**REGULAR WORKSHOP MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**September 4, 2018**

The Regular 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 7:03PM.

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

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

Councilman Anthony Costa

Councilman John D’Amato

Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

Councilman Ray Yazdi

Municipal Clerk, Breeanna Calabro

Borough Attorney, Dawn Sullivan

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on December 27, 2017.

**PRESENTATIONS:** N/A

**EARLY EXECUTIVE SESSION:** N/A

**NON AGENDA:**

* Resignation of Christina Parks effective September 18, 2018 (Part Time ACO)

**EARLY PUBLIC COMMENT:**

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

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

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

**Mayor Dunleavy:**

* The purchase of iPads were included in the 2018 budget for the council to eliminate the use of paper. The purchase hasn’t been made yet because new models may come out in mid-September. If that’s the case, older models usually see a price drop. Hopefully next meeting we will have an update
* Delazier Basketball Court – project estimated to begin in 2 weeks
* Red Twig Trail – 2019 Spring project
* Capital paving will resume next week
* Reminder for 9/11 Candlelight Walk starting at Sloan Park at 7:15PM
* County paving /repairing failed ‘friction’ spots on county roads – they will be fixing this areas in about a week or so, including milling and paving potholes. This is a short term fix until the cause is determined by the NJDOT & County.
* New gazebo for Bogue Pond was purchased; will be installed within the next 10 days
* New Generator for Boro Hall has been ordered
* Bid Opening for Cell Tower Lease was held on August 29th, there was one bidder (SBA) who is the current lessee. The bid has been reviewed by our attorney – an award will most likely be on the 9/18/18 agenda. This contract will bring a $20,000 signing bonus to the Borough.

**RESOLUTION NO. 2018-9.1 CONSENT AGENDA**

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

**RESOLUTION NO. 2018-9.1**

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

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

***September 4, 2018 Workshop Council Meeting***

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

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

* 1. **Approval to submit Road Closure Request for 9/11 Candlewalk on September 11, 2018**
  2. **Resolution No. 2018-9.2:** Chapter 159 – Alcohol Education, Rehabilitation & Enforcement Grant
  3. **Resolution No. 2018-9.3:** Authorizing Cancellation of Interlocal Agreement and Receivable Balance ( Kinnelon – Field Inspector)

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2018-9.2  
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough’s FY2018 Municipal Budget of an item of revenue in the sum of $366.16, which item is now available as revenue in the form of a State of New Jersey Current Fund – ***Alcohol Education, Rehabilitation & Enforcement Grant***; and

**BE IT FURTHER RESOLVED** that a like sum of $366.16 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations   
Alcohol Education, Rehabilitation & Enforcement Grant*

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

**RESOLUTION NO. 2018-9.3**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Cancellation of Interlocal Agreement and Receivable Balance***

**WHEREAS,** the Borough of Bloomingdale and the Borough of Kinnelon entered into an agreement for Field Services Inspector for 2018; and

**WHEREAS,** the terms that were outlined in the contract for 2018 have been met and there no longer exists a need for the agreement; and

**WHEREAS,** per the agreement, there remains a receivable balance which will not be collected due to the completion of the project;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Interlocal Services agreement between the Borough of Bloomingdale and the Borough of Kinnelon be cancelled and that the balance of the receivable in the amount of $8,625.00 also be cancelled.

**PENDING ITEMS:**

1. **Adoption of Resolution No. 2018-8.20 (tabled from 8/21/2018)**At this time, Councilman Yazdi offered the following resolution and moved its adoption:

**RESOLUTION NO. 2018-8.20  
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 a developer’s agreement between the BOROUGH OF BLOOMINGDALE and D4 PROPERTIES, LLC**

**WHEREAS,** D4 Properties, LLC obtained preliminary and final site plan approval as well as variance relief from the Planning Board by way of Planning Board Resolution adopted on May 17, 2018, to develop on property designated as Block 5063, Lot 1 also known as 62 Main Street; and

**WHEREAS,** D4 Properties, LLC is proceeding with such improvements pursuant to the approvals in accordance with the applicable ordinances, rules and regulations of the Borough and its agencies; and

**WHEREAS,** D4 Properties, LLC and the Borough desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the approvals received; and

**WHEREAS,** the Borough and D4 Properties, LLC have negotiated an acceptable Developer's Agreement.

**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:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Developer’s Agreement between the Borough of Bloomingdale and D4 Properties, LLC.
2. A copy of this resolution shall be provided to the Borough Planning Department and D4 Properties, LLC, for their information and guidance.

1. A copy of the Developer’s Agreement shall remain on file in the Borough Clerk’s office and available for public inspection.

This Resolution shall take effect immediately.

**Discussion**: *Although the agreement is not in the council’s books because it was just executed/received this afternoon. The mayor said this can tabled again until next meeting or the council can take action now. The resolution codifies what the planning board has already approved with their resolution. It establishes a $21,000 deposit into our affordable housing trust fund. The agreement has been reviewed by the Borough Engineer, the Borough Attorney & the applicant’s Attorney, therefor the council decided to take action.*

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

**NEW BUSINESS:**

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

**RESOLUTION NO. 2018-9.4**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorization to Hire Temporary Help at the DPW***

**WHEREAS**, there exists a need for temporary help within the Department of Public Works; and

**WHEREAS**, the Superintendent of the Department of Public Works recommends that authorization be given to hire Brandon Bott to work Monday through Friday effective August 27, 2018 through December 31, 2018 at a rate of $15 per hour; and

**NOW, THEREFORE BE IT RESOLVED,** that the Governing Body of the Borough of Bloomingdale does hereby authorize the hiring Brandon Bott for temporary help within the Department of Public Works.

**Discussion:** *We have a part time summer help employee, Brandon Bott, whose help is being extended through the end of the year. This is to cover the duties of an employee who is out for a long term injury.*

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

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

**RESOLUTION NO. 2018-9.5**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Hire of a Full-Time Tax Office Assistant***

**WHEREAS,** there exists a need for a full-time Tax Office Assistant; and

**WHEREAS**, this position was advertised and interviews were held for prospective candidates; and

**WHEREAS**, based on these interviews, it was determined that Erin Alvarez of West Milford, New Jersey was the successful candidate;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale that Erin Alvarez be hired as a Full Time Tax Office Assistant as per the terms of the White Collar contract effective September 17, 2018.

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

**NON-AGENDA**

DELLARIPA made a motion to accept the resignation of Christina Parks (part time Animal Control Officer), whose last day will be September 18, 2018 and also for the authorization to advertise a hire a part time qualified/licensed animal control officer. The motion was seconded by HUDSON and carried on voice vote, all in favor.

**LATE PUBLIC COMMENT:**

HUDSON opened the meeting to late public comment; seconded by SONDERMEYER and carried on voice vote, all in favor.

Linda Huntley – 86 Van Dam Avenue, Bloomingdale

* *Inquired when the tax bills will be mailed out.*
* *Inquired if there will be Affordable Housing Units built on Main St. – (mayor explained no, a $21,000 deposit will be made in the affordable housing trust fund by the developer (D4 Properties) in lieu of building AHUs)*
* *Expressed gratitude towards Bloomingdale’s Animal Control Officer, Lisa Perry for going above and beyond her call of duty. Mrs. Huntley explained an incident where one of her dogs escaped through her invisible fence and got lost in the woods on a raining evening. Lisa went above and beyond her duty in effort to find the residents missing dog & it was very much appreciated. (Mayor thanked the resident for bringing this to the governing body’s attention. He will pass along the expressed gratitude and place this in the personal records of Lisa Perry.)*

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

**Executive Session:**

At this time Councilwoman HUDSON offered the following resolution and moved for its adoption

**RESOLUTION NO. 2018-9.6**

**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 4th day of September, 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.   
  ( 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.

( 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 SONDERMEYER and carried on voice vote, all in favor.

Entered into executive session: 7:16PM

Resumed in open session: 7:41PM

Council resumed and Mayor asked for motion for Resolution No. 2018-9.7. Motion was made by YAZDI for adoption:

**RESOLUTION NO. 2018-9.7  
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 a REDUCTION IN WATER CONNECTION FEES FOR D4 PROPERTIES, LLC AT 62 MAIN STREET, BLOCK 5063, LOT1**

**WHEREAS,** D4 Properties, LLC is in the process of constructing improvements on property located at Block 5063, Lot 1 also known as 62 Main Street; and

**WHEREAS,** D4 Properties, LLC has established a connection to the newly constructed water system servicing the property at Block 5063, Lot 1 also known as 62 Main Street; and

**WHEREAS,** as a result of its connection to the water system, D4 Properties, LLC was issued an invoice of $43,150 pursuant to Section 17-6.1 of the Borough Code; and

**WHEREAS**, D4 Properties, LLC has requested a reduction in the connection fee; and

**WHEREAS,** the Borough Council has reviewed the request, determined that the connection fees are not in line with surrounding communities and determined that it is in the Borough’s best interest to reduce the connection fee to that of a 3 inch pipe connection for D4 Properties, LLC.

**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:

1. The water connection fee to be assessed D4 Properties, LLC shall be the cost for a 3 inch pipe connection pursuant to the Borough Code, $27,616, plus the administrative fee of $828.
2. A copy of this resolution shall be provided to the appropriate Borough Departments for billing purposes and D4 Properties, LLC, for their information and guidance.

This Resolution shall take effect immediately.

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

**GOVERNING BODY SCHEDULE:**

1. Regular Council Meeting – September 18, 2018 7PM
2. Regular Workshop Meeting – October 2, 2018 7PM
3. Regular Council Meeting – October 16, 2018 7PM
4. 9/11 Candlelight Walk – Sloan Park
5. Bob Kochka 5K Run – September 21, 2018
6. Pride Day – September 22, 2018

**ADJOURNMENT:**

Since there was no further business to be conducted, COSTA moved to adjourn at 7:42PM; seconded by DELLARIPA and carried on voice vote with all Council Members present voting YES.

Breeanna Calabro, RMC

Municipal Clerk