

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

February 16, 2021

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held via Zoom webinar platform on the above date. Council President, John D'Amato called the meeting to order at 7:01PM.

Council President led the **Salute to the Flag**.

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Councilman John D'Amato
Councilman Richard Dellaripa
Councilman John Graziano
Councilwoman Dawn Hudson
Councilman Drew Juhlin
Councilman Ray Yazdi

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

PUBLIC NOTICE STATEMENT

Councilman D'Amato stated: *In accordance with the Open Public Meetings Act and the Emergency Remote Meeting Protocol for Local Public Bodies, adequate and electronic notice of this remote meeting have been provided by sending notice to the Herald Newspaper and The Star Ledger, posting notice on the Borough website, posting notice on the outside front door & bulletin board of Borough Hall, 101 Hamburg Turnpike, Bloomingdale, NJ 07403, and sending notice to those individuals requesting same.*

Members of the public will be kept on mute during the meeting. While muted, participants will still be able to hear business being conducted. If you would like to speak during the designated public comment portion (& Ordinance Public Hearings if applicable), press 9 on your telephone or the "raise hand" icon on the Zoom app and wait to be recognized by the host, who will unmute you to speak. When you are done commenting, you will be muted again. There is a 5-minute limit on all public comments.

NON-AGENDA ITEMS:

1. **Resolution No. 2021-18:** Accepting Resignation of Robert Buono, CPWM & Field Consultant
2. **Resolution No. 2021-19:** Appointment of Daniel O'Rourke, CPWM

EARLY PUBLIC COMMENT:

Motion was made by HUDSON to open the meeting for public comment; seconded by DELLARIPA and carried on voice vote all voting AYE. Since there was no one who wished to speak, DELLARIPA made a motion to close public comment, second by GRAZIANO & carried on voice vote all members voting AYE, none were opposed.

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

Councilman Juhlin (Recreation & Tri-Boro Liaison):

Recreation commission is discussing Spring/Summer activities – youth basketball, adult choir etc. The commission had great success with their first Ski program at Camp Grow mountain. [Tri-Boro Little League] 'opening day' is still up in the air, there will be a plan to follow Covid-19 guidelines/restrictions

Councilman Graziano (EDC Liaison/Commissioner): *Ribbon cutting ceremony on Sunday Feb 21st for ‘Computer Inc.’ at 12PM. NJ Future is launching a survey to gather feedback from residents on what type of businesses they would like to see in the downtown area. The survey will be shared on social media platforms & website.*

Council President / Acting Mayor, John D’Amato:

- *Brothers Auto Hunt - New owner at 84 Main St (Previously known as Loreng’s Transmission) there are plans to renovate the interior & exterior. The new business which restores high end vehicles – they will have a show room. Hoping for a great business on Main Street*
- *DPW Salt Shed – in need of repair (cracks in concrete)*

Business Administrator, Michael Sondermeyer:

- *Butler HS has requested an ad from the Mayor & Council, an updated picture of the Council is needed*
- *Extensions were given to members on the Fire Department who need physicals*
- *Friday @ 11AM there will be a demo of [Fire] Ladder Truck coming to Town Hall*

CONSENT AGENDA

(Adoption of Resolutions No. 2021-2.9 – 2021-2.12)

Motion: Ray Yazdi

Second: Rich Dellariapa

Discussion: *Thank you to all members who have served, and to those new volunteers who will be joining. Special Thank you to Linda Bennet who has done an excellent job with the Municipal Alliance*

Roll Call: D’AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES)

RESOLUTION NO. 2021-2.9 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
February 16, 2021 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 approve Minutes:

- **February 2, 2021 – Workshop Meeting**

B. Motion to Accept Resignation: *Nadia Hussain, EDC Member*

C. Motion to Remove Inactive Member: *Anne Sundstrom, EDC Member*

D. Motion to Approve Fire Department Member: *Stephen Bradbury Jr.*

E. Resolution No. 2021-2.10: Appointing Members to EDC (Dominic Catalano & Farah Sayyed)

F. Resolution No. 2021-2.11: Appointing Member to BOH (J. Valente)

G. Resolution No. 2021-2.12: Appointing Member to SAR (V. Kuiken)

Consent Agenda Resolutions:

**RESOLUTION NO. 2021-2.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Appointments to the Economic Development Commission

BE IT RESOLVED by the Council of the Borough of Bloomingdale that they do provide, advice and consent to the Acting Mayor's appointment of the following to the Economic Development Commission members:

- | | | | |
|----------------|-------------------|------------|-------------------|
| 1. EDC, Member | 5 years unexpired | (12/31/22) | Dominic Catalano |
| 2. EDC, Member | 5 years unexpired | (12/31/24) | Farah Sayyed-Unas |

**RESOLUTION NO. 2021-2.11
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Appointments to the Board of Health

BE IT RESOLVED by the Borough Council of the Borough of Bloomingdale, that they do provide, advice and consent to the appointment of the following members to the Board of Health:

Board of Health	3 Years Unexpired (12/31/22)	Jessica Valente
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**RESOLUTION NO. 2021-2.12
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey,
Appointing Members to the Bloomingdale Search and Rescue Team*

WHEREAS, Residents' safety is enhanced by the Bloomingdale Search and Rescue Team ('BSAR'); and

WHEREAS, the Search and Rescue Team assists in supervising and coordinating the civilian defense and disaster control activities of the Borough;

WHEREAS, the Search and Rescue Team helps train their members to be better prepared to respond to emergency situations in their communities that require them to find lost individuals. When emergencies happen, Search and Rescue Team members can provide immediate assistance to subjects, and organize spontaneous volunteers at a disaster site.

WHEREAS, the Search and Rescue Team members search for and provide aid to people who may be in distress, imminent danger, or lost.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale hereby appoints the following members to the Search and Rescue Team for a one-year term; expiring December 31, 2021:

Search & Rescue	1 year	Vernon Kuiken
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PENDING ITEMS

A. Community Development Block Grant (Application) FY2021

Council President /Acting Mayor led a discussion. After review with the Borough Engineer, and other Borough professionals it was decided to not apply for sidewalks on Hamburg Tpke between Delazier Place & Glenwild Ave. Although the county would support this application, there are safety concerns. Another concern is 'taking' property from parcels along Hamburg Tpke.

The application will be submitted to create an area for the Senior's to gather outside, socially distant, of the Senior Center at 103 Hamburg Tpke by way of creating a 'Senior Park'. The council discussed putting in a walkway, gazebo/pavilion, seating, and lighting. This would be near the Community Garden & Flag Burning area (for retired flags).

Linda Huntley, of 86 Van Dam Ave, Bloomingdale, informed the Council the Borough received an NJDOT grant (approximately \$390,000) in 2009 for the sidewalk project along Hamburg Turnpike & discussed the project application from prior years.

While the Council will move in a different direction for this year's application, they discussed researching the Hamburg Tpke sidewalk project further for a future CDBG or NJDOT grant application.

(Adoption of Resolutions No. 2021-2.13 – 2021-2.14)

Motion: Dawn Hudson

Second: Ray Yazdi

Roll Call: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES), D'AMATO (YES)

**RESOLUTION NO. 2021-2.13
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

FAIR HOUSING RESOLUTION

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

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

BE IT FURTHER RESOLVED, that the Borough of Bloomingdale shall publicize this resolution and though this publicity shall cause owners of real estate, developers, and builders to

become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

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

**RESOLUTION NO. 2021-2.14
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Authorizing Application to Passaic County for and use of funds from the Passaic County
Community Development Block Grant Program*

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has learned that Passaic County Community Development Block Grant Program is presently accepting grant applications for funding available; and

WHEREAS, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the County for the Governing Body to authorize the submission to the County of applications for grant funding from the Fund to finance:

Senior Center Community Park Expansion

WHEREAS, if awarded CDBG funds, the Borough of Bloomingdale shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Borough Engineer to proceed with the submission of the applications for Passaic County Community Development Block Grant Program to finance the foregoing projects and does hereby further authorize the appropriate municipal officials to complete all tasks necessary to complete such applications.

NEW BUSINESS:

A. (Adoption of Resolution No. 2021-2.15)

Motion: Rich Dellaripa

Second: Ray Yazdi

Discussion: *Councilman Juhlin asked for explanation of \$1,700 payment to Geese Police, Mike Sondermeyer will provide an explanation after discussion with the Finance Department.*

Roll Call: GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES), D’AMATO (YES*), DELLARIPA (YES)

***Recusals:** *D’Amato recused from all items for vender #01463 (DARMOFALSKI ENGINEERING INC)*

**RESOLUTION NO. 2021-2.15
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Payment of Municipal Obligations

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that certain municipal obligations have come due and are now payable; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

<u>BILLS LIST</u>		<u>PREPAID LIST</u>	
CURRENT	3,181,890.81	CURRENT	811,409.81
UTILITY	119,298.92	UTILITY	61,789.46
CAPITAL	37,825.44	OPEN SPACE	00.00
UTILITY CAPITAL	10,056.25	TRUST ACCOUNT	3,040.00
TRUST	2,226.00	RECYCLING	00.00
DOG	2,812.97	DOG TRUST	1,004.00
RECREATION	0.00	UNEMPLOYMENT	773.05 ROSE
FUND	813.40	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	3,953.29	RECREATION	00.00
AFFORDABLE HOUSING	845.00	CAPITAL ASSESSMENT	00.00
TOTAL	3,359,722.08	TOTAL	878,016.32

B. (Adoption of Resolution No. 2021-2.16)

Motion: Rich Dellaripa

Second: Ray Yazdi

Roll Call: HUDSON (YES), JUHLIN (YES), YAZDI (YES), D’AMATO (YES), DELLARIPA (YES), GRAZIANO (YES)

**RESOLUTION NO. 2021-2.16
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX
APPEAL INVOLVING DENNEHY, CATHLEEN BLOCK 4049, LOT 79**

WHEREAS, an appeal of the 2019 real property tax assessment of property known as Block 4049, Lot 79 and more commonly known as 126 Demarest Road in the Borough of Bloomingdale, owned by Cathleen Dennehy, has been filed; and

WHEREAS, the Attorney, Tax Assessor and Borough’s Expert Appraiser, have negotiated a settlement; and

WHEREAS, the Attorney, Tax Assessor and Expert Appraiser are of the opinion that settlement of the appeals is in the best interest of the Borough.

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

1. Settlement of the 2019 tax appeal filed at the Tax Court of New Jersey is authorized as follows:

YEARS	ORIGINAL ASSESSMENT	COUNTYBOARD JUDGMENT	PROPOSED ASSESSMENT
2019	\$342,000	\$342,000	\$315,000

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

3. This Resolution shall take effect immediately.

C. (Adoption of Resolution No. 2021-2.17)

Motion: Ray Yazdi

Second: Rich Dellaripa

Discussion: *Part of the transfer is for the generator for the Tri-Boro Ambulance Squad, the other is for equipment in the Police Department*

Roll Call: JUHLIN (YES), YAZDI (YES), D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)

**RESOLUTION NO. 2021-2.17
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing the Transfer of 2020 Appropriations

WHEREAS, Title 40A:4-58 provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess of those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body further finds and declares that the Treasurer has determined that the following transfers are both necessary and appropriate; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer is hereby authorized to make the following transfers in the FY2020 Budget.

To:			
Police	0-01-25-240-001-085	\$	1,000.00
Aid to Volunteer Ambulance	0-01-25-260-001-100	\$	5,000.00
TOTAL		\$	6,000.00
From:			
Street & Roads	0-01-26-290-001-021	\$	1,000.00
Group Insurance	0-01-23-220-001-100	\$	5,000.00
TOTAL		\$	6,000.00

NON-AGENDA ITEMS:

1. Resolution No. 2021-18: Accepting Resignation of Robert Buono, CPWM & Field Consultant

Motion: Ray Yazdi

Second: Dawn Hudson

Roll Call: YAZDI (YES), D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES)

**RESOLUTION NO. 2021-2.18
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Resolution Accepting Resignation of Robert Buono
(Certified Public Works Manager & Field Consultant)*

WHEREAS, Robert Buono, has served as the Borough's Certified Public Works Manager for the Department of Public Works effective February 2, 2016; and

WHEREAS, the Borough Administrator & Acting Mayor have received email correspondence of resignation (dated February 15, 2021) from Robert Buono stating Mr. Buono's desire to resign as the Borough's Certified Public Works Manager & Athletic Field Consultant effective February 26, 2021; and

WHEREAS, the Borough Administrator concurs with this request;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Bloomingdale does hereby acknowledge the resignation of Robert Buono as of February 26, 2021 and thanks him for his service to the Borough of Bloomingdale.

2. Resolution No. 2021-19: Appointment of Daniel O'Rourke, CPWM

Motion: Ray Yazdi

Second: Rich Dellaripa

Roll Call: D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES)

**RESOLUTION NO. 2021-2.19
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION APPOINTING DANIEL P. O'ROURKE TO SERVE AS THE
BOROUGH'S CERTIFIED PUBLIC WORKS MANAGER**

WHEREAS, the Governing Body of the Borough of Bloomingdale finds and declares a need to appoint a Certified Public Works Manager ('CPWM'); and

WHEREAS, the Governing Body of the Borough of Bloomingdale further finds and declares that **DANIEL P. O'ROURKE** has been approved by the Division of Local Government Services and is qualified to serve as the Borough's Certified Public Works Manager; and

WHEREAS, the appointment of **DANIEL P. O'ROURKE** to serve as the Borough's CPWM is effective February 27, 2021 through December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of that **DANIEL P. O'ROURKE** is hereby appointed a Certified Public Works Manager shall be compensated \$2,000.

LATE PUBLIC COMMENT

DELLARIPA opened the meeting to late public comment; seconded by JUHLIN and carried on voice vote, all in favor voting AYE; none were opposed.

Linda Huntley – 86 Van Dam Avenue, Bloomingdale
made the following inquiries:

- *Action after executive session? (no action will be taken)*

Since there was no one else who wished to speak HUDSON moved that it be closed; second by DELLARIPA and carried on voice vote all members voting (AYE).

GOVERNING BODY SCHEDULE:

(Zoom Webinars until further notice)

- A. Workshop Meeting – March 2, 2021 **7PM**
- B. Regular Meeting – March 16, 2021 **7PM**
- C. Workshop Meeting – April 6, 2021 **7PM**

EXECUTIVE SESSION

Discussion: *Two (2) matters were scheduled for Executive Session; one matter has been resolved. The Council entered closed to discussion one matter of negotiations.*

Motion: Ray Yazdi

Second: Rich Dellaripa

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

Entered Closed Session: 7:41PM

RESOLUTION NO. 2021-2.20 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 16th day of February, 2021 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.
 - () 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).

Motion to resume in Open Session: Dawn Hudson

Second: Ray Yazdi

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

Resumed in Open Session: 8:00PM

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 8:00PM; seconded by DELLARIPA and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk