**REGULAR COUNCIL MEETING**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**February 20, 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 7:01PM.

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, 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:**

**Bloomingdale’s 100th Anniversary Committee**  
The Mayor expressed extreme gratitude towards the members of Bloomingdale’s 100th Anniversary Committee for their successful organization of centennial event to be held February 24, 2018 at Sloan Park. The committee also completed Bloomingdale ‘100th Anniversary’ book. Special recognition was given to the Councilman John D’Amato, who was presented a *key to the city.* Councilpersons Michael Sondermeyer and Dawn Hudson were recognized for their efforts. At this time each member was presented with a certificate of appreciation as well as a copy of the book.

**Tom Reilly – Bloomingdale’s Historian**  
Mr. Reilly was presented a plaque by the Mayor & Council that read “**Thomas Riley,   
Bloomingdale’s Historian -** *Honoring his significant contributions to Bloomingdale’s 100th Anniversary Committee. Where Tom has shared his knowledge of the history of Bloomingdale and has displayed exceptional efforts during the historical examination of our community. He has volunteered his time to assist in the compiling of information to be printed and shared with residents in honor of a centennial celebration of the Borough of Bloomingdale.”* Mayor Dunleavy, Councilman D’Amato and former Mayor Ollenschleger dedicated the 100th book to Mr. Reilly

***7:21PM RECESS  
7:30PM RECONVIENED***

**EARLY EXECUTIVE SESSION:** N/A

**NON-AGENDA ITEMS:** N/A

**EARLY PUBLIC COMMENT:**

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

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

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

*Breeanna Calabro, Municipal Clerk*  
100th Anniversary Kickoff for Bloomingdale, Wanaque & Ringwood February 23 at the PCCC Wanaque Campus starting at 7PM. Bloomingdale’s Winter Centennial celebration on Saturday, February 24 2018.

**RESOLUTION NO. 2018-2.7 CONSENT AGENDA**

Councilwoman HUDSON offered the following Resolution and moved for its adoption:

**RESOLUTION NO. 2018-2.7**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

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

***February 20, 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.

* **Approval of Minutes:**

**Regular Meeting:** January 23, 2018

**Regular Meeting:** February 6, 2018 **Executive Session:** February 6, 2018

* **Resolution No. 2018-2.8:** Fair Housing Resolution - CDBG
* **Resolution No. 2018-2.9:** Authorization to approve agreement with TVScreenads, LLC
* **Resolution No. 2018-2.10:** Reinstating the Hiring of Part Time Violations Clerk, Karen Black
* **Resolution No.** **2018-2.11:** Amend Fire Vehicle Policy

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2018-2.8  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**FAIR HOUSING RESOLUTION**

*The Borough of Bloomingdale supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Borough of Bloomingdale to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, martial or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income Source of Lawful Rent Payment (Section 8). The Borough of Bloomingdale further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Governing Body of the Borough of Bloomingdale does hereby approve the following resolution:*

**BE IT RESOLVED**, that within available resources, the Borough of Bloomingdale will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

**BE IT FURTHER RESOLVED**, that the Borough of Bloomingdale shall publicize this resolution and though this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

**BE IT FURTHER RESOLVED**, that the municipality will at a minimum include, but not limited to: (1) the printing and publicizing of the resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Borough webpage and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

**RESOLUTION NO. 2018-2.9  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING AGREEMENT WITH TVSCREENADS, LLC FOR TV ADVERTISEMENT**

**WHEREAS**, TVScreenads, LLC creates a community network, using screens that are placed in ‘Host Locations’ throughout the community to reach the public with effective, digital signage content, providing a community event information vehicle as well as an advertising medium;

**WHEREAS**, TVScreenads, LLC creates network programming designed to engage viewers with content that includes color, motion, and sound;

**WHEREAS**, the Borough of Bloomingdale wishes to remain a Host Location;

**WHEREAS**, there is no cost for any equipment or installation to the Host Location;

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Bloomingdale authorizes the Mayor to sign the agreement, on file with the municipal clerk, with TVScreenads, LLC.

**RESOLUTION NO. 2018-2.10**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**REINSTATING THE HIRING OF A PART TIME VIOLATIONS CLERK**

**WHEREAS**, there exists a need for a Part Time Violations Clerk in the Municipal Court; and

**WHEREAS**, Karen Black has performed the duties and is able to continue to perform the duties of a Part Time Violations Clerk,

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale that Karen Black be hired as a permanent ‘Part Time Violations Clerk’ in the Municipal Court, at a salary of $12,000 per year.

**RESOLUTION NO. 2018-2.11  
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE FIRE CHIEF AND ASSISTANT CHIEF VEHICLE POLICY**

**WHEREAS,** the Borough of Bloomingdale has adopted a Fire Chief and Assistant Chief Vehicle Policy (“Policy”) which governs the use of these vehicles; and

**WHEREAS,** the Public Safety Committee has reviewed the Policy and met with the first responders regarding the policy; and

**WHEREAS**, the Public Safety Committee has made recommended several changes to be made; and

**WHEREAS,** the Borough Council has determined that the following changes to the existing Policy should be made.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey recommends the following changes to the Policy:

1. The Borough of Ringwood shall be added to the mutual aid towns listed in paragraph 2 of the Policy.
2. A new paragraph number 3 shall be added as follows:

The Fire Chief and Assistant Chief vehicles may be used for transportation to any event where Bloomingdale Borough is being represented, any event approved by the Mayor or a Public Safety Committee member. A spouse may accompany the Fire Chief or Assistant Chief. No use of alcohol is permitted while operating the Fire Chief or Assistant Chief vehicles.

1. A new paragraph number 4 shall be added as follows:

Any special details, event (to include parades) or other event approved by the Mayor or Public Safety Committee member, one (1) truck and one (1) Chief’s truck (Chief or Assistant Chief) may have immediate family member(s) accompany the Fire Department member to and from the event. Immediate family members include spouses and children only. Both vehicles must be placed out of service during the duration of the event. Any Fire Department vehicle with non-Fire Department occupants must be placed out of service. The vehicle may not be placed back into service until the truck has returned all occupants back to Station 1 or Station 2. No use of alcohol is permitted while operating the any Fire Department vehicles.

1. Paragraphs from old number 3 through number 8 shall be renumbered to accommodate the two new paragraphs.

This Resolution shall take effect immediately.

*\*Councilman Dellaripa stepped off the dias\**

**PENDING ITEMS:**

1. Second/Final Reading & Public Hearing:  
   *Ordinance No. 4-2018 Bloomingdale Renewal Cablevision*  
     
   **AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF BLOOMINGDALE, NEW JERSEY TO CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY** 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 4-2018**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF BLOOMINGDALE, NEW JERSEY TO CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY**

**WHEREAS**, the governing body of the Borough of Bloomingdale (hereinafter referred to as the “Borough”) determined that Cablevision of Oakland, LLC, (hereinafter referred to as “the Company” or “Cablevision”) had the technical competence and general fitness to operate a cable television system in the Borough, and by prior ordinance granted its municipal consent for Cablevision to obtain a non-exclusive franchise (the “Franchise”) for the placement of facilities and the establishment of a cable television system in the Borough; and

**WHEREAS**, by application for renewal consent filed with the Borough and the Office of Cable Television on or about May 22, 2017, Cablevision has sought a renewal of the Franchise; and

**WHEREAS**, the Borough having held public hearings has made due inquiry to review Cablevision’s performance under the Franchise, and to identify the Borough‘s future cable-related needs and interests and has concluded that Cablevision has substantially complied with its obligations under the Franchise and applicable law and has committed to certain undertakings responsive to the Borough’s future cable-related needs and interests;

**WHEREAS**, the governing body of the Borough has accordingly concluded that the consent should be renewed subject to the requirements set forth below; and that, provided Cablevision’s proposal for renewal embodies the commitments set forth below, the Borough’smunicipal consent to the renewal of the Franchise should be given; and

**WHEREAS**, imposition of the same burdens and costs on other competitors franchised by the Borough is a basic assumption of the parties;

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

**SECTION 1. DEFINITIONS**

For the purpose of this Ordinance the terms defined above shall have the meanings there indicated, and the following additional terms shall have the following meanings:

1. “Act” or “Cable Television Act” shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. 48:5A-1 et seq.
2. “Application” shall mean Cablevision’s application for Renewal of Municipal Consent, which application is on file in the Borough Clerk’s office and is incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.
3. “Board” shall mean the Board of Public Utilities of the State of New Jersey or its successor agency.
4. “Borough” shall mean the governing body of the Borough Bloomingdale in the County of Passaic, and the State of New Jersey.
5. “Company” shall mean Cablevision of Oakland, LLC (“Cablevision”) the grantee of rights under this Ordinance.
6. “FCC” shall mean the Federal Communications Commission.
7. “Federal Act” shall mean that federal statute relating to cable communications commonly known as the Cable Communications Policy Act of 1984, 47 U.S.C. Section 521 et seq. and the Telecommunications Act of 1996, or as those statutes may be amended.
8. “Federal Regulations” shall mean those federal regulations relating to cable television services, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to, those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.
9. “Standard installation” shall mean the installation of drop cable to a customer’s premise where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.
10. “State” shall mean the State of New Jersey.
11. “State Regulations” shall mean those regulations of the State of New Jersey Board of Public Utilities relating to cable television. N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

**SECTION 2. STATEMENT OF FINDINGS**

A public hearing concerning the consent herein granted to Cablevision was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the municipality having received all comments regarding the qualifications of Cablevision to receive this consent, the Borough hereby finds Cablevision possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that Cablevision’s operating and construction arrangements are adequate and feasible.

**SECTION 3. GRANT OF AUTHORITY**

The Borough hereby grants to Cablevision its non-exclusive consent to place in, upon, along, across, above, over, and under its highways, streets, alleys, sidewalks, public ways, and public places in the municipality poles, wires, cables, and fixtures necessary for the maintenance and operation in the Borough of a cable television system or other communications facility, and for the provision of any communication service over such facilities. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

**SECTION 4. DURATION OF FRANCHISE**

This consent granted herein shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

**SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL**

If Cablevision seeks successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and certificate of approval in accordance with N.J.S.A 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Borough and Cablevision shall be bound by the terms of this municipal consent until such time as Cablevision converts the municipal consent (and any certificate of approval) into a system-wide franchise.

**SECTION 6. FRANCHISE TERRITORY**

The consent granted under this Ordinance to Cablevision shall apply to the entirety of the Borough and any property hereafter annexed.

**SECTION 7. SERVICE AREA**

Cablevision shall be required to proffer video programming service along any public right-of-way to any person’s residence within the portion of the Franchise territory, as described in the Application for municipal consent, at Cablevision’s schedule of rates for standard and nonstandard installation.

**SECTION 8. EXTENSION OF SERVICE**

Commercial and residential entities will be proffered service in accordance with the Company’s line extension policy as identified in the Application.

**SECTION 9. FRANCHISE FEE**

Pursuant to the terms and conditions of the Cable Television Act, Cablevision shall pay to the Borough, as an annual franchise fee, a sum equal to two percent (2%) of the actual gross revenues received from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception services in the Borough. In the event applicable law hereinafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Borough and Cablevision shall negotiate in good faith with respect to the amount thereof; provided, however, that nothing herein shall be construed to permit the Borough to require payment of a franchise fee by Cablevision that is higher than the fee paid by all other cable television service providers offering service in the Municipality.

**SECTION 10. FREE SERVICE**

Cablevision shall, upon written request, provide free of charge, one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools and all municipal public libraries, as well as municipal buildings located within the Borough.

Upon written request from the Borough, the Company shall provide to state and locally accredited elementary and secondary schools and municipal public libraries in the Borough, without charge, the following: (1) one standard installation per school or library; (2) one cable modem per installation; and, (3) basic cable modem service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company, as those policies may exist from time to time.

Upon written request from the Borough, the Company shall provide to (1) one municipally owned facility, without charge, the following: (1) one standard installation; (2) one cable modem per installation; and (3) basic cable modem service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company as those policies may exist from time to time.

**SECTION 11. CONSTRUCTION/SYSTEM REQUIREMENTS**

Cablevision shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. The Company shall be subject to the following additional construction requirements with respect to the installation of its cable plant and facilities in the Borough:

(a) In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces, the Company shall at its sole expense restore and replace such disturbances in as good a condition as existed prior to the commencement of said work.

(b) If at any time during the period of this consent, the municipality shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough shall remove or relocate its equipment, at its own expense.

(c) Upon request of a person holding a building or moving permit issued by the Borough, the Company shall temporarily move or remove appropriate parts of its facilities so as to permit the moving or erection of buildings or for the performance of other work. The expense of any such temporary removal or relocation shall be paid in advance to the Company by the person requesting the same. In such cases, the Company shall be given not less than fourteen (14) days prior written notice in order to arrange for the changes required.

(d) During the exercise of its rights and privileges under this consent, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires, cables, conduits and fixtures of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company’s facilities.

**SECTION 12. TECHNICAL AND CUSTOMER SERVICE STANDARDS**

Cablevision shall comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations.

**SECTION 13. LOCAL OFFICE OR AGENT**

Cablevision shall establish and maintain during the entire term of this consent a local area business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions and similar matters. Said office shall be open daily during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.

**SECTION 14. DESIGNATION OF COMPLAINT OFFICER**

The Office of Cable Television is hereby designated as the complaint officer for the Borough pursuant to the provisions of N.J.S.A. 48:5A-26. All complaints shall be reviewed and processed in accordance with N.J.A.C. 14:17-6.5.

**SECTION 15. LIABILITY INSURANCE**

1. Cablevision agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Borough as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of five-hundred thousand dollars ($500,000) for bodily injury or death to one person, and one million dollars ($1,000,000) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of the Company’s exercise of its rights hereunder.

**SECTION 16. PERFORMANCE BOND**

Cablevision shall obtain and maintain, at its sole cost and expense, during the entire term of this Agreement, a bond to the municipality in the amount of twenty-five thousand dollars ($25,000.00). Such bond shall be to insure the faithful performance of its obligations as provided in this Franchise.

**SECTION 17. RATES**

A. The rates of the Company for cable television service shall be subject to regulation to the extent permitted by federal and State law.

B. Cablevision shall implement a senior citizen discount in the amount of ten percent (10%) off the monthly broadcast basic level of cable television service rate to any person sixty-two (62) years of age or older, who subscribes to cable television services provided by the Company, subject to the following:

1. Such discount shall only be available to eligible senior citizens who do not share the subscription with more than one person in the same household who is less than sixty-two (62) years of age; and,
2. In accordance with N.J.S.A. 48:5A-11.2, subscribers seeking eligibility for the discount must meet the income and residence requirements of the Pharmaceutical Assistance to the Aged and Disabled program pursuant to N.J.S.A. 30:4D-21; and,
3. The senior discount herein relates only to the broadcast basic level of cable television service, and shall not apply to any additional service, feature, or equipment offered by the Company, including any premium channel services and pay-per-view services; and,
4. Senior citizens who subscribe to a level of cable television service beyond expanded basic service, including any premium or per channel a la carte service, shall not be eligible for the discount; and,

C. The Company shall have no further obligation to provide the senior discount herein in the event that (a) the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1; or (b) upon Board approval of a certification that another cable television service provider offering services to residents of the Borough files, in accordance with N.J.S.A. 48:5A-30(d), is capable of serving sixty percent (60%) or more of the households within the Borough. In the event the Company does cease providing a senior discount pursuant to this provision, it shall comply with all notice requirements of applicable law.**]**

**SECTION 18. EMERGENCY USES**

Cablevision shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Borough pursuant to state and federal requirements. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein. The Borough shall utilize the state-approved procedures for such emergency uses.

**SECTION 19. EQUITABLE TERMS**

In the event that the service of another multi-channel video program provider not subject to the Borough’s regulatory authority within the Borough creates a significant competitive disadvantage to Cablevision, the Company shall have the right to request from the Borough lawful amendments to its Franchise that relieve it of burdens which create the unfair competitive situation. Should the Company seek such amendments to its Franchise, the parties agree to negotiate in good-faith appropriate changes to the Franchise in order to relieve the Company of such competitive disadvantages. If the parties can reach an agreement on such terms, the Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

If the parties are unable to reach an agreement on appropriate amendments to the franchise, the Borough acknowledges that the Company shall have the right to petition the Board directly for such amendments in accordance with N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7; provided, however, the Borough shall be under no obligation to support Cablevision's request for such relief from the Board.

In any subsequent municipal consent, Borough shall require, at a minimum, the same terms and conditions of any other provider of multi-channel video programming subject to the Borough’s regulatory authority as those contained in the instant consent.  In the event such subsequent consent does not contain the same terms and conditions as the instant consent, Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with NJSA 48:5A-47 and NJAC 14:17-6.7 to relieve the Company of competitive disadvantages identified in the Company's petition.

**SECTION 20. REMOVAL OF FACILITIES**

Upon expiration, termination or revocation of this Ordinance, Cablevision at its sole cost and expense and upon direction of the Board, shall remove the cables and appurtenant devices constructed or maintained in connection with the cable services authorized herein, unless Cablevision, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an open video system or any other federal or state certification to provide telecommunications.

**SECTION 21. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS**

A. Cablevision shall continue to make available non-commercial public, educational and governmental (PEG) access services available to the residents of the Borough as described in the Application for municipal consent. All Cablevision support for PEG access shall be for the exclusive benefit of Cablevision’s subscribers.

B. The Borough agrees that Cablevision shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Borough is not utilizing the channel for purposes of providing PEG access programming. In the event that the Company uses said PEG access channel for the presentation of such other programming, the PEG programming shall remain the priority use and the Company’s rights with respect to using the channel for non-PEG programming shall be subordinate to the Borough’s provision of PEG access programming on such channel.

C. Cablevision shall have discretion to determine the format and method of transmission of the PEG access programming provided for in this Section 21.

D. In consideration for the rights granted in this Ordinance **Cablevision shall provide the Borough with a one-time grant of up to Twenty Five Thousand and Three Dollars ($25,003)** payable as follows: (1) an initial grant payment of Ten Thousand dollars ($10,000) within sixty (60) days of the issuance of the Certificate of Approval by the Board of Public Utilities (the “Initial Grant”); and (2) a grant up to Fifteen Thousand and Three Dollars ($15,003) provided in annual installments of One Thousand Six Hundred and Sixty Seven Dollars ($1,667) each, upon written request by the Borough (the “Annual Grant”). Each installment of the Annual Grant shall be payable to the Borough annually during the term of this Franchise, within ninety (90) days from receipt of the Borough’s written request. Cablevision shall not be obligated to make any additional payments beyond year ten of the franchise term.

E. The Borough agrees that the Initial Grant and the Annual Grant provided pursuant to Paragraph D shall be used by the Borough for any cable and/or other telecommunications related purpose and/or for the exclusive support of PEG access programming, such as the purchase and/or rental of PEG access equipment and facilities. On request, the Borough shall provide Cablevision with a certification of compliance with this Section 21(E).

G. The Company shall have no further obligation to provide any PEG grant payments due and payable after the date upon which the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1.

**SECTION 22. INCORPORATION OF APPLICATION**

All of the commitments contained in the Application and any amendment thereto submitted in writing to the Borough by the Company except as modified herein, are binding upon Cablevision as terms and conditions of this consent. The Application and any other written amendments thereto submitted by Cablevision in connection with this consent are incorporated in this Ordinance by reference and made a part hereof, except as specifically modified, changed, limited, or altered by this Ordinance, or to the extent that they conflict with State or federal law.

**SECTION 23. CONSISTENCY WITH APPLICABLE LAWS**

This consent shall be construed in a manner consistent with all applicable federal, State and local laws; as such laws, rules and regulations may be amended from time to time.

**SECTION 24. SEPARABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

**SECTION 25. NOTICE**

Notices required under this Ordinance shall in writing and shall be mailed, first class, postage prepaid, to the addresses below. Either party may change the place where notice is to be given by providing such change in writing at least thirty (30) days prior to the time such change becomes effective. The time to respond to notices under this Ordinance shall run from receipt of such written notice.

Notices to the Company shall be mailed to:

Altice USA  
1 Court Square W.

Long Island City, NY 11101  
Attention: Vice President for Government/Public Affairs, New Jersey

With a copy to:

Cablevision of Oakland, LLC  
c/o Altice USA  
1 Court Square W.

Long Island City, NY 11101  
Attention: Legal Department

Notices to the Borough shall be mailed to:

Borough of Bloomingdale

101 Hamburg Turnpike

Bloomingdale, New Jersey 07403

Attention: Borough Administrator

**SECTION 26. EFFECTIVE DATE AND BOARD OF PUBLIC UTILITY APPROVAL**

This Ordinance shall take effect upon issuance of a Certificate of Approval as issued by the Board of Public Utilities that incorporates the material terms of this Ordinance. Nothing herein shall alter the right of the Company to seek modification of this Ordinance in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7. In accordance with N.J.S.A. 48:5A-25.1, the terms of this Ordinance will no longer be in effect upon Cablevision converting the municipal consent (and any certificate of approval) into a system-wide franchise.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon the passage, and publication as required by law.

At this time COSTA 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 YAZDI made a motion to close the Public Hearing; seconded HUDSON and carried on a voice vote all voting AYE.

Councilman COSTA moved for the adoption of this Ordinance; seconded by YAZDI and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (ABSTAIN), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES)   
  
*\*Councilman Dellaripa came back to the dias\**

1. Second/Final Reading & Public Hearing:  
   *Ordinance No. 5-2018 Amend Ch 17 (Water Meter Fees)*  
     
   **AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 17 “WATER”, REPEALING Section 17-5.2 “COSTS TO REPAIR” AND AMENDING SECTION 17-6.1 “CHARGES AND FEES” 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.

Councilwoman HUSDON moved that the Ordinance be read by title; seconded by SOMDERMEYER and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE 5-2018**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 17 “WATER”, REPEALING Section 17-5.2 “COSTS TO REPAIR” AND AMENDING SECTION 17-6.1 “CHARGES AND FEES” of the Code of the Borough of Bloomingdale**

**WHEREAS**, the Borough Code currently sets forth certain fees related to installation and replacement of water meters; 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 17 “Water”, Section 17-5.2 “Costs to Repair” is hereby repealed in its entirety.

**SECTION 2.** Chapter 17 “Water”, Section 17-6.1 “Charges and Fees” shall be amended to read as follows:

**17-6.1 Charges and Fees.**

c. **Water User Rates and Charges.**The following rates and charges are hereby established:

1. All metered residential, commercial and industrial water service customers shall pay a fixed service charge, based upon the size of each meter installed, in accordance with the following rate schedule:

(a) Effective with the March 2018 billing cycle the following charges apply:

|  |  |
| --- | --- |
| **Size of Meter** | **Fixed Service Charge** |
| 5/8 inch | $ 54.00 |
| 3/4 inch | 68.00 |
| 1 inch | 83.00 |
| 1 1/2 inch | 110.00 |
| 2 inch | 133.00 |
| 3 inch | 343.00 |
| 4 inch | 646.00 |
| 6 inch | 1,229.00 |
| 8 inch | 1,562.00 |

2. All metered single-family residential and recreational underground lawn sprinkler water service customers shall pay a fixed service charge, based upon the size of each meter installed, in accordance with the following rate schedule:

(a) Effective with the March 2018 billing cycle the following charges shall apply:

|  |  |
| --- | --- |
| **Size of Meter** | **Fixed Service Charge** |
| 5/8 inch | $ 30.00 |
| 3/4 inch | 38.00 |
| 1 inch | 47.00 |
| 1 1/2 inch | 65.00 |

j. **New Service Meter Installation Charge.** There shall be a charge for the setting of new service meters as follows except for 1 1/2 inch or larger which will require inspection and seal of the meter only. Said installation charge shall be the actual cost of the meter at the time of installation.

In addition, there shall be an inspection fee of $75.00 per hour or $565.00 per day for compliance with the provisions of this section for each inspection required by the Borough. Over eight (8) hours in one day will be paid at the overtime rate.

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

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

**INTRODUCTION OF NEW BUSINESS:**

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

**RESOLUTION No. 2018-2.12**

**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 3,230,557.88 CURRENT 485,247.65

UTILITY 76,382.84 UTILITY 30,173.05

CAPITAL 168,247.26 OPEN SPACE 0,000.00

UTILITY CAPITAL 106,231.08 TRUST ACCOUNT 260.00

TRUST 30,047.89 RECYCLING 849.09 DOG 3,955.90 DOG TRUST 474.55

RECREATION 7,333.00 UNEMPLOY 428.21 ROSE FUND 292.35 CAPITAL 49,112.00

RECYCLING 0,000.00 WATER CAPITAL 0,000.00

UNEMPLOYMENT 0,000.00 RECREATION 0,000.00

AFFORDABLE HOUSING 206.55

TOTAL 3,623,254.75 TOTAL 566,544.55

Seconded by YAZDI and carried per the following roll call vote: HUDSON, SONDERMEYER, YAZDI, COSTA, D’AMATO, DELLARIPA (all YES)

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

**RESOLUTION NO. 2018-2.13  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING A CONTRACT FOR AN EMERGENCY WATER MAIN REPAIR ON FICHTER STREET**

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with a water main repair on Fichter Street;

**WHEREAS**, the Governing Body further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

**WHEREAS**, the Governing Body further finds and declares that **N.J.S.A. 40A:11-6** authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

**WHEREAS**, the Governing Body further finds and declares that the Utility Department, acting in the reasonable belief that an emergency affecting the public health, safety and welfare requires immediate remedial action without public advertisement for services;

**WHEREAS**, the Governing Body further finds and declares that the Utility Department, has correctly recommended that the aforementioned water main repairs be remedied through the award to the following:  
 **Barret Construction - $1,215.00  
 FSC Leak Detection - $750.00**

**WHEREAS**, the emergency costs are to be funded through 2018 Utility budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the completion of the water main repairs as soon as possible and does hereby award said project to the entities mentioned above.

Seconded by DELLARIPA and carried per the following roll call vote: SONDERMEYER, YAZDI, COSTA, D’AMATO, DELLARIPA, HUDSON (all YES)

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

**RESOLUTION NO. 2018-2.14**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**CHANGE ORDER – PACIFIC CONSTRUCTION – REEVE AVE**

**WHEREAS**, a contract was awarded to Pacific Construction, LLC, 531 Route 22 East, PO 240, Whitehouse Station NJ, 08889, for the Reeve Ave Improvements; and

**WHEREAS**, the Borough Engineer has advised Change Order No. 7 has been processed for this contract, which reflects an increase in the contract of $85,268.19 due to unforeseen sanitary sewer conditions within the project limits on various streets within the project making the new adjusted contract total $ 515,271.83; and

**WHEREAS**, Borough Chief Financial Officer has certified the funds from Acct.

No. C-06-56-571-12A-100;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Bloomingdale hereby approve Change Order No. 7 and the Borough Engineer's recommendation of the increase of $85,265.19 to the original contract price of $ 430,003.64, for the adjusted contract total of $515,271.83 and

**BE IT FURTHER RESOLVED** that upon approval of Change Order No. 7 authorization be and is hereby given to pay Change Order No. 7 in the amount of $85,268.19.

Seconded by DELLARIPA and carried per the following roll call vote: YAZDI, COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMEYER

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

**RESOLUTION NO. 2018-2.15**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Hire of a Part Time Coordinator to the Tax Assessor***

**WHEREAS**, there exists a need for Part Time help in the Tax Assessor’s Office; and

**WHEREAS**, Julie Graney has the experience and is capable of performing the duties of this office and is recommended by the Tax Assessor, Brian Townsend;

**NOW, THEREFORE, BE IT RESOLVED**, that Julie Graney be hired as a Part Time Coordinator to the Tax Assessor, effective February 12, 2018, at an hourly rate of $25.00 not to exceed 16 hours per week.

Discussion:  
Julie Graney is ‘temporary part’ time help. She has 20 years of experience and is capable of filling in in the tax office until a ‘permanent’ employee is hired.

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

1. **Introduction of Ordinance No. 6-2018: Amend Ch 15 (Property Maintenance)**

Discussion:

Mayor informed all of the revisions that were made to clean up the ordinance. Adding language that will determine who deals with ‘tree issues’ on parcels, regardless of the issue existing on a ROW of a property owned by a homeowner, not the borough. Issues will be the responsibility of the homeowner

A motion was made by D’AMATO to introduce the Ordinance by title; second and final reading will be on March 6, 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 15 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 7-2018: Amend 2-80 (Licensing E Cig Fees)**

Discussion:   
The Board of Health found that four retailers of ‘E cigarettes’ will be charged the license fee.

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/public hearing will be on March 6, 2018 at 7PM; the motion was seconded by HUDSON and carried by voice vote, all in favor.

The Mayor read by Title:

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 2 “Administration”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” of the Code of the Borough of Bloomingdale**

1. **Introduction of Bond Ordinance No. 8-2018: Garbage Truck**

Discussion:

Last Garbage Truck was purchased close to ten years ago. One that was replaced is close to twenty years old, has 160,000 miles had ‘seen its last days’ the past week.

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on March 6, 2018 at 7PM; the motion was seconded by D’AMATO and carried by voice vote, all in favor.

The Municipal Clerk read by Title:

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A GARBAGE TRUCK IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

1. **Discussion**: The Borough was awarded $188,000 from the NJDOT for the resurfacing of Ballston Street – a 2019 project.
2. **Finbar/Meer Tract Redevelopment Study**

**Discussion:**The governing body is in receipt of the Planning Board Resolution from February 15, 2018 and also the Redevelopment study prepared by CME Associates. The Planning Board recommends that the Governing Body designate the subject property as ‘An Area in Need of Redevelopment.’   
  
At this time Councilman YAZDI offered the following resolution and moved for its adoption:

**RESOLUTION No. 2018-2.16**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DESIGNATING BLOCK 5105, LOT 14.01 MORE COMMONLY KNOWN AS “THE MEER TRACT” AS AN “AREA IN NEED OF REDEVELOPMENT”**

**WHEREAS**, the Borough Council of the Borough of Bloomingdale authorized the Planning Board to conduct a preliminary investigation to determine if an area identified as Block 5105, Lot 14.01, commonly known as the Meer Tract, constitutes an “area in need of redevelopment” as defined under the New Jersey Local Redevelopment Housing Law (“LRHL”); and

**WHEREAS**,the area in question consists of approximately 33.81 acres of land and is located at the southeastern portion of the Borough and the parcel has been created as the result of a recent subdivision dividing the former lot identified as Block 5105, Lot 14 into two lots comprised of Block 5105, Lot 14.01 and Block 5105, Lot 14.02 (Block 5105, Lot 14.01 was known as the “study area” and contains 33.81 acres of land); and

**WHEREAS**, in order to undertake this task, the Borough retained CME Associates to assist the Planning Board in this effort by commencing an investigation and preparing a report for the Planning Board’s review within the context of “non-condemnation” redevelopment procedure; and

**WHEREAS**, Malvika Apte, Professional Planner, prepared a report entitled, “In Need of Redevelopment Study: Block 5105 Lot 14.01” amended February 13, 2018 which included a map of the study area and an overall analysis of whether the property qualifies as an area in need of redevelopment. The study was circulated and presented to the Bloomingdale Planning Board for consideration; and

**WHEREAS**, the Board established a hearing date for its consideration of the preliminary investigation and provided notice in accordance with the LRHL and its intended meeting for the purposes of hearing persons who would be affected by a determination that the delineated area is an area in need of redevelopment; and

**WHEREAS**, the Board held its hearing on January 18, 2018 at which time it was established that notice under the LRHL was properly provided, published and served in accordance with the LRHL; and

**WHEREAS**, at the public hearing, the Board accorded to all members of the public the opportunity to offer their comments respecting the study area and which comments were made as part of the public record; and

**WHEREAS**, the Planning Consultant, Malvika Apte, presented her report and summarized such findings as well as testifying in depth regarding an analysis of the proposed delineated area for consideration as an area in need of redevelopment; and

**WHEREAS**, the Bloomingdale Planning Board, by way of resolution adopted on February 15, 2018, memorialized the findings of the Board which recommended to the Mayor and Council in accordance with the LRHL that Block 5105, Lot 14.01, to designate the subject property as “an area in need of redevelopment”; and

**WHEREAS**, the Board further recommended that the Borough does not retain the right of eminent domain; and

**WHEREAS**, the Mayor and Council received the resolution of the Planning Board dated February 15, 2018 and the recommendations contained therein.

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

1. Based on the facts and findings of the report prepared by CME Associates entitled “In Need of Redevelopment Study: Block 5105 Lot 14.01” and the findings of the Planning Board, all made in accordance with NJSA 40A:12A-1 et seq., that the Mayor and Council of the Borough of Bloomingdale does hereby declare the following parcel of land, known and described on the Tax Map of the Borough of Bloomingdale, to be an “area in need of redevelopment”:

**Block 5105, Lot 14.01, commonly known as the “Meer Tract” containing 33+/- acres of land.**

2. The Borough of Bloomingdale intends to utilize the authority provided by the Legislature for use in a redevelopment area, without the power of eminent domain, with respect to the above designated property.

3. The Borough Clerk shall serve by certified mail, return receipt requested, a copy of this resolution upon the owners of the above mentioned lot as well as any person who filed a written objection thereto and stated, in or upon the written submission, at an address to which notice of determination may be sent.

4. The Borough of Bloomingdale Planning Board is hereby requested and authorized to prepare a redevelopment plan for the property designated by this resolution as an “area in need of redevelopment,” which plan may include adjacent properties previously designated as areas in need of redevelopment or in need of rehabilitation.

This Resolution shall take effect immediately.

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

**LATE PUBLIC COMMENT:**

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

*Rich Boud – 16 Tice Street, Bloomingdale*: Approximately 6 weeks ago put in a work order to Butler Electric for street light that is out on the corner of Main Street and Union Ave. It is possible the light may be out since the Lukoil Station is now closed. Mayor will look into it.   
  
*Dan Hawkins – 6 Pearl Street, Bloomingdale*: Seeking clarification of newly imposed Water meter Ordinance (5-2018) which increases $7 per quarter. Mayor confirmed – approximately $280 over the next 10 years. Questioned if his meter in not replaced in the next 10 years will he get back $280, Mayor stated ‘no’.

Since there was no one else who wished to speak, COSTA moved that it be closed; seconded by SONDERMYER and carried on vice vote.

**GOVERNING BODY SCHEDULE:**

1. Regular Workshop Meeting – March 6, 2018 7PM
2. Regular Council Meeting – March 20, 2018 7PM
3. Regular Workshop Meeting – April 3, 2018 7PM

**RESOLUTION FOR LATE EXECUTIVE SESSION:**Councilman YAZDI offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-2.17**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Mayor & Council of the Borough of Bloomingdale on the 20th day of February, 2018 that:

* Prior to the conclusion of this Regular Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):   
  ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or   
   State statute or rule of court.   
  ( ) b. (2) A matter in which the release of information would impair a right to receive   
   funds from the Government of the United States.   
  ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of   
   individual privacy.   
  ( ) b. (4) A collective bargaining agreement including negotiations.   
  ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or   
   investment of public funds, where it could adversely affect the public interest if   
   disclosed.   
  ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the   
   public, if disclosure could impair such protection. Investigation of violations of   
   the law.   
  ( ) b. (7) Pending or anticipated litigation or contract negotiations other than in   
   subsection b. (4) herein or matters falling within the attorney-client privilege.

( X ) b. (8) Personnel matters.

( ) b. (9) Deliberations after a public hearing that may result in penalties.

* The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

The motion was seconded by COSTA and carried on voice, all in favor.   
  
7:52PM Entered into Executive Session   
8:00PM Resumed in Open Session

**ADJOURNMENT:**

Since there was no further business to be conducted, SONDERMEYER moved to adjourn at 7:59PM; seconded by COSTA and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC

Municipal Clerk