION NO. 2020-11.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION TO AMEND RESOLUTION NO. 2020-10.16 TO INCREASE
THE CONTRACT AWARDED AMOUNT FROM \$61,000 TO NOT
EXCEED \$63,000**

**AUTHORIZING AN AWARD OF CONTRACT TO ADVANTAGE
SECURITY/SONITROL SECURITY FOR AN ACCESS CONTROL SYSTEM
THROUGH THE HUNTERDON COUNTY EDUCATION SERVICES
COMMISSION COOPERATION PURCHASING PROGRAM (HCESC) -
#34HUNCCP {COMPREHENSIVE SAFETY & SECURITY SYSTEM
EVALUATIONS #HCESC-TECH-17-01}**

WHEREAS, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Hunterdon County Education Services Commission (“HCESC”), which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Borough of Bloomingdale has a need for an access control system throughout the various Borough Buildings; and

WHEREAS, Sonitrol has been awarded Contract #HCESC-TECH-17-01 for Comprehensive Safety & Security System Evaluations; and

WHEREAS, the Full-time Mayor recommends the utilization of this contract on the grounds as the best means to obtain access control systems; and

WHEREAS, the amended contract shall not exceed the amount of \$63,000 and the Chief Financial Officer has certified the availability of funds in the annexed certification; and

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

1. The Borough of Bloomingdale hereby authorizes the award of contract to Sonitrol for access control systems under the HCESC Contract #HCESC-TECH-17-01.
2. The total fee authorized for this contract shall not exceed \$63,000.00 without the prior written approval of the Borough Council.
3. The Full-time Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
4. A copy of this resolution shall be provided to the Finance Department and Sonitrol for their information and guidance.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2020-11.9
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC
AND STATE OF NEW JERSEY AUTHORIZING WAIVER OF LIEN ENFORCEMENT
FOR DELINQUENT WATER AND SEWER UTILITY ACCOUNTS**

WHEREAS, the Borough of Bloomingdale has been impacted by the Governor’s Declaration of Public Health Emergency, and subsequent extensions of same, as a result of the COVID-19 pandemic; and

WHEREAS, the Borough Council recognizes that the financial impact of the Public Health Emergency has had on the residents of Bloomingdale; and

WHEREAS, as per the Local Finance Notice 2020-25 of October 15, 2020 and pursuant to P.L. 2020, c. 39, enacted on June 19, 2020, the Borough may delay enforcement measures with regard to certain delinquent utility accounts; and

WHEREAS, the Mayor and Borough Council have reviewed P.L. 2020, c. 39 and determined that such waiver is in the best interests of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, that lien enforcement as to delinquent water and sewer utility accounts shall be waived for the duration of the Declaration of Public Health Emergency as follows:

- 1) The Borough will refrain from submitting a property for tax sale due to unpaid balance, service charge, and interest that may accrue on outstanding balances.
- 2) The Borough will refrain from discontinuing service to any property for failure to make payment on any amount owed for water or sewer utility services.

This Resolution shall take effect immediately.

NEW BUSINESS:

A. Councilman DELLARIPA offered a motion for adoption of the following resolution:

**RESOLUTION NO. 2020-11.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing the Transfer of 2020 Appropriations

WHEREAS, Title 40A:4-58 provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess of those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body further finds and declares that the Treasurer has determined that the following transfers are both necessary and appropriate; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer is hereby authorized to make the following transfers in the FY2020 Budget.

To:			
Municipal Public Defender	0-01-43-495-001-012	\$	5,000.00
Building & Grounds	0-01-26-310-001-024	\$	10,000.00
TOTAL		\$	15,000.00
From:			
Police	0-01-25-240-001-011	\$	15,000.00
TOTAL		\$	15,000.00

Discussion:

Councilman Juhlin lead discussion confirming the Chief of Police was aware the transfer of the appropriations. Mayor explained the transfer appropriation process internally & in regard to the statue. He further explained the reasons for this transfer.

ADOPTION:

The motion was second by D'AMATO, and carried per the following roll call vote:
DELLARIPA (YES), JUHLIN (YES), SONDERMEYER (YES), YAZDI (YES), D'AMATO (YES)

B. Introduction of Ordinance No. 36-2020: Amending Ch. 20 Section 11 (Road Opening Permits)

Mayor explained this ordinance is to designate the Municipal Clerk as the issuing authority for road opening permits rather than the construction official. Bond amount & inspection fees are being increased.

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on November 24, 2020 at 7PM; the motion was seconded by DELLARIPA and carried on voice vote: all voting AYE, in favor, none were opposed.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 20 “STREETS AND SIDEWALKS”, ARTICLE II “STREETS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

C. Introduction of Ordinance No. 37-2020: Amending Ch. 18 Section 3 (Inspection Fee)

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on November 24, 2020 at 7PM; the motion was seconded by D’AMATO and carried on voice vote: all voting AYE, in favor, none were opposed.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 18 “SEWERS”, SECTION 18-3.8 “PERMITS AND FEES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

D. Introduction of Ordinance No. 38-2020: Amending Ch. 92 Zoning (AFH ZONE)

No action was taken for introduction of this ordinance.

A motion was made by DELLARIPA to table the Ordinance; the motion was seconded by SONDERMEYER and carried on voice vote: all voting AYE, in favor, none were opposed.

LATE PUBLIC COMMENT

SONDERMEYER opened the meeting to late public comment; seconded by DELLARIPA and carried on voice vote.

Linda Shortman – 2 West Shore Road

Made the following inquiries:

- *when the Municipal Building/Library may be open to the public*
- *Status of Glenwild Ave (county road) road improvements*
- *Garbage collection rules / regulations*
- *PILOT program on future development & potential increased density*

Evelyn Schubert – 29 Hillside Drive

Made the following inquiries:

- *Status of lamppost hit in front of Walgreens & discussion of mirror placement for traffic purposes in areas of the town*
- *Discussion on future Zoning Ordinance*
- *Union Ave Sidewalks*
- *Possibility of marking mileage in ‘flats’ section of Borough*
- *Complaint on lighting of Gas Station*
- *Status of ‘Fish & Chip’ business on Union Ave*

Since there was no one else who wished to speak SONDERMEYER moved that it be closed; second by D’AMATO and carried on voice vote all members voting (AYE).

GOVERNING BODY SCHEDULE:

- A. Regular Meeting – November 24, 2020 7PM
- B. Workshop Meeting – December 15, 2020 7PM

ADJOURNMENT:

Since there was no further business to be conducted, DELLARIPA moved to adjourn at 8:42AM; seconded by SONDERMEYER and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk