**REGULAR COUNCIL MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**November 27, 2018**

The Regular Council 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 7:00PM.

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

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

 Councilman Anthony Costa

 Councilman John D’Amato

 Councilman Richard Dellaripa

 Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

 Councilman Ray Yazdi

Municipal Clerk, Breeanna Calabro

 Borough Attorney, Robert Rossmeissl

**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 27, 2017.

**PRESENTATIONS:** N/A

**EARLY EXECUTIVE SESSION:** N/A

**NON-AGENDA ITEMS:**

* + **Approval of November 1, 2018 Council Meeting Minutes**

**EARLY PUBLIC COMMENT:**

Motion was made by D’AMATO to open to meeting for public comment; seconded by DELLARIPA and carried per voice vote all voting AYE. Since there was no one who wished to speak, HUDSON made a motion to close early public comment; seconded by D’AMATO and carried per voice vote all voting AYE.

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS & MAYOR’S REPORT:** N/A

**RESOLUTION NO. 2018-11.19 CONSENT AGENDA**

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

**RESOLUTION NO. 2018-11.19**

**OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

***Accepting, Approving and/or Adopting the Consent Agenda of the***

***November 27, 2018 Regular Council 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,

**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.

1. **Approval of Minutes:**
	* **Regular Meeting – October 16, 2018**
2. **Motion for the following Fire Department Approvals:**
	* **Junior Academy – removal of Alexis Marciano**
	* **Bloomingdale Fire Department Member Applications:**
		1. **Alison Mezerek**
		2. **James H. Gordon**
		3. **Jazael M. Duran (Junior Program)**
3. **Motion for the approval of Peddler & Hawker License:**
	* 1. **Tastefully British- Food Truck/Christmas Tree**
4. **Resolution No. 2018-11.20: Vehicles for Auction**
5. **Resolution No. 2018-11.21: 2% Salary Increase all Department Heads and Non-Contractual Employees for 2018**
6. **Resolution No. 2018-11.22: Approving the Donating of Fire Gear & Equipment**
7. **Resolution No. 2018-11.23: Authorizing Refund of Tax Overpayment (2004/38)**
8. **Resolution No. 2018-11.24: Authorizing Contract with Detroit Salt Co. through County Co-op**
9. **Resolution No. 2018-11.25: Amending Resolution No. 2018-10.2 Council iPads**
10. **Resolution No. 2018-11.26: Municipal Alliance Grant FY2020**

Discussion: Mayor noted item H. on the consent agenda is an approval of contract with Morton Salt Inc. not Detroit Salt Co.

The motion was seconded by YAZDI and carried per the following roll call vote: COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMEYER & YAZDI\*\* (all YES)

\*\*Councilman Yazdi recused his vote from item E. on the agenda, Resolution No. 2018-11.21

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2018-11.20**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***authorizing sale BY ONLINE AUCTION***

***of Borough vehicle***

 **WHEREAS**, the Borough of Bloomingdale has title to the following vehicle(s):

* 1999 Dodge Ram 3500 71,688 miles VIN#3B6MF3661XM570288

 **WHEREAS**, the vehicles are of no useful life based upon their condition and the repairs needed and are no longer needed for public use; and

 **WHEREAS**, the Borough wishes to dispose of the vehicles, which is municipal public property; and

**Whereas**, the Borough of Bloomindale desires to list the vehicles for sale at on an online auction hosted by GovDeals.com which sale is going to be conducted pursuant to Local Finance Notice 2008-9; and

**WHEREAS**, the terms and conditions of the agreement that will be entered into with the vendor are available on the vendor’s website and available in the Borough Clerk’s office.

 **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 Mayor and Borough Clerk are hereby authorized to sell the above listed vehicles described above in an online auction hosted by GovDeals.com.

**RESOLUTION NO. 2018-11.21**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***RESOLUTION AUTHORIZING TWO PERCENT (2%) SALARY INCREASE***

***FOR ALL DEPARTMENT HEADS & NON-CONTRACTUAL EMPLOYEES FOR 2018***

 **WHEREAS**, based on past practice the Council has provided the Department Heads and Non-contractual employees with similar increases; and

 **WHEREAS**, the Borough Council hereby concurs that a two percent (2%) increase for 2018 to the salaries for the Department Heads and non-contractual employees is justifiable under the circumstances.

 **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 salaries for Department Heads and non-contractual employees shall be increased by two percent (2%) for 2018.

 **BE IT FURTHER RESOLVED**, that this is not conditioned on any other promises, contracts or obligations of the Mayor and Council of the Borough of Bloomingdale.

**RESOLUTION NO. 2018-11.22**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***authorizing DISPOSAL OF BOROUGH PROPERTY***

 **WHEREAS**, the Borough of Bloomingdale Fire Department has the following equipment:

* 15- sets Globe Xtreme gear
* 5- sets Morning Pride Ranger gear
* 2- Electric fans
* 1 gas fan
* 3 lengths yellow 5in fire hose
* 3 lengths 1 3/4in fire hose
* 2 10ft lengths hard suction cause

 **WHEREAS**, the equipment has no useful life based upon its condition and the repairs needed and are no longer needed for public use; and

 **WHEREAS**, the Borough wishes to dispose of the equipment and donate it to the Terry Farrell Fire Fighters Fund, a non-profit organization;

 **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 Fire Chief is hereby authorized to donate the above listed equipment described above in to the Terry Farrell Fire Fighters Fund.

**RESOLUTION NO. 2018-11.23**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Overpayments in Tax Office***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Investor’s Bank and property owners, Kenneth and Brenda Vesey, duplicated payment on 18 West Shore Road , Bloomingdale, NJ for the 4th quarter of 2018 on Block 2004 Lot 38;

A refund of overpayment in the amount of $475.12 is being returned to Investor’s Bank.

 **NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

**Address:** Investor’s Bank

 Att: Erica Zuleta

101 Wood Ave S

Iselin, NJ 08830

**Refund Amount:** $475.12

**RESOLUTION NO. 2018-11.24**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF a ROCK SALT THROUGH THE Passaic COUNTY CO-OPERATIVE CONTRACT #38-PCCP**

 **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 Passaic County Co-Operative, which has been approved by the Director of the Division of Local Government Services; and

 **WHEREAS**, the Borough of Bloomingdale desires to purchase rock salt from the Passaic County Co-Operative entitled Contract #38-PCCP; and

 **WHEREAS,** Morton Salt Inc., has been awarded the Contract for Rock Salt at a price of $56.28 per ton; and

 **WHEREAS,** the Full-time Mayor and Superintendent of Public Works recommends the utilization of this contract on the grounds as the best means available to obtain the rock salt; and

 **WHEREAS**, the rock salt shall not exceed the amount of $20,000.00; and

 **WHEREAS**, funding for this resolution is available by appropriation in the budget of the Borough, as evidenced by the Certification of the Chief Financial Officer from account T-19-56-118-001-101; 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 purchase of rock salt from Morton Salt Inc. from the Passaic County Co-Operative under Contract #38-PCCP.

2. The total fee authorized for this contract shall not exceed $20,000.00 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 Borough Treasurer and Morton Salt Inc. for their information and guidance.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2018-11.25
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AMENDING RESOLUTION NO 2018-10.2:**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF (7) IPADS & (7) APPLE PENCILS FOR THE GOVERNING BODY**

**WHEREAS**, the Borough of Bloomingdale desires to purchase iPads & styluses for the members of the governing body as part of the 2018 Capital plan;

 **WHEREAS,** the Borough of Bloomingdale awards the contract toApple, Inc.; and

**WHEREAS,** the Full-time Mayor recommends the utilization of this contract on the grounds as the best means available for obtaining the iPads; and

 **WHEREAS**, the contract shall not exceed the amount of $8,000.00; and

**WHEREAS**, funding for this resolution is available as evidenced by the Certification of Funds, by the Chief Financial Officer, from account C-04-55-879-18B-200; 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 does hereby authorize the purchase of (7) seven Apple iPads & (7) seven Apple Pencils from Apple, Inc.;

2. The total fee authorized for this contract shall not exceed $8,000.00 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 Borough Treasurer and Apple, Inc. for their information and guidance.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2018-11.26**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

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

**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 for the grant period of July 1, 2019 to June 30, 2020 (FY2020) 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.

**PENDING ITEMS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 24-2018: Amend Ch 92-55 & 92-55.1 (Parking)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 “ZONING”, SECTION 92-55 “B-1 GENERAL BUSINESS ZONE” AND SECTION 92-55.1 “B-1-A COMMERCIAL ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman YAZDI moved that the Ordinance be read by title; seconded by D’AMATO and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE No. 24-2018**

**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, amending chapter 92 “ZONING”, Section 92-55 “B-1 GENERAL BUSINESS ZONE” and Section 92-55.1 “b-1-a commercial zone” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code contains section regulating parking within the B-1 General Business Zone of the Borough and the B-1-A Commercial Zone of the Borough; and

 **WHEREAS**, the Borough Council and the Borough Ordinance Committee have reviewed the current Code and determined that it is necessary to amend the Code sections to address parking concerns within the General Business Zone and the Commercial Zone; and

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

 **SECTION 1.** Chapter 92 “Zoning”, Section 92-55, Subsection I shall be amended to read as follows:

I.1. Required parking and loading spaces, except in the Town Center District between Van Dam Avenue and Glenwild Avenue. Also see § 92-22A to D(5).

|  |
| --- |
| **B-1 Zone On-Street/Off-Street Parking and Off-Street Loading** |
| **Use** | **Minimum Parking** |
| Funeral homes and mortuaries | 10 per parlor. |
| Retail stores, store groups, shops, consumer services, take out food only, etc. | 1 for each 300 sf of floor area. Minimum 3 spaces. |
| Eating/drinking establishments | 1 for each 3 seats. Minimum 5 spaces. |
| Medical or dental offices, and other professional offices | 4 for each professional occupant. |
| General business office | 1 for each 300 sf of floor area. |
| Hotels and motels | 1 per bedroom, plus 0.5 per employee on the highest shift. |
| Dwelling Units | As required by RSIS. At all times there must be at least one dedicated parking space per dwelling unit. |
|   | **Minimum Loading** |
| Offices | 1 per 10,000 sf of floor area. |
| Retail, commercial, wholesale, manufacturing, storage and miscellaneous uses | 1 per 10,000 to 25,000 sf of floor area:   2 for each 25,000 to 40,000 sf of floor area: 3 for 40,000 to 60,000 sf of floor area: 1 for each additional 50,000 sf of floor area or fraction thereof. |
| **Minimum Required Parking Use and Loading Spaces** |
| Undertakers and funeral parlors | 1 for each 5,000 square feet of floor area. 1 for each additional 5,000 square feet of floor area or major fraction thereof. |

I.2. Required parking and loading spaces in the Town Center District between Van Dam Avenue and Glenwild Avenue. Also see § 92-22A to D(5).

|  |
| --- |
| **B-1 Zone On-Street/Off-Street Parking and Off-Street Loading** |
| **Use** | **Minimum Parking** |
| Hotels and motels | 1 per bedroom, plus 0.5 per employee on the highest shift. |
| Dwelling Units | As required by RSIS. At all times there must be at least one dedicated parking space per dwelling unit. |

 All other portions of this Chapter of the Code remain unchanged.

 **SECTION 2.** Chapter 92 “Zoning”, Section 92-55.1, Subsection D “Development Standards” shall be amended to read as follows:

 (4) (1) Parking, except in the Town Center District between Van Dam Avenue and Glenwild Avenue, (see § 92-22A to 92-22D(5)) shall be provided in the following ratios, provided that where the application of the required parking ratio yields a fraction of a space, the number of parking spaces required shall be rounded up to the next whole space:

1. Retail and service business uses as listed at paragraph A(1)-A(4), A(6) and A(7) above shall provide parking at the rate of one space per each 300 square feet of gross floor area except as specifically provided to the contrary below.
2. All residential uses shall provide parking as required by the RSIS, except that the Board may consider approval of a shared parking arrangement if the nature of the uses on the site is such that there will not be overlapping demand for the shared parking spaces. At all times there must be at least one dedicated parking space per dwelling unit.
3. Eating and drinking establishments and houses of worship shall provide parking at the rate of one (1) space for each three (3) seats for a minimum of five (5) seats.
4. Nursery schools or child care centers shall provide parking at the rate of one (1) space per employee plus one (1) space per each ten (10) children of licensed capacity, except that a child care center located wholly within a building containing other business uses shall not be required to provide any parking.
5. Kennels or animal day care centers shall provide parking at the rate of one (1) space per employee plus one (1) space for each ten (10) animals of capacity.
6. Veterinary offices and animal hospitals shall provide parking at the rate of four (4) spaces per veterinarian in addition to required kennel spaces as set forth in paragraph e. above.
7. Hotels and motels shall provide parking at the rate of one (1) space per guest room plus .5 spaces per employee.
8. Banks shall provide parking at the rate of one space for each three hundred (300) square feet of floor area plus sufficient room for at least five (5) cars to be queued at each drive-up window or ATM machine.

(4) (2) Parking in the Town Center District between Van Dam Avenue and Glenwild Avenue (see § 92-22A to 92-22D(5)) shall be provided in the following ratios, provided that where the application of the required parking ratio yields a fraction of a space, the number of parking spaces required shall be rounded up to the next whole space:

1. All residential uses shall provide parking as required by the RSIS, except that the Board may consider approval of a shared parking arrangement if the nature of the uses on the site is such that there will not be overlapping demand for the shared parking spaces. At all times there must be at least one dedicated parking space per dwelling unit.
2. Hotels and motels shall provide parking at the rate of one (1) space per guest room plus .5 spaces per employee.
3. Banks shall provide sufficient room for at least five (5) cars to be queued at each drive-up window or drive-up ATM machine.

 All other portions of this Chapter of the Code remain unchanged.

**SECTION 3.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 4.** 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 5.** This law shall take effect immediately upon final passage, approval and publication as required by law.

At this time SONDERMEYER made a motion to open the Public Hearing for comment; seconded by COSTA and carried on a voice vote all voting AYE.

Since there was no one who wished to comment COSTA made a motion to close the Public Hearing; seconded by YAZDI and carried on a voice vote all voting AYE.

**Discussion:**

*Mayor mentioned a typographical error in the legal notice for this ordinance as introduced. Upon final adoption section 1.2 will read ‘Town Center District’ as opposed to ‘Towns Center District’.*

Councilman YAZDI moved for the adoption of this Ordinance; seconded by HUDSON and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES)

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 28-2018: Amend Ch 7-11 (Parking)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 7 “TRAFFIC”, PART I “ON STREET TRAFFIC”, Section 7-11 “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS” AND SECTION 7-13.1 “PARKING TIME LIMITED ON CERTAIN STREETS” of the Code of the Borough of Bloomingdale** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman COSTA moved that the Ordinance be read by title; seconded by DELLARIPA and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 28-2018**

**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, amending chapter 7 “TRAFFIC”, PART I “ON STREET TRAFFIC”, Section 7-11 “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS” AND SECTION 7-13.1 “PARKING TIME LIMITED ON CERTAIN STREETS” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code contains a section regulating on street traffic and turning prohibitions; and

 **WHEREAS**, the Chief of Police of the Bloomindale Borough Police Department, the Borough Council and the Borough Ordinance Committee have reviewed the current Code and determined that it is necessary to amend the Code section to adjust traffic restrictions in certain areas of the Borough; and

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

 **SECTION 1.** Chapter 7 “Traffic”, Part I “On Street Traffic”, Section 7-11 “Parking Prohibited at all Times on Certain Streets” shall be amended to read as follows:

 **7-11 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**

 No person shall park a vehicle at any time upon any streets or parts thereof described.

|  |  |  |
| --- | --- | --- |
| *Name of Street* | *Side* | *Location* |
| Bailey Avenue | East | Easterly side of Bailey Avenue for the first 100 feet from the intersection of Hamburg Turnpike |
| Bogue Drive | North | From the intersection of Glenwild Avenue on the northern side of Bogue Drive, continuing in an easterly direction for a distance of 378 feet |
| Captolene Avenue | North | From Grove Street to GlenwildAvenue |
| Crane Avenue | North | From the point of its intersection with GlenwildAvenue to a point 50 feet west of Glenwild Avenue |
| Grove Street | West | From Captolene Avenue to PleasantView Avenue |
| Hamburg Turnpike | a.  East | Within 25 feet in either direction of the driveway entrance to the property commonly known as 237 Paterson Turnpike otherwise known as Block 19, Lot 2 |
|   | b.  East | From the property line of 107 Hamburg Turnpike to the Southerly side, 103 feet easterly |
| Hillside Drive | a.  North | From the intersection with Glenwild Avenue proceeding east on Hillside Drive North for a distance of 275 feet to the east side of number 12 Hillside Drive |
|   | b.  Both | From the east side of number 12 Hillside Drive, proceeding east on Hillside Drive North for a distance of 310 feet to the east side of number 24 Hillside Drive |
|   | c.  Both | From the east side of number 62 Hillside Drive, proceeding east on Hillside Drive North for a distance of 751 feet to the south side of 93 Hillside Drive |
|   | d. West | From the south side of number 93 Hillside Drive, proceeding south of Hillside Drive East for a distance of 390 feet to the north side of Reeve Avenue Intersection |
|   | e.  West/ North | From a point 100 feet south of the south side of number 124 Hillside Drive, proceeding south on Hillside Drive East and west on Hillside Drive South for a distance of 262 feet to a point 70 feet east of the east side of number 134 Hillside Drive |
| Hillside Drive East | Both | Proceeding north from the Reeve Avenue extension and continuing on Hillside Drive North to Glenwild Avenue (Specifically omitted from this section are Hillside Drive East south of the Reeve Avenue extension continuing on Hillside Drive South to its end, all of Hillcrest Avenue and all of Cook Court) |
| Leary Avenue | East | Between Main Street and a point one hundred and forty (140) feet northerly thereof |
|  | West | Between Main Street and a point two hundred and forty (240) feet northerly thereof |
| Main Street | South | From the westerly corner of the driveway of 53 Main Street, continuing in a westerly direction for a distance of 12 feet |
| Paterson-Hamburg Turnpike | a.  South | From the projection of the westerly curbline of Union Avenue two hundred (200) feet west along Paterson-Hamburg Turnpike and from the projection of the easterly Union Avenue curbline east along Paterson-Hamburg Turnpike for a distance of one hundred (100) feet |
|   | b.  North | For a distance of two hundred (200) feet east of the easterly curbline of Union Avenue and two hundred (200) feet west of the westerly curbline of Union Avenue |
| Pleasant View Avenue | a.  South | From Grove Street to Valley View Avenue |
| b.  North | From Valley View Avenue to Reeve Avenue |
| c.  South | From Valley View Avenue to Reeve Avenue |
| Reeve Avenue | West | From Main Street to Oak Street |
| Reeve Avenue Extension | Both | Between Andrew Place and Hillside Drive |
| Ryerson Avenue | Both | Within a distance of fifty (50) feet from its intersection with Main Street |
| Second Street | South | Sixty (60) feet from Hamburg Turnpike |
| Star Lake Road | East | From Hamburg Turnpike to Webber Street |
| Sunrise Drive | Both | Entire length |
| Walter Drive(Ord. No. 21-2015) | Cul-de-sac/ turn-around only | Entire length of the cul-de-sac/turn around only |
|  |  |  |  |  |

 All other portions of this Section of the Code remain unchanged.

 **SECTION 2.** Chapter 7 “Traffic”, Part I “On Street Traffic”, Section 7-13.1 “Parking Time Limited on Certain Streets” shall be amended to read as follows:

**7-13 PARKING TIME LIMITED ON CERTAIN STREETS.**

**7-13.1 Time Limit Parking.**

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Name of Street* | *Side* | *Time Limit* | *Hours* | *Location* |
|  |  |  |  |  |
| Main Street | Both | 2 hour | Monday-Saturday8 a.m.-8 p.m. | All of Main Street from Riverdale Border to Main Street Butler Border (LaSala’s). |
| Reeve Avenue | East | 1 hour | All hours | Main Street to Oak Street |

**SECTION 3.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 4.** 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 5.** This law shall take effect immediately upon final passage, approval and publication as required by law.

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by YAZDI and carried on a voice vote all voting AYE.

Since there was no one who wished to comment D’AMATO made a motion to close the Public Hearing; seconded by DELLARIPA and carried on a voice vote all voting AYE.

**Discussion:**

*Mayor mentioned a spelling error in the legal notice for this ordinance as introduced. In the section referencing Bogue Drive, spelling of Glenwild Ave will be corrected in the adopted ordinance & shall be spelled G-L-E-N-W-I-L-D.*

Councilman YAZDI moved for the adoption of this Ordinance; seconded by DELLARIPA and carried per the following roll call vote: DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES)

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 29-2018: Amend Ch 7-8 (Extension of Water Main)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 17 “WATER” Section 8 “EXTENSION OF WATER SYSTEM” of the Code of the Borough of Bloomingdale** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman HUDSON moved that the Ordinance be read by title; seconded by D’AMATO and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE 29-2018**

**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, amending chapter 17 “WATER” Section 8 “EXTENSION OF WATER SYSTEM” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain responsibilities, standards and requirements as part of the ordinances governing the extension of water systems; and

 **WHEREAS**, the Borough Council and the Borough Ordinance Committee have reviewed the current Code and determined that it is necessary to amend the Code section to update and supplement the regulations relating to the extension of a water system; and

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

 **SECTION 1.** Chapter 17 “Water” Section 8 “Extension of Water System” shall be amended as follows:

**17-8.2 Costs Assessed Against Property Owners.**

The cost of installation of water mains and fire hydrants in any street shall be assessed in whole or in part against property owners, including real estate developers, benefiting by such extensions.

 a. All new development whose property line is located within one hundred (100) feet of a water main, and all bedroom and/or bathroom additions to existing development whose property line is located within one hundred (100) feet of a water main, shall make an application to the Division of Municipal Utility Services for water service. The connection must be completed within one-hundred twenty (120) days of application approval by the Division of Municipal Utility Services.

 All other portions of this Chapter of the Code remain unchanged.

**SECTION 2.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 3.** 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 4.** This law shall take effect immediately upon final passage, approval and publication as required by law.

At this time D’AMATO made a motion to open the Public Hearing for comment; seconded by DELLARIPA and carried on a voice vote all voting AYE.

Since there was no one who wished to comment DELLARIPA made a motion to close the Public Hearing; seconded by HUDSON and carried on a voice vote all voting AYE.

Councilman YAZDI moved for the adoption of this Ordinance; seconded by DELLARIPA and carried per the following roll call vote: HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES), DELLARIPA (YES)

**NEW BUSINESS:**

1. Discussion:

**FY2018 Community Development Block Grant Award - $61,000**
*This award is for the replacement of waterlines in First and Second Street – this will be a 2019 project.*

1. **Interlocal Agreement with Pompton Lakes (Mechanical Services)**
	1. Discussion: *The Borough will maintenance Pompton’s vehicle fleet as outlined in the proposed agreement. The agreement will bring the Borough $90,000 for 2019 increasing 2% annually.*
	2. *After the Mayor’s discussion Councilman D’Amato offered the following resolution and moved for its adoption:*

**RESOLUTION NO. 2018-11.27
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE SHARED SERVICES AGREEMENT FOR MECHANICAL SERVICES FOR MUNICIPAL VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS, THE POLICE DEPARTMENT AND THE FIRE DEPARTMENT BETWEEN THE BOROUGH OF POMPTON LAKES AND THE BOROUGH OF BLOOMINGDALE**

 **WHEREAS,** the Borough of Pompton Lakes has the need for Mechanical Services for municipal vehicles for the departments of Public Works, Police, and Fire; and

**WHEREAS,** the Borough of Bloomingdale has the ability to provide these mechanical services for the above municipal vehicles; and

**WHEREAS**, accordingly, the Borough of Bloomingdale and the Borough of Pompton Lakes desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which the Borough of Bloomingdale shall provide mechanical services for the Borough of Pompton Lakes; and

**WHEREAS,** said agreement shall be effective for a period of five (5) years, commencing on January 1, 2019 and terminating December 31, 2023.**;** and

**WHEREAS,** execution of said agreement is authorized pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seg.

**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 the Mayor and Borough Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Borough of Pompton Lakes for mechanical services; and

**BE IT FURTHER RESOLVED** that the Interlocal Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement. Said agreement is on file in the Office of the Clerk for inspection by the public.

This Resolution shall take effect immediately.

The motion was seconded by DELLARIPA and carried per the following roll call vote: SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES), DELLARIPA (YES), HUDSON (YES)

1. **Interlocal Agreement with Pompton Lakes (Supplying Gas & Diesel Fuel)**
	1. Discussion: *Each driver of the municipal vehicle will be provided with a key fob, which is registered to the social security number of the driver. This will help track fuel for billing purposes. Mayor stated there will be a 15% administration fee for this service.*

***Councilman Sondermeyer*** *asked if the Borough of Pompton Lakes will pay for
 their own fobs; mayor responded yes.*

***Councilman D’Amato*** *inquired about the capacity. Are we capable of providing
 enough fuel given the capacity of tanks etc., even in case of an
 emergency? Mayor mentioned they used an evaluation of their prior usage
 from Passaic County to determine the Borough is capable of handling the
 additional capacity. Passaic County is moving their facility that is why
 Pompton has a need for this agreement.*

 *In the event the pumps are inoperable- we (Bloomingdale) make
 arrangements for example with QuickChek. Is Bloomingdale
 responsible for Pompton’s arrangements as well? The mayor responded
 this scenario was not factored into the agreement, but if the potential
 scenario aroused Mayor would suggest Pompton makes their own
 arrangements. They can use the Pompton Lakes QuickChek or use
 Bloomingdale’s QuickChek and we could do a separate voucher per*

 *Town.*

***Councilman Yazdi*** *inquired if there is a 15% administration fee and gas cost $2.00/gallon does that mean we get $2.30/gallon?*

* 1. After the Mayor’s discussion Councilman Dellaripa offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-11.28
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE SHARED SERVICES AGREEMENT TO PURCHASE GAS AND DIESEL FUEL FOR MUNICIPAL VEHICLES BETWEEN THE BOROUGH OF POMPTON LAKES AND THE BOROUGH OF BLOOMINGDALE**

 **WHEREAS,** the need exists in the Borough of Pompton Lakes to enter into an Interlocal Services Agreement with the Borough so that the Borough of Pompton Lakes is authorized to utilize and purchase gasoline and diesel fuel from the Borough of Bloomingdale; and

**WHEREAS,** the Borough of Bloomingdale has the ability to provide gasoline and diesel fuel; and

**WHEREAS**, accordingly, the Borough of Bloomingdale and the Borough of Pompton Lakes desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which the Borough of Pompton Lakes is authorized to utilize and purchase gasoline and diesel fuel from the Borough of Bloomingdale; and

**WHEREAS,** said agreement shall be effective for a period of five (5) years, commencing on January 1, 2019 and terminating December 31, 2023.**;** and

**WHEREAS,** execution of said agreement is authorized pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seg.

**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 the Mayor and Borough Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Borough of Pompton Lakes for mechanical services; and

**BE IT FURTHER RESOLVED** that the Interlocal Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement. Said agreement is on file in the Office of the Clerk for inspection by the public.

This Resolution shall take effect immediately.

The motion was seconded by YAZDI and carried per the following roll call vote: YAZDI (YES), COSTA (YES), D’AMATO (YES), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES),

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

 **RESOLUTION NO. 2018-11.29**

**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 3,359,178.63 CURRENT 733,034.00

UTILITY 118,870.16 UTILITY 152,471.42

CAPITAL 709,625.73 OPEN SPACE 00,000.00

UTILITY CAPITAL 13,517.64 TRUST ACCOUNT 390.00

TRUST 18,663.39 RECYCLING 0.00 DOG 1,872.80 DOG TRUST 0.00

RECREATION 6,365.00 UNEMPLOY 191.26 ROSE FUND 15,330.30 CAPITAL 552.50

RECYCLING 354.00 WATER CAPITAL 877.50

UNEMPLOYMENT 4,410.00 RECREATION 89.25

AFFORDABLE HOUSING 7,764.06 CAPITAL ASSESSMENT 00.00

TOTAL 4,255,951.71 TOTAL 887,605.93

The motion was seconded by Councilman Yazdi and carried per the following roll call vote: COSTA (YES), D’AMATO (YES), DELLARIPA\* (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES)

**\*Recusals:**

 **Councilman Dellaripa – P.O. #18-01463**

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

**RESOLUTION NO. 2018-11.30**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***RESOLUTION RE: Authorizing the Transfer of 2018 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 FY2018 Budget.

|  |  |  |  |
| --- | --- | --- | --- |
| **To:** |  |  |  |
| Finance |  | 8-01-20-130-001-036 | $ 1,400.00 |
| Building & Grounds |  | 8-01-26-310-001-024 | $ 13,400.00 |
| Streets & Roads |  | 8-01-26-290-001-012 | $ 6,000.00 |
| Opt-out |  | 8-01-23-221-001-100 | $ 8,500.00 |
| Court |  | 8-01-43-490-001-096 | $ 400.00 |
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| **TOTAL** |  |  | **$ 29,700.00** |
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| **From:** |  |  |  |
| Street lighting |  | 8-01-31-435-001-100 | $ 10,000.00 |
| Salary Adjustment  |  | 8-01-30-425-001-011 | $ 5,000.00 |
| Legal |  | 8-01-20-155-001-028 | $ 6,000.00 |
| Uniform Construction |  | 8-01-22-195-001-023 | $ 1,300.00 |
| ACO |  | 8-01-27-340-001-051 | $ 7,000.00 |
| Court |  | 8-01-43-490-001-036 | $ 400.00  |
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| **TOTAL** |  |  | **$ 29,700.00** |
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Jonathon Dunleavy, Mayor

The motion was seconded by Councilman Yazdi and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES),

1. **Introduction of Ordinance No.** **30-2018**: Amend Ch 4 (Recreational Marijuana Licensing)

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on December 18, 2018 at 7PM; the motion was seconded by DELLARIPA and carried by voice vote, all in favor.

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 IV “GENERAL LICENSING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ESTABLISH A NEW SECTION 4-18 ENTITLED “RECREATIONAL MARIJUANA LICENSING”**

Brief Discussion by the Mayor:

*The purpose of this ordinance is to get ahead of potential legislation allowing for the sale of recreational marijuana and having a mechanism in place to control it in Bloomingdale. Ultimately treating these licenses similar to liquor licenses; limiting the number available. If the law is passed, our Borough Attorney will review this to make sure we are in compliance with the law.*

Before the meeting continued to the ‘Non-Agenda Items”. There was a discussion amongst the members relating back to item C under new business (Interlocal Agreement with Pompton Lakes – Gas & Diesel Fuel). Councilmembers Hudson, Sondermeyer, and Yazdi had inquired about a 15% administration fee; of which is not listed in the agreement. The Mayor will take the questions back to finance and inform the council at a later date.

**NON AGENDA ITEMS:**

* Councilman D’Amato made a motion to approve the November 1, 2018 Council meeting minutes; motion was seconded by Dellaripa and carried on voice vote, all in favor voting AYE

**LATE PUBLIC COMMENT:**

D’AMATO opened the meeting to late public comment; seconded by YAZDI and carried on voice vote, all in favor.

**Steve Pardalis – 2 High Street, Bloomingdale**

Resident inquired about Recreational Marijuana Licensing ordinance. The mayor explained the adoption process of the ordinance and invited the resident to come back to the Public Hearing on 12/18/18. A copy of the pending ordinance was given to the resident. Mayor explained the governing body would like to have controls and limitations with the potential legalization.

Since there was no one else who wished to speak, D’AMATO moved that it be closed; seconded by SONDERMYER and carried on voice vote, all in favor.

**Executive Session:**

Although listed on the agenda, the governing body did not go into executive session. The Borough Attorney provided a memo for the council.

**GOVERNING BODY SCHEDULE:**

1. Menorah Lighting – December 5, 2018 7PM
2. Holiday Event WTB – December 9, 2018 2PM
3. Regular Meeting – December 18, 2018 7PM

**ADJOURNMENT:**

Since there was no further business to be conducted, SONDERMYER moved to adjourn at 7:18PM; seconded by HUDSON and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC

Municipal Clerk