**REGULAR COUNCIL MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**August 21, 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 7:04PM.

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

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

 Councilman Anthony Costa

 Councilman John D’Amato

 Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

Councilman Ray Yazdi

 Municipal Clerk, Breeanna Calabro

 Borough Attorney, Dawn Sullivan

**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

**EARLY PUBLIC COMMENT:**

Motion was made by HUDSON to open to meeting for public comment; seconded by SONDERMEYER and carried per voice vote all voting AYE

Since there was no who wished to speak, SONDERMEYER made a motion to close early public comment; seconded by HUDSON and carried per voice vote all voting AYE

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

**Mayor Dunleavy:**

* The Borough received $99,000 grant for 2019 Capital project – Bogue Pond Basketball Court
* Delazier Basketball Court – pushed to a fall project so that outdoor activities were not interrupted (*councilman Yazdi asked what funding was received last year, $99,000 was also received. It was mentioned if the grant was $100,000 or more than a public hearing is needed*)
* Sloan Park – we do not have a completion date, there have been setbacks. The river is raging due the excessive rain and there was a ton of ledge. Mayor noted that Councilman D’Amato has been there frequently and as already seen a major improvement. This project might run into Thanksgiving; possibly the end of the year. The plan is for flood mitigation. Mayor stated this project with stop Main Street flooding. Even with the recent, consistent rain, Main Street has not flooded & the river is raging.

**Councilman Sondermeyer:**

*The council received a memorandum from the Chief of Police titled ‘Lieutenant Promotion Request/Justification’. Sondermeyer asked if this will be discussed this evening although not listed on the agenda. Mayor said no it will be on a future September meeting.*

**Councilwoman Hudson:**

*Hudson questioned why action couldn’t be taken this evening with regards to the chief’s memo. Mayor stated he supports the request but would like to give the governing body time to read the memo, ask questions, and discuss at a later meeting. Mayor also said no one was RICE noticed therefore no employee can be discussed thusfar. Hudson stated she would like to make a motion to allow the lieutenant promotion without discussing any individual employee. Mayor said if that’s the way the council will move we will list this on the agenda in September and formally invite the candidate and his/her family to be present for the promotion. Mayor also stated the Chief is looking into more detail relevant to the testing dates and also has questions for the finance department.*

*Mayor concluded the council will meet in executive session on September 4th to dicuss personnel matter; giving the governing body time to review the Chief’s memo.*

*Mayor then continued with his report…*

* Paving- due to weather there have been delays. Paving will begin after the first week of school. He does not want paving to commence any earlier.
* Leary Ave – 2nd crew has also been set back due to the rain, they will resume the project on Thursday 8/23
* Digital sign out front of Boro Hall has been installed – waiting on the company to come set up new software
* Kings Corner – bollards on the corner were hit in a motor vehicle accident; it has been reported to the insurance carrier of the driver & will be recouping $5,600 for the damages.
* Bogue Sidewalks (Capital Plan) – encouraged all to look at the beautiful job done
* Glenwild Sidewalks (Capital Plan) – should be started before school
* FEMA – meeting on 8/23 to discuss the winter storm that was declared; hoping to recoup $55,000-$75,000. This is all in wages/Overtime & tree removal.

**Councilman Costa:**

Mentioned he has been speaking to a representative from Regency Lighting, in reference to the use of LED lighting. The rep has offered to do a free analysis on the boroughs buildings. This may be a savings to the borough. The mayor will follow up.

**RESOLUTION NO. 2018-8.1 CONSENT AGENDA**

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

**RESOLUTION NO. 2018-8.1**

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

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

***August 21, 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:**

**July 17, 2018 – Regular Meeting
February 20, 2018 – ADDENDUM to Executive Session Minutes**

* 1. **Block Party Application #2018-1:
	 21 Reeve Ave – 3PM-7PM on 9/8/2018**
	2. **Approval of Request from Lake Iosco to use Council Chambers on November 17, 2018 at 12:00 p.m. for their annual stockholders meeting**
	3. **Notice of 2018 Tax Rate Certification – Passaic County Board of Taxation**
	4. **Resolution No. 2018-8.2:** Accepting Corrective Action Plan FY2017
	5. **Resolution No. 2018-8.3:** Authorizing Municipal Court to Receive Uncashed Refunds
	6. **Resolution No. 2018-8.4:** Approval of Recreation Camp Documents
	7. **Resolution No. 2018-8.5:** Establishing Purchasing Policy & Procedures
	8. **Resolution No. 2018-8.6:** Authorizing Municipal Alliance Grant
	9. **Resolution No. 2018-8.7:** Establishing a Fee on Single-Use Carryout Bags
	10. **Resolution No. 2018-8.8:** Granting Unpaid Sick Leave to Borough Employee
	11. **Resolution No. 2018-8.9:** Appointing Substitute Plumbing Inspector
	12. **Resolution No. 2018-8.10:** Authorizing Reimbursement for Sidewalk Installation (10 White Haven Place)
	13. **Resolution No. 2018-8.11:** Renewal of Inactive Liquor License (1 Elite 1 LLC)
	14. **Resolution No. 2018-8.12:** Authorizing Tax Appeal Settlement for Block: 3032 Lot: 5
	15. **Resolution No. 2018-8.13:** Chapter 159 – Cablevision Grant
	16. **Resolution No. 2018-8.14:** Authorizing Redemption of TTL 16-00006
	17. **Resolution No. 2018-8.15:** Authorizing Redemption of TTL 16-00007

*Discussion:*

Sondermeyer asked for explanation of the following:

* ‘Purchasing Policy & Procedures’ Mayor responded, this is exactly the procedure we follow. The policy was created in connection with Richard Kunze, QPA and finance. FEMA has requested this document from the Borough and we did not have it. From now on this will be on each reorg agenda.
* Reimbursement for sidewalk installation at 10 White Haven. Approximately 6 months ago this resident was cited, by the borough for unsafe sidewalks. The resident paid $2,800 to replace the sidewalk on his own.
* Single Use Carry-out Bags: mayor responded this was a resolution requested by the Environmental Commission supporting such legislation

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2018-8.2**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Resolution Approving the Corrective Action Plan for FY2017***

**WHEREAS**, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process; and

**WHEREAS**, the Borough of Bloomingdale has by Resolution accepted the FY2017 audit as prepared and presented by the Borough Auditors; and

**WHEREAS**, Donna M. Mollineaux, the Chief Financial Officer for the Borough of Bloomingdale has prepared a Corrective Action Plan to address the findings and recommendations in the FY2017 audit report, including state, federal, and general findings as well as the status of all prior year findings and recommendations; and

**WHEREAS,** copies of same have been presented to the Mayor and Council;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby approve the attached hereto, Corrective Action Plan for the FY2017 Audit Report, as prepared and recommended by the Chief Financial Officer, and direct the appropriate municipal officials to undertake its immediate implementation. The municipal clerk is hereby directed to submit the approved Corrective Action Plan to the Division of Local Government Services.

**RESOLUTION NO. 2018-8.3**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Municipal Court to Receive Uncashed Refunds***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has been advised by Municipal Court Administrator Phyllis Muter (“Court Administrator”) in a August 16, 2018 Memorandum to Full-Time Mayor Jonathan Dunleavy, that certain refunds issued by the Bloomingdale Municipal Court (“Court”) have remained uncashed for a period exceeding six months; and

**WHEREAS**, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the Court to implement the recommendation of the Court Administrator and the Mayor, that the Court should be authorized to receive these refunds so that they may be disbursed from the Court’s General Account and Bail Account;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale that the Bloomingdale Municipal court be and is hereby authorized to receive the refunds identified in the Municipal Court Administrator’s August 16, 2018 Memorandum to the Full-time Mayor so that they may be disbursed from the following Accounts:

**Municipal Court General Account:**

|  |  |  |  |
| --- | --- | --- | --- |
| Check #: | Date Issued: | Amount: | Payee: |
| 2756 | 1/16/2017 | $5.00 | Kyle Karp |
| 2824 | 11/14/2017 | $2.00 | Felix Ramirez |

**Municipal Court Bail Account:**

|  |  |  |  |
| --- | --- | --- | --- |
| Check #: | Date Issued: | Amount: | Payee: |
| 3536 | 11/29/2017 | $11.00 | Dean E. Hurst  |

**RESOLUTION NO. 2018-8.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION APPROVING RECREATION CAMP DOCUMENTS: ‘2018 STAFF MANUAL’ & ‘AGREEMENT OF EMPLOYMENT – BLOOMINGDALE DAY CAMP’**

**WHEREAS** the Recreation Director, Rachel Bodor, has recommended the use and implementation of the ‘2018 Staff Manual’ and the ‘Agreement of Employment’ for Bloomingdale Day camp Staff members, and

**WHEREAS** the Mayor and Borough Attorney have reviewed the same;

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Borough Bloomingdale does hereby accept the recommendation to implement the 2018 Staff Manual and the Agreement of Employment for Bloomindale’s Day Camp Staff members.

**RESOLUTION NO. 2018-8.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION ESTABLISHING A PURCHASING POLICY & PROCEDURE**

**WHEREAS**, the Borough of Bloomingdale seeks to implement a Purchasing Policy & Procedure guide to govern their purchases of goods and services; and

**WHEREAS**, the Mayor, Chief Financial Officer and Borough Treasurer have reviewed the proposed purchasing policy attached hereto, developed to increase accountability and clarify the purchase procedures; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that it does hereby approve the Purchasing Policy attached hereto.



**Borough of Bloomingdale**

**Purchasing Policy and Procedures**

 The following explains the basics of the purchasing process, from the initial requisition through payment. It is not meant to address every situation but rather those that we deal with most frequently. The most important item to always keep in mind is that all purchases of goods or services, by whatever procurement method, require approval before the purchase is made or service is rendered. Failure to obtain pre-approval is grounds for discipline. Purchase Orders are a binding contract assuring the department and the vendors that funds have been set aside, and that once goods & services have been rendered, payment will be provided.

**Requisitions**

The process to procure goods or services always starts with the purchase requisition, although this can take varied forms as is further explained below. For most items, you will need to complete a purchase requisition via the Edmunds Finance System.

Information needed - Requisitions require as much information as possible, including appropriate explanations of the need for the good or service and proper documentation such as vendor proposals. Explanations may be entered under notes in the Edmund’s system or may be attached to the requisition form.

Quote Requirements - The quote threshold amount is $6,000. For requisitions above this amount, quotes are to be solicited and should accompany the requisition. Generally, the low quote will be selected unless there are extenuating circumstances. It should be rare when the required multiple quotes cannot be supplied and the reasons why they could not be supplied must be set forth in writing and attached to the requisition.

Items to complete - The Purchase Type box in the Edmunds System must be filled out. When requesting a Blanket Purchase Order, it should be checked off under Purchase Order type, and it should be noted under notes.

Process - Requisitions with the appropriate backup are to be submitted to the Finance Office and then forwarded to the Mayor for his signature.

Purchasing for Professional Services or for items over the Bid Threshold - Requisitions for professional services or for items over the bid threshold (currently $40,000) require a resolution of the Governing Body. Purchasing for these items must be discussed with the Mayor prior to contacting any vendors as additional requirements, such as pay to play regulations, insurance coverages, prevailing wage and affirmative action certifications, may apply.

**Blanket Purchase Orders**

Blanket Purchase Orders are used to procure goods or services needed on a repetitive basis when a contract is not required by Resolution of the Governing Body. Competitive quotes still need to be obtained.

Information Needed – Vouchers should contain the information necessary for every individual order, such as invoice number, item number, materials or service, unit price, amount, and budget code.

Process – Blank vouchers should be sent to the vendor when the Blanket Purchase Order is issued. The vendor should then complete a voucher, sign and date it and send it to the using department along with their invoice for payment. Once received, it should be reviewed, and if everything is in order, signed by the department head. Once all of the above is completed vouchers should be sent to Finance. Providing all the paperwork is complete, the payment will be processed on the next bills list approved by the Governing Body.

**Emergencies**

An emergency is defined as a circumstance in which any delay in the ordering of a good or service would negatively impact the health, safety or welfare of the public or unduly disrupt the provision of the Borough’s services and program. It expressly does not include situations that result from a lack of planning or foresight. By its very definition, emergencies are rare and shall not be used to circumvent the encumbrance process.

To obtain approval for an emergency purchase, the requestor shall contact the Mayor by phone or e-mail. Then the Finance Department should be emailed. In the case of verbal requests, same shall be documented via e-mail as soon as practical. This e-mail must then be attached to the purchase requisition and the normal process explained above shall be utilized for payment. If the Mayor is unavailable, a chain of command is in place for emergencies. In the event of a water and sewer emergency the DPW Superintendent is to be notified. If he/she is unavailable, then the Assistant Superintendent is to be notified. For other emergencies, the notification chain of command is the Chief Financial Officer, the Chief of Police, the Borough Treasurer and the Borough Clerk.

**Purchase Orders**

 The following describes the process and requirements from the receipt of the requisition to the time of payment. Please note that the following procedures are for routine purchase orders only. The process for contracts, blanket purchase orders and emergencies will vary slightly.

Process

1. Once a requisition and purchase order are generated, they are approved by the Mayor.
2. The Purchase Order will then be sent from Finance back to the requesting department for handling. It will consist of the department’s green copy and two white Purchase Order copies, which are to be mailed to vendor. For Boards and Commissions without dedicated clerical support, Finance will continue to place orders on behalf of those agencies.
3. The department will place the order by mailing the Purchase Order and voucher copies to the vendor. It can be faxed before mailing to start the process but it will need original signatures to be paid.
4. When the Purchase Order is returned by the vendor to the department it must contain the vendor’s signature and the invoice must be attached.

5. The Department Head should then sign the purchase order confirming that the goods or services were received. All backup materials including quotes and the invoice should then be attached to the Purchase Order. At this point the purchase order package may be sent to Finance for payment.

6. All payments need to go on the Bills List. The Bills List is closed by 12 noon the Wednesday before the following Council Meeting. This means that the paperwork must be to Finance **completed** for it to be processed. Council Meetings are usually on the 1st and 3rd Tuesday of the month. Check with the Borough Clerk for the specific meeting schedule.

7. Once bills are approved for payment, Finance will print checks and mail to the vendors.

Requirements

The Purchase Order will contain only the information that the requisition has provided, so make sure it is complete. The Purchase Order provides the vendor with the Purchase Order number to show on their invoice, making it easier to process requests and payments. It should also indicate under “ship to”, which department is placing the order, so the signed Purchase Order can be returned to the right department from the vendor. The same information under description and in the invoice box will be printed on the checks. This tells all the parties involved what is being paid.

If there are any attachments that have to go out with the check, attach a folded copy to the front of the Purchase order with message on a post-it note.

**Other Matters**

Legal Requirements

Certain purchases below the bid threshold, especially those related to services on capital projects, will often require the same adherence to pay to play regulations, insurance coverages, prevailing wage and affirmative action requirements as for projects above the bid threshold. The Mayor should be consulted early on in the project planning process to determine which requirements will apply.

Business Registration Certifications

 Business Registration Certifications (BRCs) issued by the state of New Jersey, are required in order for vendors to be paid. If the proposed vendor is new, the BRC and the W9 should be attached to the purchase requisition so Finance can record it in the system.

Purchases via an Employee’s Credit Card

Generally, the use of an employee’s credit card to purchase goods for the Borough is not authorized. However, the Borough realizes that it may sometimes be necessary. The Mayor should be contacted for guidance in any situation where use of a credit card is sought.

Checking on Vendor Payments

 Periodically vendors may contact your department inquiring about the status of particular payments. The procedure to follow if you do not know when a particular bill will be paid is to first check the purchase order status in the Edmunds system. If the status remains open, the bill has not yet been scheduled for approval at a Council Meeting. If the status shows ‘received’, the bill will be scheduled for approval at the next meeting of the Governing Body. If the vendor wants more information on a particular payment, contact Finance to obtain the information and then transmit the information to the vendor. This will help ensure that both you and the vendor are aware of the payment status.

Questions regarding the Purchase Order process can be directed to the Finance office. Questions regarding other procurement issues should be directed to the Mayor.

Approved: Issued: 08/21/2018
Jonathan Dunleavy, Mayor

**RESOLUTION NO. 2018-8.6
OF THE GOVERNNG BODY OF
THE BOROUGH OF BLOOMINGDALE**

**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, and State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Bloomingdale Municipal Drug Alliance grant for fiscal year 2019 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.

**RESOLUTION NO. 2018-8.7
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO URGE LOCAL AND STATE REPRESENTATIVES TO SUPPORT LEGISLATION a3267 establishing a fee on single-use carryout bags**

**WHEREAS**, the Mayor and Council of the Borough of Bloomingdale believe that the protection of the environment through the regulation of recyclable materials is of vital importance; and

**WHEREAS**, the Mayor and Council further believe that a critical component of regulating recyclable materials is holding businesses responsible for ensuring the use of materials that are environmentally friendly; and

**WHEREAS**, the Mayor and Council believe that the prevalent use of single-use materials, such as plastic bags, creates a strain on the environment as such bags create additional burdens upon the recycling system; and

**WHEREAS**, the Mayor and Council believe that it is incumbent upon businesses to encourage the use of sustainable, reusable materials and reduce the use of single-use materials; and

**WHEREAS**, Assembly Bill No. 3267 was recently approved in the State of New Jersey Legislature, by both the Senate and the Assembly, and requires certain business operators to impose a $0.05 fee for each single-use carryout bag provided to the consumer; and

**WHEREAS**, this Bill further provides that a portion of the fees collected from this Bill shall be deposited in the Healthy Schools and Community Lead Abatement Fund; and

**WHEREAS**, the Mayor and Council believe this Bill would help further the goals of reduction of waste and improving the environment.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Bloomingdale, County of Passaic and State of New Jersey, that the Borough of Bloomingdale affirms its support of the State’s attempt to protect the environment through adoption of this Bill; and

**BE IT FURTHER RESOLVED** that the Borough of Bloomingdale shall direct the Borough Clerk to transmit a copy of this Resolution to Governor Phil Murphy, the Borough’s State Legislative representatives, and the Freeholders of Passaic County.

 This Resolution will take effect immediately upon its passage.

**RESOLUTION NO. 2018-8.8**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Granting Unpaid Sick Leave to Borough Employee***

**WHEREAS*,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Craig Smith (“Employee”) is an employee of the Borough of Bloomingdale’s Construction Department; and

**WHEREAS*,*** the Governing Body further finds and declares that the Employee will be out of work on unpaid sick leave as of August 20, 2018; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby grant unpaid sick leave to Borough Employee, Craig Smith, during the period of August 20, 2018 until no later than October 1, 2018; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk be and is hereby directed to formally notify the New Jersey Division of Pension & Benefits of said status and to cause the same to be included in the records maintained for said employee.

**RESOLUTION NO. 2018-8.9
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION APPOINTING A SUBSTITUE PLUMBING INSPECTOR FOR THE CONSTRUCTION DEPARTMENT**

**WHEREAS**, unforeseen circumstances have led to the need for a Plumbing Inspector for the Construction Department; and

**WHEREAS**, Dan Hagberg, Construction/Zoning Official, has recommended Vincent Pellegrini be appointed as a substitute Plumbing Inspector; and

**WHEREAS**, Vincent Pellegrini has worked with the Construction Department before, and is qualified for the position; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that Vincent Pellegrini be appointed as a substitute Plumbing Inspector for the Construction Department and this action shall be effective immediately.

**RESOLUTION NO. 2018-8.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION AUTHORIZING A REIMBURSEMENT TO THE PROPERTY OWNERS OF 10 WHITE HAVEN PLACE FOR SIDEWALK INSTALLATION**

**WHEREAS**, the Mayor has made a request of the Governing Body to reimburse the property owner(s) of 10 White Haven Place for the installation of a sidewalk as specified:

**Property Owner(s):** ROGER & DEBRA WISNEWSKI
 **Property Location:** 10 White Haven Place, Bloomingdale
 **Reimbursement Amount:** $1,800.00

 **WHEREAS,** the 2018 Borough Budget has a Contingency Line item that can be used for purchases and expenditures with the authority and consent of the Governing Body; and

**WHEREAS,** the Chief Financial Officer has certified the availability of funds from account number 8-01-35-470-001-100 for the reimbursement; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey does hereby authorize a onetime payment to the property owner of 10 White Haven Place in the amount of $1,800.00.

**RESOLUTION NO. 2018-8.11**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE**

**LICENSE NO. 1601-33-007-011 – 1 ELITE 1 LLC**

**WHEREAS**, the following names, persons and corporations have made application for the renewal of their inactive alcoholic beverage license; and

**WHEREAS**, said application was accompanied by the necessary fee; and

**WHEREAS**, the applicant has filed with the Borough Clerk a copy of the application for forwarding to the State Division of Alcoholic Beverage Control, together with the necessary $200.00 fee for said Division for renewal of license term 2018-2019; and

**WHEREAS**, a copy of the Tax Clearance Certificate has been received for the applicant from the State of New Jersey Department of Taxation; and

**WHEREAS**, no objection has been filed in writing with the Borough Clerk against the granting of this renewal and no objections being heard hereto; and

**WHEREAS**, the Licensee has received a Special Ruling from the Director the ABC pursuant to N.J.S.A. 33:1-12.39 for the renewal of this license for the 2018-19 license term.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Clerk is hereby authorized to renew the following alcoholic beverage license(s):

**PLENARY RETAIL CONSUMPTION**

1 ELITE 1, LLC License No: 1601-33-007-011

Bloomingdale, NJ 07403 (Inactive License)

**RESOLUTION NO. 2018-8.12
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL ENTITLED NJBW GROUP, LLC V BOROUGH OF BLOOMINGDALE**

 **WHEREAS**, an appeal of the real property tax assessment of Block 3032, Lot 5, located 37 Hamburg Turnpike in the Borough of Bloomingdale and owned by NJBW Group, LLC has been filed in the Tax Court of New Jersey; and

 **WHEREAS**, the Tax Assessor, Appraiser and Borough Attorney are of the opinion that it is in the best interest of the Borough to settle these appeals.

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

 1. The settlement of the tax appeal filed at the Tax Court of New Jersey by NJBW Group, LLC is hereby authorized as follows:

|  |  |  |
| --- | --- | --- |
| **YEAR** | **ORIGINAL****ASSESSMENT** | **PROPOSED****SETTLEMENT** |
| 2017 | $455,000 | $435,000 |
| 2018 | $455,000 | $455,000 |
| 2019 | $455,000 | $415,000 |

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.

5. This Resolution shall take effect immediately.

**RESOLUTION NO. 2018-8.13
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**Authorizing the Insertion into the FY2018 Municipal Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a State of New Jersey
*Cablevision Grant***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (“Director”), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality; and

**WHEREAS**, the Governing Body further finds and declares that N.J.S.A. 40A:4-87 provides that the Director may also approve the insertion of any item of appropriation for an equal amount; and

**WHEREAS**, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough’s FY2018 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the State of New Jersey;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough’s FY2018 Municipal Budget of an item of revenue in the sum of $10,000.00, which item is now available as revenue in the form of a State of New Jersey Current Fund – Cablevision Grant; and

**BE IT FURTHER RESOLVED** that a like sum of $10,000.00 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations
Cablevision Grant*

**AND BE IT FURTHER RESOLVED** that three (3) certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services, within the State of New Jersey Department of Community Affairs, for this purpose.

**RESOLUTION NO. 2018-8.14**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #16-00006***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 21, 2017, a lien was sold on,

318 Union Avenue, Bloomingdale, for delinquent year 2016 Water, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3046, Lot 35, owned by HSBC BANK USA NATIONAL ASSOC; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to DENNIS MOELLER for a premium of $2,400.00, and

**WHEREAS,** the Governing Body further finds and declares that for 79 Glenwild Avenue, Ocwen Financial Corporation has requested redemption of TTL #16-00006, and

**WHEREAS,** the Governing Body further finds and declares that Ocwen Financial Corporation 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 $3694.05 for the lien redemption and $2,400.00 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 #16-00006

1099 = $253.84

 **RESOLUTION NO. 2018-8.15**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #16-00007***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 21, 2017, a lien was sold on,

68 High Point Road, Bloomingdale, for delinquent year 2016 electric, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 4049, Lot 108, owned by Andrew Ebberbach; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to Fig Capital Investments for a premium of $800.00 and

**WHEREAS,** the Governing Body further finds and declares that for 68 High Point Road, Lereta Tax Services has requested redemption of TTL #16-00007, and

**WHEREAS,** the Governing Body further finds and declares that Lereta Tax Services 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 $323.55 for the lien redemption and $800.00 for the premium, be made payable to Fig Capital Investments NJ13 TFSCUSTFOR FIG CAP INV NJ13, LLC, PO Box 54472, New Orleans, LA 70154 for the redemption and cancellation of Tax Title Lien Certificate #16-00007

1099 = $5.50

**PENDING ITEMS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 19-2018: Amend Ch.32-2 (Soil Removal)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 32 “SOIL AND SOIL REMOVAL”, SECTION 32-2 “SOIL REMOVAL” 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 COSTA and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE 19-2018**

**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 32 “SOIL AND SOIL REMOVAL”, SECTION 32-2 “SOIL REMOVAL” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain definitions, standards and requirements as part of the ordinances governing soil removal; 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 soil removal; 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 32 “Soil and Soil Removal”, the title of Section 32-2 shall be amended to read as follows:

 **32-2 SOIL MOVING.**

 **SECTION 2.** Chapter 32 “Soil and Soil Removal”, Section 32-2 “Soil Moving” shall be amended to read as follows:

32-2.2 Definitions.

 As used in this section:

 *Applicant* shall mean a developer or excavator as defined below.

 *Clean fill* shall mean uncontaminated inert solid such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not contain debris or solid waste, and does not contain free liquids. The material can be “soil” or “non-soil”.

 *Developer* shall mean any person who, either directly or through an agent or independent contractor, engages or intends to engage in soil moving as defined by this section.

 *Excavator* shall mean any person who shall move or remove soil as the term is hereinafter defined in this section.

 *Lot* shall mean any parcel of land or portion thereof, the boundary lines of which can be ascertained by reference to the maps and records, or either, in the office of the Assessor of the Borough or in the Office of the Register of Deeds, Passaic County.

 *Major soil moving permit* or *major soil permit* shall mean a permit for the moving of five hundred (500) cubic yards or more of soil.

 *Minor soil moving permit* or *minor soil permit* shall mean a permit for the moving of more than one hundred (100) cubic yards and less than five hundred (500) cubic yards of soil.

 *Move* shall mean to dig, to excavate, to remove, to deposit, to place, to fill, to grade, regrade, level or otherwise alter or change the location or contour, to transport or to supply. "Move" shall not be construed to include plowing, spading, cultivation, harrowing or discing of soil, or any other operation usually and ordinarily associated with the preparation of soil for agricultural or horticultural purposes.

 *Non-soil* shall mean material that does not meet the definition of a “soil”. An example of non-soil material includes, but is not limited to, Class B recyclables.

 *Owner* shall mean any person seized in fee simple of any lot or having such other interest or estate therein as will permit, exercise or effect possession thereof or dominion thereover.

 *Soil* shall mean any earth, sand, clay, loam, gravel, humus, rock or dirt without regard to the presence or absence therein of organic matter.

*Topsoil* shall mean soil that, in its natural state, constitutes the top layer of earth and is composed of two (2%) percent or more, by weight, of organic matter and has the ability to support vegetation.

 *Soil fertility* shall refer to the ability of a soil to sustain agricultural plant growth, i.e. to provide plant habitat and result in sustained and consistent yields of high quality.

 A fertile soil has the following properties: the ability to supply essential plant nutrients and soil water in adequate amounts and proportions for plant growth and reproduction; and the absence of toxic substances which may inhibit plant growth.

 The following properties contribute to soil fertility in most situations: sufficient soil depth for adequate root growth and water retention; good internal drainage, allowing sufficient aeration for optimal root growth (although some plants, such as rice, tolerate waterlogging); topsoil with sufficient soil organic matter for healthy soil structure and moisture retention; soil PH in the range of 5.5 to 7.0 (suitable for most plants but some prefer or tolerate more acid or alkaline conditions); adequate concentrations of essential plant nutrients in plant-available forms; presence of a range of microorganisms that support plant growth.

 *Tree* shall mean any woody perennial plant with one (1) main trunk, such trunk having a diameter of at least eight (8) inches when measured four (4) feet above the level of the existing grade.

 *Wooded area* shall mean an area of the property which is the subject of a soil moving permit application, the area consisting of at least one hundred (100) square feet, the surface of which is vegetated so as to form a visual screen.

**32-2.3 Applicability; Exceptions; Approvals of Other Agencies.**

 a. All fill brought into a site within the borough shall meet NJDEP Residential Direct Contact Soil Remediation Standards.

 b. The provisions of this section, 32-2 SOIL MOVING, shall not apply to the following, except for 32-2.3(a). Exceptions to the provisions of this section shall require the approval of the Construction Official upon submission of a topographical map of the area of disturbance:

 1. Excavations for the construction or repair of individual subsurface sewage disposal systems (septic systems) when such construction or repair is performed pursuant to a permit duly issued by the Borough Health Department.

 2. The movement of less than one hundred (100) cubic yards of soil or four hundred (400) square feet of disturbed area, whichever amount is less.

 3. Site plans or subdivisions approved by the Board.

 4. Lake dredging, where approval is required by the Soil Conservation District, and New Jersey Department of Environmental Protection or any other governmental agency.

 5. The change in elevation is no more than two (2) feet at any point.

 6. Foundations, swimming pools and septics where the area of disturbance has a grade of ten percent (10%) or less.

 7. An area of disturbance with a grade of ten percent (10%) or less that does not transition to a grade of greater than ten percent (10%).

 c. The Mayor and Council may, by resolution, waive any or all of the requirements of this section if the soil moving operation is proposed to take place upon lands dedicated to the conservation, development and regulation of potable water resources, upon the written request by the owner or applicant. Such written request shall state the exact purpose of the soil moving operation, location, commencement and completion dates and proposed routes of transportation of soil moving vehicles and equipment to be used in the Borough.

 d If approval by either the Soil Conservation Service of the State of New Jersey Department of Environmental Protection or any other governmental agency is required, such approval shall be required as a condition of approval of the soil moving permit application, and no soil moving permit shall be issued until same has been obtained.

**32-2.8 Application Fees; Resubmissions.**

 a. Prior to the commencement of operations, a permit fee shall be paid to the Borough calculated in accordance with the following schedule:

 1. More than one hundred (100) cubic yards and less than five hundred (500) cubic yards of soil to be removed, the fee shall be fifty ($50.00) dollars, payable at the time of application.

 2. Above five hundred (500) cubic yards and up to three hundred thousand (300,000) cubic yards, the fee shall be one hundred twenty-five ($125.00) dollars plus the sum of five ($0.05) cents per cubic yard for quantities in excess of two thousand five hundred (2,500) cubic yards up to and including three hundred thousand (300,000) cubic yards. The sum of one hundred twenty-five ($125.00) dollars must be paid at the time of application with the remaining fees paid prior to issuance of permit, or quarterly in advance if greater than eight hundred ($800.00) dollars.

 3. For all quantities in excess of three hundred thousand (300,000) cubic yards, the fee shall be fifteen thousand ($15,000.00) dollars per year. The sum of two thousand five hundred ($2,500.00) dollars must be paid at the time of application with the remaining fees paid annually in advance, due on the anniversary date of the permit.

 b. The major and minor soil moving application shall be submitted to the Construction Official with a topographical map and required escrow fee of five hundred ($500.00) dollars. The number of cubic yards of soil to be used in the compilation of the fee shall be as stated in the application and on the accompanying topographical map.

 All other portions of Chapter 32 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 D’AMATO made a motion to close the Public Hearing; seconded by COSTA and carried on a voice vote all voting AYE.

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

**Discussion**: There’s been instances where residents have purchased large quantities of soil to level yards. The new code will help the construction code official control these scenarios and enforce these rules per the ordinance when necessary.

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 20-2018: Complete Streets*

**ORDINANCE OF THE BOROUGH OF BLOOMINGDALE IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE CHAPTER XX ENTITLED STREETS AND SIDEWALKS** was given second and final reading and considered for adoption.

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

Councilman SONDERMEYER 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 20-2018**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**ORDINANCE OF THE BOROUGH OF BLOOMINGDALE IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE CHAPTER XX ENTITLED STREETS AND SIDEWALKS**

**WHEREAS**, the Borough of Bloomingdale (“Borough”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Borough’s Code of General Ordinances (“Code”) currently provide for the safe use of various public streets and sidewalks in the Borough; and

**WHEREAS**, the municipal council (“Municipal Council”) of the Borough has determined to amend Chapter XX entitled Streets and Sidewalks to include a Complete Streets Policy as follows;

**ARTICLE III - COMPLETE STREETS POLICY**

20.15 Purpose

The Borough of Bloomingdale Complete Streets Policy promotes a comprehensive, integrated, connected multimodal transportation network by providing connections to bicycling and walking trip generators such as employment, education, residential, recreational and public facilities, as well as retail and transit centers.

20.16 Goals

a. Create a comprehensive, integrated, connected multimodal transportation network by facilitating connection to bicycling and walking trip generators such as employment, education, residential, recreational, retail, transit, and public facilities.

b. Provide safe and accessible accommodations for existing and future pedestrian, bicycle, vehicle and transit facilities on all roadways in the Borough.

c. Develop procedures for Borough officials to evaluate transportation projects, major site plan reviews and redevelopment plans, and to ensure that adequate consideration of bicycle, pedestrian and transit needs are incorporated into the planning, design, constructions, and maintenance of projects.

d. Transportation facilities constructed for long-term use shall anticipate likely future demand for bicycling, and walking facilities and not preclude the provision of future improvements.

e. Designs shall address the need for bicyclist and pedestrians to cross corridors, as well as travel along them, in a safe accessible and convenient manner; therefore, the design of intersections, interchanges and bridges shall anticipate use by bicyclist and pedestrians.

f. Improvements shall also consider connections for trail crossings and areas or populations groups with limited transportation options.

g. Improvements shall comply with the Americans with Disabilities Act. (ADA)

20.17 Exemptions

Exemptions in any zone in the Borough for the Complete Streets Policy shall be documented with supporting data indicating the reason(s) for the decision, and are limited to the following:

1. Pedestrian and bicycle facilities shall not be required where they are prohibited by law.
2. Where scarcity of population, travel and attractors, both existing and future, indicate an absence of need for these accommodations, they shall not be required.
3. Where detrimental environmental, safety or social impacts outweigh the need for these accommodations, they shall not be required.
4. Proposed bicycle lanes and sidewalks shall have connections to adjoining Borough and County roads. Bicycle lanes and sidewalks with no planned connections may not be considered.
5. Where no present or future transit facilities exist, or are anticipated compliance is not required.

20.18 Complete Streets Priority Action Plan

The Complete Streets Priority Action Plan is set forth to identify priority actions and improvement areas for decision-makers, and Borough professionals to focus their attention and propose complete street alternatives in adherence to the policy.

1. Work with the Borough School Districts to encourage walking and bicycling in accordance with school policies for students.
2. Encourage and facilitate complete streets improvements on roadways owned and maintained by the County of Passaic.
3. Promote outdoor dining, where permitted by code, and to engender the community and encourage pedestrian activity.
4. Require Public Works employees to consider complete streets policies during their maintenance activities. Employees shall be expected to:
5. Complete street cleaning of the entire street surface, and
6. Avoid snow plowing that pushes snow into crosswalks, blocking access. Blocked crosswalks shall be cleared as soon as possible.
7. The Borough’s Land Use Board shall promote bicycle and pedestrian improvements during their review of commercial, retail, office, and multifamily residential land uses.
8. A copy of this Ordinance shall be available for public inspection at the offices of the Borough Clerk.
9. This Ordinance shall take effect upon its final passage by the Borough Council, and approval by the Mayor 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 HUDSON made a motion to close the Public Hearing; seconded by COSTA and carried on a voice vote all voting AYE.

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

**Discussion**: *Whenever there is a road improvement it is the goal to do a ‘complete street’ (including not limited to: sidewalk, curbing, street signs, utilities etc). Having this ordinance on the books helps for future grant opportunities, the Mayor explained.*

**NEW BUSINESS:**

1. At this time Sondermeyer offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-8.16
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 REPAIR OF SIDEWALKS ON BOGUE DRIVE**

 **WHEREAS**, the Borough of Bloomingdale desires to repair sidewalks on Bogue Drive as part of the 2018 Capital plan;

 **WHEREAS,** the Borough of Bloomingdale awards the contract toLC II Enterprises, 1300 Louis Street, Manville, NJ; and

 **WHEREAS,** the Full-time Mayor & Borough Engineer recommend the utilization of this contract on the grounds as the best means available for repairing the sidewalks; and

 **WHEREAS**, the contract shall not exceed the amount of $12,900.00; 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-100; 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 repair of sidewalks on Bogue Drive by LC II Enterprises of Manville, NJ.

2. The total fee authorized for this contract shall not exceed $12,900.00 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 LC II Enterprises for their information and guidance.

This Resolution shall take effect immediately.

The motion seconded by D’AMATO and carried on voice vote, all in favor.

1. Councilman D’Amato offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-8.17
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 INSTALLATION OF SIDEWALKS ON GLENWILD AVENUE**

 **WHEREAS**, the Borough of Bloomingdale desires to install sidewalks on Glenwild Avenue as part of the 2018 Capital plan;

 **WHEREAS,** the Borough of Bloomingdale awards the contract toKulpco Enterprises, 248 Franklin Avenue, Rockaway, NJ 07866; and

 **WHEREAS,** the Full-time Mayor & Borough Engineer recommend the utilization of this contract on the grounds as the best means available for repairing the sidewalks; and

 **WHEREAS**, the contract shall not exceed the amount of $39,680.00; 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-100; 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 installation of sidewalks on Glenwild Avenue by Kulpco Enterprises of Rockaway, NJ.

2. The total fee authorized for this contract shall not exceed $39,680.00 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 Kulpco Enterprises for their information and guidance.

This Resolution shall take effect immediately.

The motion was seconded by COSTA and carried on voice vote, all in favor.

1. Councilwoman Hudson offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-8.18
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 REPAIR OF SIDEWALKS ON WHITE HAVEN PLACE**

 **WHEREAS**, the Borough of Bloomingdale desires to repair sidewalks on White Haven Place as part of the 2018 Capital plan;

 **WHEREAS,** the Borough of Bloomingdale awards the contract toKulpeksa Land Improvement Corp, 248 Franklin Avenue, Rockaway, NJ 07866; and

 **WHEREAS,** the Full-time Mayor & Borough Engineer recommend the utilization of this contract on the grounds as the best means available for repairing the sidewalks; and

 **WHEREAS**, the contract shall not exceed the amount of $38,927.50; 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-100; 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 repair of sidewalks on White Haven Place by Kulpeksa Land Improvement Corp of Rockaway, NJ.

2. The total fee authorized for this contract shall not exceed $38,927.50 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 Kulpeksa Land Improvement Corp for their information and guidance.

This Resolution shall take effect immediately.

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

1. Councilman D’AMATO offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-8.19
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 3,361,909.36 CURRENT 616,155.71

UTILITY 32,217.08 UTILITY 62,801.67

CAPITAL 24,750.00 OPEN SPACE 00,000.00

UTILITY CAPITAL 180,758.40 TRUST ACCOUNT 5,781.08

TRUST 35,374.87 RECYCLING 1,416.22 DOG 3,906.75 DOG TRUST 704.55

RECREATION 9,440.63 UNEMPLOY 191.26 ROSE FUND 23,399.53 CAPITAL 00,000.00

RECYCLING 1,300.00 WATER CAPITAL 000,000.00

SEWER ASSESSMENT 00.00 RECREATION 34,974.56

AFFORDABLE HOUSING 250.88 CAPITAL ASSESSMENT 00,000.00

TOTAL 3,673,307.50 TOTAL 722,025.05

**Discussion:**

Councilman Costa asked for clarification of items listed for vendor #00561; purchase order 18- 00752 to configure a laptop. *Mayor will seek confirmation with finance & email the governing body*.

**RECUSALS:**

Councilman D’Amato: vendor #01463, PO #18-01166 & PO #18-01187

Councilman Hudson: vendor #03161, PO #18-00920

The motion was seconded by YAZDI and carried per the following roll call vote: Yazdi (YES), Costa (YES), D’Amato (YES), Hudson (YES), Sondermeyer (YES)

1. **Resolution No. 2018-8.20: Authorizing Developer’s Agreement (D4 Properties)**

Motion was made by COSTA to table this resolution, seconded by HUDSON and carried on voice vote. The agreement is not ready for the council’s action at this time.

**Discussion:**

Borough Attorney informed the council, the Borough Engineer, Tom had reviewed the agreement and sent it back to D4 properties attorney (James LaSala) for his review. It should be ready for the next agenda.

The Mayor explain the agreement for the newly constructed infrastructure at 62 Main Street. In lieu of building 1.6 COAH units (which are required by the Boro code)– D4 properties will be making a onetime payment of $21,000 in our affordable trust fund. The account was funded previously by Avalon Bay with $100,000; the balance is now $45,000 this money available to be utilized for the residents (examples: roofs, boilers etc.). This ‘new’ money will help fund 3 applications that are pending.

**For the following items F, G, & H listed on the agenda the Mayor spoke:** *The traffic bureau along with our Chief of Police recently conducted an in-depth study on our traffic ordinances. The following items on the agenda are per their recommendation.*

1. **Introduction of Ordinance No. 21-2018:** Amend 7-19 Turn Restrictions

A motion was made by COSTA to introduce the Ordinance by title; second and final reading/ public hearing will be on October 16, 2018 at 7PM; the motion was seconded by YAZDI 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 7 “TRAFFIC”, PART I “ON STREET TRAFFIC”, SECTION 7-19 “TURN PROHIBITIONS AND TURN RESTRICTIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 22-2018:** Amend 7-30 Stop Intersections

A motion was made by D’AMATO to introduce the Ordinance by title; second and final reading/ public hearing will be on October 16, 2018 at 7PM; the motion was seconded by YAZDI 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 7 “TRAFFIC”, PART I “ON STREET TRAFFIC”, SECTION 7-30 “STOP INTERSECTIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 23-2018:** Amend 7-31 Yield Signs

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on October 16, 2018 at 7PM; the motion was seconded by YAZDI 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 7 “TRAFFIC”, PART I “ON STREET TRAFFIC”, SECTION 7-31 “YIELD INTERSECTIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**LATE PUBLIC COMMENT:**

D’AMATO opened the meeting to late public comment; seconded by YAZDI and carried on voice vote. Since there was no one who wished to speak, HUDSON moved that it be closed; seconded by D’AMATO and carried on voice vote, all in favor.

**GOVERNING BODY SCHEDULE:**

1. Regular Workshop Meeting – September 4, 2018 7PM
2. Regular Council Meeting – September 18, 2018 7PM
3. 9/11 Candlelight Walk at Sloan Park
4. Bob Kochka 5K Run – September 21, 2018
5. Pride Day – September 22, 2018

**Final Comment from Mayor:**

*The Borough code says that our DPW picks up grass clippings. Our annual recycling flier distributed to residents says that we don’t. Over the years DPW has stopped taking grass clippings; residents were complaining. In working with RER, our compost supplier, it was determined they have an updated DEP permit allowing the company to take grass. The recycling flier will be changed for 2019 – the borough does pick up grass clippings.*

**ADJOURNMENT:**

Since there was no further business to be conducted, COSTA moved to adjourn at 7:34PM; seconded by HUDSON and carried on voice vote with all Council Members present voting YES.

Breeanna Calabro, RMC

Municipal Clerk