

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

October 18, 2022

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held in the Council Chambers of the Municipal Building (101 Hamburg Tpke) on the above date. Mayor John D'Amato called the meeting to order at 7:00PM.

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

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Mayor John D'Amato
Councilman Dominic Catalano
Councilman John Graziano
Councilwoman Dawn Hudson
Councilman Drew Juhlin
Councilwoman Evelyn Schubert
Councilman Ray Yazdi

Municipal Clerk, Breeanna Smith
Business Administrator, Michael Sondermeyer
Borough Attorney, Dawn Sullivan

PUBLIC NOTICE STATEMENT

Mayor D'Amato stated: *This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 12, 2022; 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.*

Per State Fire Code, I am required to acknowledge that there are two emergency exits in this Council Chambers. The main entrance which you entered through and a secondary exit to the left of where I am seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out the building. If there are any questions, please raise your hand now.

EARLY PUBLIC COMMENT

Motion was made by HUDSON to open the meeting for public comment; seconded by YAZDI and carried on voice vote all voting AYE. Since there was no one who wished to speak HUDSON made a motion to close the meeting for public comment, seconded by GRAZIANO.

REPORTS (PROFESSIONALS, DEPT HEADS, COMMITTEES, LIAISONS, MAYOR):

Councilman Graziano (EDC Liaison/Municipal Alliance Liaison):

- Holiday Stroll at Sloan Park December 17th
- 'Coffee with Cops' at Sunrise Café November 19th 11AM-1PM

Councilwoman Schubert (Senior & Library Liaison/ Public Events Coordinator):

- [Library] pocketbook bingo 10/18
- Dueling Piano Event 4/22/2023
- Tri Boro first aid squad looking for volunteers

Councilwoman Hudson (BOH Liaison/ Public Events Coordinator):

- BOH would like to team with 'Stigma-free'
- Open positions on the Board of Health

- BOH would like to begin Mayors wellness campaign & walk with the Mayor
- 100 mile walk & encourage usage of WTB exercise equipment

Councilman Juhlin (Tri Boro Little League President / Environmental Liaison):

- Tri-Boro clinics will run for 3 more weeks
- BBYC football/cheerleading is winding down
- Winter programs will begin soon
- Annual Toy Drive to continue for the 2022 Holiday season

Business Administrator, Michael Sondermeyer

- Struble Lane has been paved
- Heather Lane scheduled for paving 11/8/2022
- Bloomingdale awarded \$90,000 from CDBG Grant for Main Street sidewalks (from Sloan Park to ‘Munchies’ (previously referred to as King’s Corner); plan is to remove pavers and replace with concrete
- Bloomingdale awarded \$200,000 from Open Space Grant for Phase 1 Bogue Pond Park playground

CONSENT AGENDA

(Adoption of Resolutions No. 2022-10.21 – 2022-10.23)

Motion: Ray Yazdi

Second: Dawn Hudson

Roll Call Vote: CATALANO (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES)

CONSENT AGENDA RESOLUTION:

**RESOLUTION NO. 2022-10.21
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
October 18, 2022 Regular Meeting*

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

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

A. Motion to approve minutes:

- June 14, 2022

B. Resolution No. 2022-10.22: Ch. 159 [Class III Shared Services]

C. Resolution No. 2022-10.23: Authorize Professional Service Contract with AMAR (HVAC Senior Center)

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on October 18, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

PENDING ITEMS

- A. Resolution No. 2022-10.24:** Authorize Lease Agreement between the Borough & the Fire Department for use of Fire Hall as Recreation Center

Motion: Ray Yazdi

Second: Dominic Catalano

Discussion: The hall will be used Tuesday, Wednesday & Thursdays 8AM-9PM (if needed) for \$1,200.00/month. If Saturday use is needed & the hall is available, it will be an extra expense. Confirmation from the Recreation Director that this new lease agreement will not affect any programs nor the registration process.

Roll Call Vote: GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES)

NEW BUSINESS

- A. Discussion:**

Acknowledge receipt of Bloomingdale's annual status/progress report of the Borough's Floodplain Management Plan under Community Rating System (report prepared by Borough Engineer 10/10/2022 & submitted to NJDEP)

Michael Sondermeyer explained the report. Council discussed Van Dam Brook and the status. Quote to be provided by DMK & reviewed by the Borough Engineer then forwarded to the Governing Body for approval.

Mayor noted that residents on Chestnut Street have inquired about being removed from designated flood areas (affecting need for flood insurance). The Borough will proceed with attempting to help these residents as successfully done in the past for other areas in town.

- B. Adoption of Resolution No. 2022-10.25:** Municipal Obligations

Motion: Ray Yazdi

Second: John Graziano

Discussion: Hudson questioned vendor 'Key Tech' for core testing, this is mandatory testing for any road project. Juhlin questioned pg 6 & 7 which contains expenditures for auto parts; Frank Neuberger was present to explain.

Roll Call Vote: HUDSON (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES), GRAZIANO (YES)

- C. Introduction of Ordinance No. 25-2022:** Amend Code to add New Chapter 27 "Business Insurance Registration"

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on November 4, 2022 at 8AM; the motion was seconded by YAZDI and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ADD A NEW CHAPTER 27 "BUSINESS INSURANCE REGISTRATION"

- D. Introduction of Ordinance No. 26-2022:** Amend Ch. 2-80 Fees (Business Insurance Registration)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on November 4, 2022 at 8AM; the motion was seconded by YAZDI and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

LATE PUBLIC COMMENT:

YAZDI opened the meeting to late public comment; seconded by HUDSON and carried on voice vote, all in favor voting AYE. Since there was no one who wished to speak YAZDI moved that it be closed; second by HUDSON and carried on voice vote all members voting (AYE), none were opposed.

EXECUTIVE SESSION: (entered 7:26PM)

Motion: Ray Yazdi

Second: Dominic Catalano

Voice Vote: all in favor, voting AYE; none were opposed

**RESOLUTION NO. 2022-10.26
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Council of the Borough of Bloomingdale on the 18th day of October, 2022 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.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - One Matter – Atty/Client (Public Safety)
 - One Matter – Contract Negotiations (Shared Service Wanaque/ Accounts Payable)
 - () 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).

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
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Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on October 18, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

GOVERNING BODY SCHEDULE

- A. Workshop Meeting – November 4, 2022 8AM**
- B. Regular Meeting – November 22, 2022 7PM**
- C. Regular Meeting – December 20, 2022 7PM**

ADJOURNMENT:

Since there was no further business to be conducted, HUDSON moved to adjourn at 8:39PM; seconded by CATALANO and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC
Municipal Clerk

October 18, 2022 RESOLUTIONS

**RESOLUTION NO. 2022-10.22
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**Resolution Requesting Approval of Items of Revenue and Appropriations
Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)
*SLEO CLASS III SERVICES***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (“Director”), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough’s 2022 Municipal Budget an item of revenue based upon a shared service contract with the Bloomingdale Board of Education;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale in the County of Passaic, New Jersey, hereby requests that the Director of the Division of Local Government Services, approve the insertion of an item of revenue into the Borough’s 2022 Municipal Budget in the sum of **\$30,000.00**, which item is now available from the Board of Education; and

BE IT FURTHER RESOLVED that a like sum of **\$30,000.00** be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations
SLEO CLASS III SERVICES*

AND BE IT FURTHER RESOLVED that the Chief Financial Officer will electronically file with the State of NJ in accordance with LFN 2014-11.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-10.23
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT WITHOUT COMPETITIVE BIDDING TO A-MAR INC TO PROVIDE HVAC MAINTENANCE SERVICES AT THE BLOOMINGDALE SENIOR CENTER

WHEREAS, there exists a need for HVAC (heating/cooling) maintenance services at the Bloomingdale Senior Center; and

WHEREAS, the Borough wishes to retain A-Mar Inc. to perform such services; and

WHEREAS, the maximum amount for services under this contract shall not exceed \$13,700.00; and

WHEREAS, funds are available for this purpose are available as evidenced in the annexed certification of funds; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself be available for public inspection.

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

Section 1. The contract with A-Mar Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. A-Mar Inc. shall provide HVAC maintenance services to the Borough as set forth in its proposal of March 10, 2022.

Section 3. A notice of this action shall be printed once in the legal newspaper of the Borough of Bloomingdale as required by law.

Section 4. A copy of this Resolution shall be provided to Donna Mollineaux Chief Financial Officer, and to A-Mar Inc. P.O. Box 3385, Wayne New Jersey 07474 for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on October 18, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-10.24
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN BLOOMINGDALE FIRE DEPARTMENT, INC. AND THE BOROUGH FOR LEASE OF FIREMEN’S HALL FOR USE BY THE BOROUGH RECREATION PROGRAM

WHEREAS, the Borough has determined that it will not renew the lease for the use of property at 47 Main Street which had been used as the Borough’s Recreation Center; and

WHEREAS, as a result, the Borough is in need of another location at which the recreation programs can be conducted; and

WHEREAS, the Bloomingdale Fire Department, Inc. is the owner of property located at 97 Hamburg Turnpike, known as the Firemen’s Hall and has indicated it is available for use by the Borough for recreation programs and events; and

WHEREAS, the parties have agreed to terms and negotiated an acceptable agreement for the use of Firemen’s Hall; and

WHEREAS, the Borough Council believes it is in the best interests of the Borough residents to enter into an agreement for use of Firemen’s Hall for the Borough recreation programs and events.

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

Section 1. The Borough Council approves the agreement for use of Firemen’s Hall for the Borough’s recreation programs and events.

Section 2. The Borough Administrator is hereby authorized to execute the agreement for use of Firemen’s Hall.

Section 3. A copy of this Resolution shall be provided to Donna Mollineaux Chief Financial Officer, and to Bloomingdale Fire Department, Inc., 97 Hamburg Turnpike, PO Box 211, Bloomingdale, New Jersey 07403, for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on October 18, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-10.25
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

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;

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:

<u>BILLS</u>		<u>PREPAID</u>	
<u>LIST LIST</u>			
CURRENT		CURRENT	
UTILITY	\$3,429,681.41	UTILITY	
CAPITAL	\$157,597.56	OPEN SPACE	\$583,689.71
CAPITAL UTILITY	\$178,051.74	TRUST ACCOUNT	\$39,444.06
TRUST	\$7,366.07	RECYCLING	\$54,830.39
DOG TRUST	\$18,119.17	DOG TRUST	
RECREATION	\$482.39	UNEMPLOYMENT	\$2,560.00
ROSE FUND	\$12,034.70	CAPITAL	
RECYCLING	\$921.38	WATER CAPITAL	\$111.70
UNEMPLOYMENT	\$0.00	RECREATION	
AFFORDABLE HOUSING	\$0.00	CAPITAL ASSESSMENT	
TOTAL	\$0.00	TOTAL	
	\$3,804,254.42		\$2,837.44

<i>Record of Council Vote on Passage</i>										\$683,473.30
COUNCILPERSON	AYE	NAY	Abstain	Absent	COUNCILPERSON	AYE	NAY	Abstain	Absent	
Hudson	X				Schubert	X				
Catalano	X				Graziano	X				
Juhlin	X				Yazdi	X				

recusals are listed in the official minutes

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on Tuesday, October 18, 2022.

Breeanna Smith, R.M.C.
Municipal Clerk, Borough of Bloomingdale