

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

**October 8, 2019**

The Workshop Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:00 PM.

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, Esq.

**PUBLIC NOTICE STATEMENT**

Municipal Clerk, Breeanna Calabro, stated that adequate notice of this meeting was advertised in the Herald News on December 23, 2018; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.

**PRESENTATIONS:**

- **Community Garden:** Councilwoman Hudson presented Jim Harding, a "Community Service Award" for making significant contributions to Borough's Community Garden through his time, actions, talents & dedication.
- **Planning Board – Area in Need of Redevelopment Recommendation**  
The Planning Board's recommendation on the Redevelopment Study of Main Street and Van Dam was presented by Chairman, Ed Simoni and Board Member Bill Graf. Bill Graf explained the Planning Board's preliminary investigation study in detail using graphs. The Planning Board Resolution is to be memorialized on October 16, 2019 and will be sent to the Governing Body for consideration on a future agenda. The study includes 111 tax parcels (105 in the Main Street Area/ 6 in the Van Dam Study Area), the planning board's recommendation is that 53 of these properties remain in the study. Chairman also recommended to Borough begin negotiations with the DEP for the properties that back the river.

**EARLY EXECUTIVE SESSION:** N/A

**NON-AGENDA ITEMS:**

- **Introduction of Ordinance No. 29-2019:** Amending Chapter 2-64 (Rec Fees – Ski Program)
- **Resolution No. 2019-10.13:** Authorize Road Open Permit (28 Crane)

**EARLY PUBLIC COMMENT:**

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

**David Leet – 16 Main St, Bloomingdale**

Confirmed his property is included in the non-condemnation study for redevelopment and also in the Planning Board's recommendation. Clarified potential future negotiations will be between the developer and property owners. Discussed zoning and types of use permitted.

Since there was no one else 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:**

- **Mayor Dunleavy:**
  - *Red Twig Trail sidewalks are complete, minor items left*
  - *Various Road pavements are complete: Winfred, Clark St, Reeve Ave, Walter Drive*
  - *Plan to bid the Ballston Street Project soon*
  - *Sloan Park – working on fencing, sod, sidewalks in the next couple of weeks hoping to wrap up this project*

**RESOLUTION NO. 2019-10.1 CONSENT AGENDA**

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

**RESOLUTION NO. 2019-10.1  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the  
October 8, 2019 Regular 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.

- A. **Approval of Minutes: September 17, 2019 Regular Meeting**
- B. **Resolution No. 2019-10.2: Accept R. Porrino Resignation**
- C. **Resolution No. 2019-10.3: Fire Sub Code Official Appointment (Dillion)**
- D. **Resolution No. 2019-10.4: Paid Sick Leave for Borough Employee**
- E. **Resolution No. 2019-10.5: Authorization for Texas Life Insurance Agreement**
- F. **Resolution No. 2019-10.6: Authorization of Consumption Credits – Filling New or Repaired Pools**
- G. **Resolution No. 2019-10.7: Best Practice Inventory CY2019/SFY2020**
- H. **Resolution No. 2019-10.8: Support of Referendum of Extension of Veteran Deduction**
- I. **Resolution No. 2019-10.9: Approval of Relyea Residence Drainage (Elizabeth Dr)**
- J. **Resolution No. 2019-10.10: Authorization to Bid on Valve Maintenance Trailer**

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2019-10.2  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF  
PASSAIC AND STATE OF NEW JERSEY APPROVING AND  
AUTHORIZING ACCEPTANCE OF THE RESIGNATION OF RALPH  
PORRINO**

**WHEREAS**, pursuant to Resolution 2019-3.2, Ralph Porrino was placed on unpaid sick leave effective March 4, 2019 through September 4, 2019; and

**WHEREAS**, Mr. Porrino has submitted his resignation effective September 4, 2019 from the position of Fire Prevention Subcode Official.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey hereby accepts the resignation of Mr. Porrino as Fire Prevention Subcode Official effective September 4, 2019.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-10.3  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,  
COUNTY OF PASSAIC AND STATE OF NEW JERSEY  
APPOINTING TOM DILLON AS FIRE PREVENTION  
SUBCODE OFFICIAL

**WHEREAS**, there exists a need to permanently fill a vacancy in the position of Fire Prevention Subcode Official; and

**WHEREAS**, Tom Dillon is currently serving as the Borough's temporary Fire Prevention Subcode Official pursuant to his temporary appointment effective March 4, 2019; and

**WHEREAS**, Tom Dillon continues to meet the requirements for service as full-time Fire Prevention Subcode Official; and

**WHEREAS**, the Borough wishes to appoint Tom Dillon to the position of Fire Prevention Subcode Official effective September 4, 2019; and

**WHEREAS**, the term of this appointment shall be for four (4) years from September 4, 2019; and

**WHEREAS**, Mr. Dillon shall receive an annual salary of \$14,905 per year for his service as full-time Fire Prevention Subcode Official.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that Tom Dillon is hereby appointed to serve as Fire Prevention Subcode Official for the Borough of Bloomingdale.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-10.4  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Borough Employee

**WHEREAS**, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Albert Gallagher ("Employee") is an employee of the Borough of Bloomingdale; and

**WHEREAS**, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of November 20, 2019 and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Al Gallagher, during the period of November 20, 2019 through February 15, 2020; and

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

**RESOLUTION NO. 2019-10.5  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A VOLUNTARY LIFE INSURANCE AGREEMENT WITH TEXAS LIFE INSURANCE COMPANY FOR VOLUNTARY LIFE INSURANCE COVERAGE

**WHEREAS**, the Borough currently offers insurance to its employees through American Fidelity Insurance Company; and

**WHEREAS**, American Fidelity Life Insurance Company is now offering voluntary life insurance coverage to employees who elect such coverage; and

**WHEREAS**, the Borough wishes to enter into an agreement to permit eligible employees to elect voluntary life insurance coverage; and

**WHEREAS**, provision of this benefit is part of the Borough's contract with its current insurance provider.

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

**Section 1.** The Mayor and Borough Clerk are authorized to execute the Voluntary Life Insurance Employer Agreement with Texas Life Insurance Company.

**Section 2.** A copy of this Resolution shall be provided to Donna Mollineaux, Chief Financial Officer, and to the insurance provider, for their information and guidance.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-10.6  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorizing Sewer Consumption Credits for Accounts Billed as Class 11 Sewer Users for the Filling of New and Repaired Swimming Pools*

**WHEREAS**, the Governing Body of the Borough of Bloomingdale finds and declares that Section 18-5.19 of the Revised General Code of the Borough of Bloomingdale establishes the sewer rate of \$7.65 per 1,000 gallons of consumption; and

**WHEREAS**, the Governing Body further finds and declares that the General Code provides that the Governing Body may, in its discretion, grant special exemptions or credits for the filling of residential swimming pools or any other water use separately metered, as approved by the Bloomingdale Department of Water and Sewer Utility Services;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby authorize that, upon proper documentation and written request to the Department, a sewer consumption credit of \$7.65 be applied to accounts billed as Class 11 sewer users for the filling of new or repaired swimming pools, with the customer being responsible for the first \$25.00 for filling of repaired swimming pools; and

**BE IT FURTHER RESOLVED** by the Governing Body that customer accounts, billed as a class 11 sewer users and which have newly installed or repaired swimming pools, shall receive a sewer consumption credit for the pool's full capacity; and

**BE IT FURTHER RESOLVED** by the Governing Body that the filling of swimming pools and the granting of sewer consumption credits pursuant to this Resolution shall be subject to all rules and restrictions imposed by the State of New Jersey; and

**BE IT FURTHER RESOLVED** by the Governing Body that this Resolution shall be deemed retroactively effective from January 1, 2019, and shall be effective through and including December 31, 2019.

**RESOLUTION NO. 2019-10.7  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**CY2019/SFY2020 Best Practices Inventory**

**WHEREAS**, The State's Fiscal Year 2020 Appropriations Act (P.L. 2018, c. 53) requires the Division of Local Government Services ("Division") to determine whether some portion of a municipality's CMPTRA and ETR aid will be withheld based on the results of a Best Practices Inventory ("Inventory") completed by each municipality; and

**WHEREAS**, the Borough of Bloomingdale has complied with the request to complete the Best Practice Inventory Worksheet;

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Bloomingdale's Best Practice Inventory Worksheet has been reviewed by the Governing Body and submitted to the Division by the required October 30, 2019 due date and that the Fulltime Mayor, Chief Financial Officer and Municipal Clerk will prepare the necessary certifications.

**RESOLUTION NO. 2019-10.8  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE  
ELECTION BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED  
SPOUSES OF VETERANS WHO RESIDE IN CONTINUING CARE RETIREMENT  
COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR PROPERTY TAX DEDUCTION**

**WHEREAS**, the State Constitution for New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war and other times of emergency to receive a property tax deduction, in the amount of \$250 per year, in well-deserved recognition of their service to our country; and

**WHEREAS**, veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC) have been unfairly denied eligibility for the \$250 property tax deduction because they do not own their units, even though they instead contribute to property taxes through a monthly payment, and even though they have made the same sacrifices as all veterans in our great country; and

**WHEREAS**, there are twenty-five CCRCs in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied the property tax deduction; and

**WHEREAS**, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and General Assembly, to extend the deduction to veterans and their widowed spouses in CCRCs;

**WHEREAS**, the extension of the deduction, because it requires an amendment to the State Constitution, must be approved by the voters at the ballot in November before it will become valid and effective; and

**WHEREAS**, the Mayor and Borough Council now desire to memorialize their support of the referendum on the ballot in November, and to urge the voters of this State to vote in favor of the property tax deduction for veterans and widowed spouses of veterans who reside in CCRCs;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale, urges voters to support the referendum on the ballot in November 2019, so that veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (“CCRC”) will be eligible for the \$250 property tax deduction.

**BE IT FURTHER RESOLVED** that the Governing Body believes that this small benefit to our veterans and widowed spouses of veterans who reside CCRCs is a proper and warranted acknowledgment of the tremendous sacrifices that veterans have given to protect and serve our great nation.

**RESOLUTION NO. 2019-10.9  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE BOROUGH OF BLOOMINGDALE TO MOVE FORWARD WITH NEGOTIATION OF A DEED OF PERMANENT EASEMENT FOR 74 AND 78 ELIZABETH DRIVE IN ORDER TO ADDRESS FLOODING IN THE AREA**

**WHEREAS**, Mr. Relyea is the owner of property located at 74 and 78 Elizabeth Drive, Bloomingdale, New Jersey; and

**WHEREAS**, Mr. Relyea has requested approval to construct a swale at 74 Elizabeth Drive and connect to the Borough’s system on 78 Elizabeth Drive, which swale and connecting pipe shall remain the property and responsibility of Mr. Relyea; and

**WHEREAS**, this request has been reviewed by the Borough Engineer and Borough Attorney; and

**WHEREAS**, Mr. Relyea must grant a permanent easement to the Borough for both properties, which easement is to be memorialized in a deed of easement to be provided by Mr. Relyea; and

**WHEREAS**, upon receipt of recommendation from the Borough Engineer, the Borough will be required to approve a connection to the Borough’s system; and

**WHEREAS**, the project will assist with severe flooding that occurs in the area and is in the best interest of the Borough; and

**WHEREAS**, the Borough desires to move forward with the steps necessary for Mr. Relyea to seek approvals for the project.

**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 Mayor is authorized to work with the Borough Engineer, Planner and Attorney to obtain the deed of easement and connection for Mr. Relyea’s properties.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-10.10  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE BLOOMINGDALE WATER AND SEWER UTILITY FOREMAN TO PARTICIPATE IN THE BID PROCESS FOR THE PURCHASE OF A**

**VALVE MAINTENANCE TRAILER FROM THE TOWNSHIP OF RANDOLPH**

**WHEREAS**, the Borough of Bloomingdale has identified a valve maintenance trailer that is currently owned by the Township of Randolph and will be placed up for bid; and

**WHEREAS**, Water and Sewer Utility Foreman Frank Neuberger has inspected the valve maintenance trailer and found it to be in good condition and suitable for the Borough's needs; and

**WHEREAS**, Frank Neuberger has requested authority to bid on the valve maintenance trailer as it is in the best interest of the Borough to have such a trailer; and

**WHEREAS**, the Mayor and Borough Council agree that the valve maintenance trailer is a necessary piece of equipment and authorize Frank Neuberger to participate in the bid process for an amount not to exceed \$60,500.

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

1. Frank Neuberger is authorized to participate in the bid process established by the Township of Randolph for the purchase of a valve maintenance trailer; and

2. The bid amount authorized is not to exceed \$60,500

This Resolution shall take effect immediately.

**PENDING ITEMS:**

**A. Second/Final Reading & Public Hearing:**

*Ordinance No. 25-2019: Amend Ch 3 "Police Regulations"* was given second and final reading and considered for adoption.

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 25-2019  
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 III "POLICE REGULATIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, the Borough Code currently sets forth certain the policies, procedures, fees and regulations that apply to the Bloomingdale Police Department; and

**WHEREAS**, the Borough Ordinance Review Committee and Borough Police Department have reviewed Chapter III which governs the Borough Police Department's operations and made several recommendations; and

**WHEREAS**, the Borough Council has reviewed and accepts the changes recommended by the Ordinance Review Committee and the Police Department; 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 III "Police Regulations", Section 3-1 "Abandoned Vehicles" shall be amended as follows:

**3-1.1 Findings; Attractive Nuisance Created.**

The placing, abandonment, leaving, keeping or storage out-of-doors of any motor vehicle not currently in use for transportation and not licensed for the current year or any other unused machinery or equipment on public or private lands in the Borough is contrary and inimical to the public welfare in that such articles so placed, abandoned, left, kept or stored, attract or may attract children who, being so attracted, may play in and about them and be injured in so doing. Such articles which are placed, abandoned, left, kept or stored out-of-doors, exposed to the elements, deteriorate and are unsightly and, deteriorating, become more unsightly and are detrimental to, and depreciate, the value of properties in the neighborhood and in the Borough as a whole.

All other portions of Section 3-1 remain unchanged.

**SECTION 2.** Chapter III "Police Regulations", Section 3-4 "Minibikes, Motor Scooters and Motor-Driven Vehicles"" shall be amended as follows:

**3-4.2 Vehicles Prohibited Under Certain Circumstances; Equipment; Safety Rules.**

- a. No person shall operate, or permit and suffer to be operated, a motor-driven vehicle, as defined herein, within the Borough under the following circumstances:
  1. On private property of another without the express current written consent of the owner and the occupant of the property. Where such express written consent has been obtained, the operator shall keep the written consent on his or her person, available for immediate display, during the period of such operation.
  2. On any public grounds or property.
  3. In such manner as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons. To this end, no person shall operate a motor-driven vehicle before 9:00 a.m. prevailing time or after sunset.
  4. In a careless, reckless or negligent manner so as to endanger or be likely to endanger the safety or property of any person, including that of the operator.
- b. Each motor-driven vehicle shall be equipped with a muffler in good working order and the use of a muffler cutout, bypass or similar device is prohibited.
- c. The following safety rules shall be mandatory:
  1. All drivers and riders shall wear protective head gear.

**3-4.3 Violation and Penalties.**

Any person of the age of eighteen (18) years or over who shall violate any of the provisions of this section shall, upon conviction, be liable for the penalty stated in Chapter I, Section 1-5.

**3-4.4 Confiscation of Vehicles in Violation.**

Any motor-driven vehicle operated in prohibited areas or in violation of any other provision of this section shall be immediately confiscated by the Police Department.

- a. The owner of the motor-driven vehicle shall pay the reasonable cost of the removal and of storage which may result from such confiscation before gaining possession of the vehicle.
- b. All fines and fees collected under this section shall be delivered to the Borough of Bloomingdale Municipal Court and/or the on-call municipal towing service within forty-eight (48) hours.

All other portions of Section 3-4 remain unchanged.

**SECTION 3.** Chapter III "Police Regulations", Section 3-6 "Trailers"" shall be amended to add a new subsection as follows:

**3-6.4 Definitions**

As used in this section:



*Trailer* shall mean any prefabricated structure attached to a chassis capable of being towed.

All other portions of Section 3-6 remain unchanged.

**SECTION 4.** Chapter III "Police Regulations", Section 3-8 "Peace and Good Order" shall be amended as follows:

**3-8.1 Unlawful Practices.**

- a. No person shall, within the limits of the Borough of Bloomingdale:
1. Obstruct or interfere with any person lawfully being upon any sidewalk or public street, or in any store, restaurant or other public or quasi-public place.
  2. Keep or harbor any dog which shall disturb the neighborhood by excessive barking, whining or howling.
  3. Throw or discard any cans, bottles, garbage, debris, junk or refuse of any kind into the waters of any spring, pond, stream, lake, river or any other body of water or upon any public street or public place or discharge any sewage or waste into the waters or places or pollute the waters in any manner.
  4. Place or cause to be placed any obstruction of any kind whatsoever in any stream, pond, spring or lake so as to interfere with the natural flow or change the course thereof in any manner without first obtaining the necessary permit so to do.
  5. Throw any paper or posters, stones, sticks, glass, metal or any hard, dangerous or offensive substance upon any sidewalk, street, highway or public or private place, or at any car, vehicle, house, building, fence or person.
  6. Appear on any street, park or other public place in a state of nudity or make any indecent exposure of his or her person or commit or do any lewd or indecent act or behave in a lewd or indecent manner.
  7. Disrobe in any automobile, truck or vehicle while the same is upon any parking place, street, park or other public place.
  8. Sell or offer to sell any indecent picture, book or thing or exhibit or perform any indecent, immoral or lewd play or other representation.
  9. Keep or maintain a house of prostitution or allow or permit any house, shop, store or other building or structure owned or occupied by him to be used as a house of prostitution.
  10. Solicit, invite or in any manner suggest by word of mouth or any writing or other communication or by any device any lewd, lascivious or other immoral act.
  11. Permit any house, shop, store or other building or structure owned or occupied by him or her to be frequented or resorted to by noisy, riotous or disorderly persons or by prostitutes, gamblers or vagrants.
  12. Maliciously or intentionally destroy, damage or injure any property, public or private.
  13. Cause or permit to be emitted any dense smoke which contains soot or other substances in sufficient quantities to permit the deposit of such soot or other substances on any surface within the limits of the Borough.
  14. Cause or permit to be emitted any vile, offensive, obnoxious or nauseating odor or any odor that may be vile, offensive, obnoxious or nauseating to any of the residents of the Borough.
  15. Remove, change, alter, obstruct, destroy, tap, shut off or interfere in any way with any water or sewer line or any utility or any mechanical device connected thereto on any property, either public or private, within the Borough.
  16. Possess, keep or maintain any roulette wheel, equipment or supplies for lottery and numbers game or other games of chance, or any pinball machine designed for gambling or other gambling devices whatever.
  17. Carry, without lawful authority, any revolver, pistol or other firearm or other instrument of the kind known as a blackjack, slingshot, blowgun or similar device, billysand club, dagger, dirk, dangerous knife, stiletto, bomb or other high explosive concealed in or about his or her clothes or person or in any portable vehicle, carriage, motorcycle or other vehicle, or any weapon defined in N.J.S.A. 2C:39-1.
  18. Possess, keep, sell or distribute any firecrackers, Roman candles, any rockets or any fireworks of any explosive nature commonly used as fireworks display.
  19. Have upon his or her person or in his or her possession any picklock, key, crew, jack, bit or other implement with any intent to break and enter into any building.
  20. Go about from door to door or place himself or herself on any sidewalk, street or store or other public or private place or places to beg or gather alms.

21. Participate in any practice, sport or exercise having a tendency to annoy, disturb or frighten any person or persons on any sidewalk, street, park or other public or private place or having a tendency to annoy or frighten horses or other animals.
22. Enter any building or any public or private lands and break, injure or deface such building or any part thereof, or the fences, accessory structures or other property belonging to or connected with such building or lands or disturb the exercises of any school or molest or give annoyance to children attending such school or annoy any teachers therein.
23. Hinder or obstruct any Borough Officer or employee in the performance of his duties or willfully refuse or neglect to assist any Borough Officer or employee when lawfully called upon him so to do in the execution of any process or in the suppression of any breach of the peace or disorderly conduct or in the case of escape or when the officer or employee is resisted in the discharge of his duty; or resist or oppose any officer or person authorized by law in serving or attempting to serve any writ, bill, order or process or when making any arrest, consistent with N.J.S.A. 2C:29-1 et seq.
24. Unnecessarily obstruct any sidewalk, street, or public place with any kind of vehicle or vehicles or with any kind of box or boxes, lumber, wood or other thing; but the provision of this section shall not prevent persons who are building from occupying such portion of the sidewalk, street or public place designated in a permit therefor first obtained from the Construction Official.
25. Hinder, prevent or deter, by any device, any firefighter or other person from rendering lawful assistance in abating or quelling a fire or hinder or interfere with any firefighter going to or returning from any fire or place from which a fire alarm proceeds or hinder or obstruct any fire engine, hook-and-ladder truck, hose cart or other fire apparatus going to or from any place from which a fire alarm proceeds or where any building or property may be burning.
26. Enter upon or trespass upon the land or property of any other person without lawful permission so to do in violation of N.J.S.A. 2C:18-3.

### **3-8.2 Definitions.**

As used in this section:

*Person* shall mean and include, wherever appropriate in connection with the context, includes "corporation," "partnership," "association" and "individual" and shall include any other entity recognized by law as having rights and duties.

### **3-8.3 Disposition of Fines.**

All fines imposed and collected upon and by virtue of this section shall be paid to the Borough of Bloomingdale Municipal Court.

### **3-8.4 Violations and Penalties.**

All other portions of Section 3-8 remain unchanged.

**SECTION 5.** Chapter III "Police Regulations", Section 3-9 "Prohibition against Possession and Use of Tobacco by Minors" shall be amended as follows:

### **3-9.2 Definitions.**

For purposes of this section:

*Health Department* shall mean the Department of Health of the Borough of Bloomingdale.

*Health Officer* shall mean the Health Officer of the Borough of Bloomingdale or his/her designee.

*License* shall mean any license issued by the Borough including, but not limited to, a liquor license, a license to sell or distribute food and beverages, or a license to permit vending machines and/or mechanical amusement devices.

*Liquor license* shall mean any license to sell or distribute alcoholic beverages issued by the Borough pursuant to the laws of the State of New Jersey.

*Minor* shall mean any person under eighteen (18) years of age.

*Nicotine delivery product* shall mean any product that is designed to deliver nicotine, nicotine vapor or non-nicotine vapor, including but not limited to, any type of electronic smoking device defined as an electronic or other powered device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to, an electronic cigarette, cigar, cigarillo or pipe, or any cartridge or other component of the device or related product, including but not limited to, any substances used in such devices such as liquids, gels or powders, or any forms of tobacco, but excluding United States Food and Drug Administration approved nicotine patches or nicotine chewing gum.

*Person* shall mean an individual, partnership, corporation, cooperative association, personal representative, receiver, trustee, assignee or any other legal entity.

*Public place* shall mean any building or enclosed structure open to the general public and any street, road, sidewalk, walkway, park or open space located within the Borough and maintained for use by the general public.

*Tobacco* shall mean any product made from the tobacco plant for the purpose of including but not limited to smoking, chewing, inhaling or other use, including but not limited to cigars, chewing tobacco, pipe tobacco, snuff, shisha and cigarettes in any form, or shall mean any other matter or substance which can be smoked.

*Tobacco retailer* shall mean any person that operates a store, stand, booth, concession or place at which sales of tobacco are made including a person that owns, operates or uses a vending machine.

*Vending machine* shall mean any automated self-service device which, upon insertion of money, tokens or other form of payment, dispenses a tobacco product or nicotine delivery product.

All other portions of Section 3-9 remain unchanged.

**SECTION 6.** Chapter III "Police Regulations", Section 3-10 "Prohibition of Smoking in Public Places: Use of Tobacco Prohibited on Recreational Facilities Owned or Leased to the Borough" shall be amended as follows:

**3-10.1 Definitions.**

As used in this section, the following terms shall have the meanings indicated:

*Enclosed area* shall mean all areas between a floor and ceiling, extending to the outer perimeter walls of a structure.

*Municipal buildings* shall include all structures owned, leased, rented and/or operated by the Borough and/or occupied by Borough employees and used for official business of the Borough.

*No Smoking signs* shall mean signs of the international no-smoking signal consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross-section.

*Parks and recreation facilities* shall include all public parks, playgrounds, and ball fields publicly owned or leased by the Borough of Bloomingdale ("Borough") and all property owned or leased by the Borough upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities such as parking areas, driveways, or drive aisles.

*Smoking* shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter of substance that contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

**3-10.2 Prohibition of Smoking in Public Places.**

- a. Smoking shall be prohibited in all Borough Municipal Buildings as defined herein. No-Smoking signs shall be clearly, sufficiently, and conspicuously posted at each Municipal Building entrance (front/rear) and within each closed area where smoking is

prohibited by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol that contrast in color with the sign, indicating that smoking is prohibited therein.

- b. Smoking shall be prohibited within a twenty-five (25) foot radius of the front entrance/exit of all Municipal Buildings. No-Smoking shall be clearly, sufficiently, and conspicuously posted at each Municipal Building entrance (front/rear) and within each closed area where smoking is prohibited by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol that contrast in color with the sign, indicating that smoking is prohibited therein.
- c. Smoking shall be prohibited in all public parks and recreation facilities owned or leased by the Borough and all property owned or leased by the Borough upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facility such as parking areas, driveways, or drive aisles, which have been designated with no-smoking signs. No-Smoking signs shall be clearly, sufficiently, and conspicuously posted at each Municipal Building entrance (front/rear) and within each closed area where smoking is prohibited by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol that contrast in color with the sign, indicating that smoking is prohibited therein.
- d. Smoking shall be prohibited in any motor vehicle registered to the Borough.

#### **3-10.4 Violations and Penalties.**

A violation of this section shall be punishable for each violation with a minimum fine of fifty (\$50.00) dollars, not to exceed two hundred (\$200.00) dollars payable to the Borough of Bloomingdale Municipal Court.

All other portions of Section 3-9 remain unchanged.

**SECTION 7.** Chapter III "Police Regulations", Section 3-12 "False Alarms" shall be amended as follows:

- a. In case of a false alarm, or malfunction of any equipment, any person having knowledge shall immediately notify the Police Department within three (3) minutes after receipt of the alarm to avoid a false alarm being credited to the alarm user. In addition, in the case of a false alarm, the Chief of Police, or his agent, shall cause an investigation to be made and keep a record of said alarms on file.
- b. In the event that a malfunction or false alarm shall occur in the equipment, the following penalties shall be assessed for each such malfunction;
  1. During any twelve (12) month period commencing January 1:
    - (a) First two (2) false alarms: no penalty
    - (b) Third false alarm: twenty-five (\$25.00) dollars
    - (c) Fourth through seventh false alarms: one hundred (\$100.00) dollars
  2. Malfunctions or false alarms in excess of eight (8) in any twelve (12) month period shall constitute a basis for requiring a disconnection of devices or equipment.
  3. In the event that an audible alarm fails to shut off after fifteen (15) minutes and it becomes necessary for the Police Department, Fire Department or any other individual acting on behalf of the Borough to shut off said alarm, there shall be a fine in the amount of one hundred fifty (\$150.00) dollars payable to the Borough of Bloomingdale Municipal Court.

All other portions of Section 3-9 remain unchanged.

**SECTION 8.** All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 9.** 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 10.** This law shall take effect immediately upon final passage, approval and publication as required by law.

**Public Hearing:**

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 DELLARIPA made a motion to close the Public Hearing; seconded by SONDERMEYER and carried on a voice vote all members present voting AYE.

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

**B. Second/Final Reading & Public Hearing:**

*Ordinance No. 26-2019: Amend Ch 9 "Solid Waste"* was given second and final reading and considered for adoption.

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 26-2019  
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 XIX "SOLID WASTE MANAGEMENT", SECTION 19-2 "REFUSE CONTAINER/DUMPSTER REGULATION" AND CHAPTER II "ADMINISTRATION", ARTICLE IV "ADMINISTRATION", SECTION 2-17 "CODE ENFORCEMENT OFFICER" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, the Borough Code currently sets forth certain the policies, procedures, fees and regulations that apply to the placement and use of refuse containers and dumpsters at various properties throughout the Borough and enforcement powers related to same; and

**WHEREAS**, the Borough Ordinance Review Committee and Borough Police Chief have reviewed Chapter XIX which governs the placement and use of refuse containers and dumpsters in the Borough and made several recommendations; and

**WHEREAS**, the Borough Ordinance Review Committee and the Chief of Police of the Borough of Bloomingdale have determined there to be a benefit to the Borough in consolidating the enforcement of property maintenance related functions; and

**WHEREAS**, the Borough Council has reviewed and accepts the changes recommended by the Ordinance Review Committee and the Police Chief; 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 XIX "Solid Waste Management", Section 19-2 "Refuse Container/Dumpster Regulations" shall be amended as follows:

**19-2.3 Prohibited Conduct.**

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster, or owns the property housing such refuse container or dumpster, must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster, or owns the property housing such refuse container or dumpster, must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by or on behalf of the Borough of Bloomingdale.

**19-2.4 Exceptions to Prohibition.**

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Individual homeowner-occupied residential unit trash and recycling containers.
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

**19-2.5 Enforcement.**

This section shall be enforced by the Code Enforcement Officer of the Borough of Bloomingdale.

All other portions of Section 19-2 remain unchanged.

**SECTION 2.** Chapter II "Administration", Section 2-17 "Code Enforcement Officer" shall be amended as follows:

*2-17.2 Powers and Duties.*

- a. It shall be the responsibility of the Code Enforcement Officer to enforce the following enumerated ordinances as set forth in the Code of the Borough of Bloomingdale:
  - 1. Chapter III, Section 3-1-Abandoned Vehicles.
  - 2. Chapter XXX, Flood Hazard Protection.
  - 3. Chapter XV, Property Maintenance.
  - 4. Chapter XCII, Zoning.
  - 5. Chapter XX, Streets and Sidewalks.
  - 6. Chapter XIX, Section 19-2 Refuse Container/Dumpster Regulations.
- b. The designation within this section of duties of the Code Enforcement Officer shall not be construed to deprive any other municipal official or employee of the power to enforce the subject ordinances where such other persons or employees are authorized either under the terms of the said ordinance or under general law to take enforcement action. Nor shall anything contained herein be construed to prohibit any interested party from filing an appropriate complaint charging a violation of any of the subject ordinances.
- c. The Code Enforcement Officer shall report to the Planning Board, Board of Adjustment, Construction Official and the Mayor and Council with respect to matters which are properly before those officials.
- d. The Code Enforcement Officer shall maintain an accurate and complete file with respect to every alleged violation of these chapters or other matters investigated by him.
- e. The Code Enforcement Official shall file a monthly report of his or her activities, including the complaints and cases processed by him or her and the disposition thereof, with the Mayor and Council, the Construction Official and the Borough Administrator.
- f. Whenever an application for an occupancy permit has been made to the Construction Official, the Code Enforcement Officer shall make an inspection of the property in order to ascertain whether the premises comply with any of the ordinances over which the Code Enforcement Officer has jurisdiction under the terms of this section.

All other portions of Section 2-17 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.

**Public Hearing:**

At this time COSTA made a motion to open the Public Hearing for comment; seconded by DELLARIPA and carried on a voice vote all voting AYE. Since there was no one who wished to comment HUDSON made a motion to close the Public Hearing; seconded by SONDERMEYER and carried on a voice vote all members present voting AYE.

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

**NEW BUSINESS:**

**A. Discussion & adoption of Resolution No. 2019-10.11: Shared Service Agreement with PCIA**

*Property Registration Program & Shared Service Agreement with Passaic County Improvement Authority. Property Maintenance Official Mark Redfield attended a seminar on this program which will register, track and help control foreclosure properties. The property maintenance official will remain tracking vacant 'non-bank owned' properties as per Borough Ordinance. Through this agreement, a company called Prochamps will be contracted to collect a \$500 semiannual and annual registration fees & create a database. When the fee is collected - \$100 goes to Prochamps, \$100 to the PCIA, and the remainder of \$300 to the Borough.*

At this time DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-10.11  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION APPROVING AND AUTHORIZING THE SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF BLOOMINGDALE AND THE PASSAIC COUNTY IMPROVEMENT AUTHORITY FOR IMPLEMENTATION AND MANAGEMENT OF THE BOROUGH'S FORECLOSURE MORTGAGES AND VACANT PROPERTY PROGRAM**

**WHEREAS**, the Borough recognizes that the present mortgage foreclosure problem has had serious negative implications for the Borough in efforts to manage the consequences of property vacancies and abandonments; and

**WHEREAS**, the Borough of Bloomingdale has a vested interest in protecting the Borough's neighborhoods from decay caused by vacant, abandoned and foreclosed properties; and

**WHEREAS**, the Borough has concluded that it is in the best interests of the Borough health, safety and welfare of its residents to impose registration and certification requirements on vacant, abandoned and foreclosed properties located within the Borough; and

**WHEREAS**, the Passaic County Improvement Authority has established a County-wide opt-in registration program, administered by a third party vendor, that will identify and a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of foreclosure and vacancy; and

**WHEREAS**, in enacting the "Uniform Shared Services and Consolidation Act," N.J.S.A. §40A:65-1 *et seq.*, the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another as a means to reduce municipal expenses; and

**WHEREAS**, accordingly, the Borough of Bloomingdale and the Passaic County Improvement Authority desire to enter into this Shared Services Agreement ("Agreement") through which the foreclosure mortgages and vacant property program shall be implemented and managed.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement with the Passaic County Improvement Authority for implementation and management of the foreclosure mortgages and vacant property program; and

**BE IT FURTHER RESOLVED** that the Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement.

This Resolution shall take effect immediately.

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

- B. Resolution No. 2019-10.12:** North Jersey Municipal Employee Benefits Fund Renewal  
**Discussion:** *Mayor explained this the Joint Insurance Fund renewal –this is a continuation of this existing agreement.*

**RESOLUTION NO. 2019-10.12  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND  
RESOLUTION to RENEW**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the Governing Body of the Borough of Bloomingdale, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**WHEREAS**, The LOCAL UNIT agrees to become a member of the FUND and to participate in the health insurance coverages offered for an initial period, (subject to early release or termination pursuant to the Bylaws), such membership to commence on **January 1, 2020** and ending on **December 31, 2022** at 12:01 AM provided, however, that the LOCAL UNIT may withdraw at any time upon 90 day written notice to the FUND.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.



- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the Governing Body of the Borough of Bloomingdale is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

At this time COSTA offered the following resolution and moved for its adoption:

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

**C. Introduction of Ordinance No. 27-2019:** Amend Ch. 92 Zoning Section 92-5 'Zoning Map'

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on November 26, 2019 at 7PM allowing enough time for the Planning Board review; the motion was seconded by DELLARIPA and carried per on voice vote all members voting AYE.

Discussion by the Mayor:

*The change comes from the recommendation of the Planning Board. There are parcels on Hamilton and a few on Van Dam Ave that are zoned as commercial, but really should be zoned as residential*

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 92 "ZONING", ARTICLE II "ZONE BOUNDARIES", SECTION 92-5 "ZONING MAP" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

**D. Introduction of Ordinance No. 28-2019:** Amend Ch. VII Traffic

A motion was made by D'AMATO to introduce the Ordinance by title; second and final reading/ public hearing will be on October 22, 2019 at 7PM; the motion was seconded by COSTA and carried per on voice vote all members voting AYE.

Discussion by the Mayor:

*By recommendation from Traffic Sergeant Boffa & Chief Borell - this is to add a stop sign on Clark St going onto Red Twig Trail and remove the yield sign.*

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 VII "TRAFFIC", PART I "ON-STREET TRAFFIC REGULATION", SECTION 7-30 "STOP INTERSECTIONS" AND SECTION 7-31 "YIELD INTERSECTIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

**NON-AGENDA:**

**1. Introduction of Ordinance No. 29-2019:** Amend Ch. II, Section 2-64.11 Fees for Recreation

A motion was made by SONDERYER to introduce the Ordinance by title; second and final reading/ public hearing will be on October 22, 2019 at 7PM; the motion was seconded by HUDSON and carried per on voice vote all members voting AYE.

Discussion by the Mayor:

*This is to add a new ski program, the recreation commission is organizing the program.*

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 II, ADMINISTRATION, SECTION 2-64.11 FEES FOR RECREATION PROGRAMS, OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

**2. Adoption of Resolution No. 2019-10.13: Road Opening Permit (28 Crane Ave)**

**Discussion by the Mayor:**

The mayor asked the council to consider allowing this road opening permit – upon receiving a \$2,000 bond as recommended by the Borough Engineer. The homeowner is replacing sidewalks and driveway apron and will have to do a 2 inch cut into Crane which has been paved within the last 5 years.

**A motion was made by Costa for the adoption of the following resolution:**

**RESOLUTION NO. 2019-10.13  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A ROAD OPENING PERMIT FOR 28 CRANE AVE**

**WHEREAS**, no permit shall be issued to any person to make any opening on a newly paved street or sidewalk unless the Governing Body of the Borough of Bloomingdale first determines there is a public need for the proposed street or sidewalk opening; and

**WHEREAS**, Crane Ave has been paved within the past five years; and

**WHEREAS**, the Borough Engineer has no objections to the road opening contingent upon the resident posting a \$2,000.00 bond; and

**WHEREAS**, the Governing Body has determined there is a public need for the road openin; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale that the Construction Official is permitted to issue a road opening permit to 28 Crane Ave contingent upon receiving \$2,000 bond from the applicant.

This Resolution shall take effect immediately.

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

**LATE PUBLIC COMMENT:**

D'AMATO opened the meeting to late public comment; seconded by SONDERMEYER and carried on voice vote. Since there was no one who wished to speak, D'AMATO moved that it be closed; seconded by DELLARIPA and carried on voice vote.

**GOVERNING BODY SCHEDULE:**

- A. Regular Meeting – October 22, 2019 7PM
- B. Workshop Meeting - November 1, 2019 8AM (*this meeting was rescheduled for November 8, 2019 8AM*)

**ADJOURNMENT:**

Since there was no further business to be conducted, D'AMATO moved to adjourn at 8:07PM; seconded by HUDSON and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC  
Municipal Clerk