

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

February 21, 2023

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 Richard Dellaripa
Councilman John Graziano
Councilwoman Dawn Hudson
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 9, 2023; 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.

NON-AGENDA ITEMS

1. **Resolution No. 2023-2.24:** Accepting ROSE Trust Fund Report and Recommendations

PRESENTATION

A. 2023 COUNTY POSTER CALENDAR CONTEST

Zachery Jowett, Samuel R. Donald School - 'March' Winner

Zachery was not present however the Mayor acknowledged him and his participation in the contest; members reviewed the 2023 calendar.

PUBLIC HEARING

Passaic County Open Space Municipal Grant Application:

Bogue Pond Playground Rehabilitation – Phase II

- *Motion to open Public Hearing: Dawn Hudson*
Seconded: Rich Dellaripa
Voice Vote: all in favor voting AYE, none were opposed

There were no members from the public who wished to speak

- *Motion to close Public Hearing: John Graziano*
Seconded: Rich Dellaripa

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

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.

Linda Huntley – 86 Van Dam Ave, Bloomingdale

Made the following inquiries:

- Duties of new position of DPW Office Assistant

Since there was no one else from the public who wished to speak YAZDI made a motion to close the meeting for public comment, seconded by HUDSON carried on voice vote, all in favor voting AYE.

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

Councilwoman Schubert (Senior Committee, Library Board, BBYC & Tri-Boro First Aid Liaison):

- 2023 Library Update
 - *March 2nd Dr. Suess Birthday*
 - *Tuesdays and Thursdays afternoon book time*
 - *March 8th Adult Book Club (meet Wednesdays)*
 - *March 31 Designer Bingo*
 - *March 6th Art Classes*
 - *Like Hoopla – PALS magazines online*
- Senior Advisory Board
 - *Passaic County Surrogate 'Make-A-Will' Event February 23rd*
 - *Italian Festival at La Greci – March 20th*
 - *Murder Mysteries*
- BBYC:
 - *April 1st Tricky Tray/Beefsteak*
 - *Flag Football and Mascot Cheer Sign ups April 1st*
 - *Aug. 1st Football Practice starts 1st-8th Grade*

Councilwoman, Dawn Hudson (BOH Liaison)

- Public Events
 - *April 8th Easter Egg Hunt*
 - *April 15th Trout Fishing & Recycling/Shredding Event*
 - *April 22nd Little League Opening*
 - *March 21st Bloomingdale's Fire Dept Ladies Aux. Fish and Chips Night*
 - *March 11th Fire Dept. Comedy Night*
- Acknowledged the Fire Department who have been very active with mutual aid calls

Councilman, John Graziano (EDC Chairperson)

- Economic Development Commission
 - *June 9th and Sept. 8th Sloan Park Fest*
 - *March 19th 'Cones with Cops'*
 - *March 30th Drug Alliance 'Unity Through Community' dodgeball event*

Business Administrator, Michael Sondermeyer:

- Recreation
 - *Adding 2 new original categories to the fee schedule - STEM programs and Team Building*

Mayor, John D'Amato:

- *Met with new County Administrator – Matt Jordan*
 - *Discussed Bloomingdale and the future of 'Spring Brook Acres' farm which was purchased by the county. The County is taking steps forward and have an*

intent to break ground fall of next year (county park). The county plans to designate a committee for Bloomingdale & Wanaque residents to receive input on the residents' concerns/wants (ex. Fields, tennis courts, walking trails etc.)

- *Discussed development of warehouse on Union Ave [county road] in Wanaque and the traffic pattern*
- *Discussion of Passaic County Jail closing & how the officers will be utilized throughout the county*

CONSENT AGENDA

(Adoption of Resolutions No. 2023-2.12 – 2023-2.18)

Motion: Ray Yazdi

Second: Dawn Hudson

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

CONSENT AGENDA RESOLUTION:

RESOLUTION NO. 2023-2.12 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
February 21, 2023, 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.

B. Motion to approve minutes:

- December 20, 2022 – Regular Meeting
- January 17, 2023 – Regular Meeting
- February 7, 2023 – Executive Session

C. Resolution No. 2023-2.13: Authorization to submit Passaic County Open Space Grant Application (Bogue Pond Playground Rehabilitation – Phase II)

D. Resolution No. 2023-2.14: Purchase of Gas & Diesel Fuel (NJ State Contract)

E. Resolution No. 2023-2.15: Appoint Board of Health Member (K. Pilaar)

F. Resolution No. 2023-2.16: Certification of TWA Application

G. Resolution No. 2023-2.17: Purchase of Protective Fire Gear (NJ State Contract)

H. Resolution No. 2023-2.18: Tax Title Lien Redemption 18-00005

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Ordinance No. 5-2023: Amend Ch. 2-80 Fees for Municipal Services (Firearms)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 5-2023
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 2 “ADMINISTRATION”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth certain fees for municipal services; and

WHEREAS, Governor Murphy signed into law Senate Bill 3214, which makes various revisions to requirements for obtaining a firearm purchaser identification card, permit to purchase a handgun, and permit to carry a handgun; codifies sensitive places in which firearms and weapons are prohibited.

WHEREAS, to ensure compliance with this new law, the chief of police has recommended the Governing Body amend the fees for obtaining a firearm purchaser identification card, permit to purchase a handgun, and permit to carry a handgun; 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 2 “Administration”, Article VIII “Policies and Procedures”, Section 2-80 “Fees Charged for Municipal Services” shall be amended as follows:

§2-80 Fees Charged for Municipal Services.

- a. Copies of documents available to the public pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., are to be charged at the following rates: 1) \$0.05 per page for letter-sized pages and smaller; 2) \$0.07 per page for legal-sized pages and larger; 3) electronic records are to be provided free of charge via email and fax; 4) \$2.70 for recording manufacturer's recommended compact disk or \$0.60 for standard quality compact disc; and 5) the actual cost to provide records in another medium (i.e., computer disc, CD-ROM, DVD)
- b. Black and White Street and/or Zoning Map: \$5.
- c. Color Street and/or Zoning Map: \$8.
 1. Color Street and/or Zoning Map, 8 1/2 inches by 11 inches: \$0.50.
- d. Zoning Ordinance package: \$10.
- e. Site Plan Ordinance package: \$10.
- f. Master Plan: \$50.
- g. Assessment search: \$10.

- h. Tax search: \$10.
- i. Municipal lien search: \$10 for each property; \$2 for each continuation year (maximum of \$8).
- j. Search for delinquent properties: \$10.
- k. Search for miscellaneous tax information: \$5.
- l. List of property owners within 200 feet: \$10 or \$0.25 per name (whichever is greater).
- m. Duplicate tax sale certificate: \$100.
- n. Duplicate tax bill: \$5 for first duplicate copy; \$25 for duplicate copy thereafter.
- o. Mailing of notice of tax sale: \$25.
- p. Extra duty rates outside of the Police Department:
 - 1. Borough nonpolice work: \$65/hour.
 - 2. Nonmunicipal/private contractors: \$80/hour plus administration fee of 25%.
 - 3. County: \$50 to \$85 plus administration fee for County of \$5 to \$50. [**Amended 9-15-2020 by Ord. No. 32-2020**]
- q. Photocopy of Tax Map: \$0.75.
- r. Returned check fee: \$20.
- s. Tire pickup and disposal: \$5 per tire.
- t. Leaf bags: three for \$1.
- u. Garage sales: \$10.
- v. Firearms Fees:
 - 1. Firearms Identification Card: \$50/card
 - 2. Permit to purchase a handgun: \$25/permit
 - 3. Permit to carry a handgun: \$150/permit
- w. RESERVED
- x. RESERVED
- y. Summer Junior Police Academy: \$25 to \$50.
- z. Clothing bins: \$10.
- aa. Online payment fees for credit cards: up to 5% of costs.
- bb. Delivery of topsoil/mulch: \$50. Limit of two deliveries per resident annually.
- cc. Overnight parking permit: \$120 per annum.
- dd. Livestock permit fee: \$30 per annum.
- ee. Marriage ceremony by Mayor: \$100 (all fees collected pursuant to this subsection shall be dedicated exclusively to the Animal Control Budget).
- ff. License for retail electronic smoking device establishments: \$250 per annum.

- gg. Anniversary Journals: \$20.
- hh. Anniversary t-shirts: \$15 to \$18.
- ii. Online credit card fees for Water and Sewer: \$3.95.
- jj. Accident reports (other than in person): \$5.
- kk. EDC banners: \$250. [Amended 10-19-2021 by Ord. No. 24-2021]
- ll. Employment application fee (Police Department): \$75. [Added 9-1-2020 by Ord. No. 31-2020]
- mm. The fee for all flea market permits shall be \$100. This sum shall be paid by the organizer of said flea market. If held on public property a cash bond in the amount of \$1,000 will be held for clean-up purposes. [Added 8-17-2021 by Ord. No. 17-2021]
- nn. Any single items or bundles not eligible for garbage collection due to weight, size or bulk. \$10.00/item. [Added 12-28-2021 by Ord. No. 30-2021]
- oo. Annual fee for registration of the certificate of insurance per Chapter 27, Business Insurance Registration: \$20. [Added 11-4-2022 by Ord. No. 26-2022]

All other portions of this Section remain unchanged.

SECTION 2. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. 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 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Breeanna Smith, Clerk

By: _____
John D'Amato, Mayor

PUBLIC NOTICE

**ORDINANCE NO. 5-2023
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 2 "ADMINISTRATION", ARTICLE VIII "POLICIES AND PROCEDURES", SECTION 2-80 "FEES CHARGED FOR MUNICIPAL SERVICES" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on February 7, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on February 21, 2023 at 7PM, at which time any persons interested shall be given the opportunity to

be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk's Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

Purpose/Summary of Ordinance No. 5-2023:

WHEREAS, to ensure compliance with Senate Bill 3214, the Chief of Police has recommended the Governing Body amend the fees for obtaining a firearm purchaser identification card (\$50/card), permit to purchase a handgun (\$25/permit), and permit to carry a handgun (\$150/permit).

Breeanna Smith, RMC
Municipal Clerk

Public Hearing:

At this time YAZDI 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 speak HUDSON made a motion to close the public hearing; motion was seconded by YAZDI and carried on voice vote all members voting AYE; none were opposed.

Adoption:

YAZDI made motion for adoption; the motion was seconded by GRAZIANO and carried per the following roll call vote: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES)

B. Second/Final Reading & Public Hearing:

Ordinance No. 6-2023: Amend Ch. 3-1 Abandoned Vehicles

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 6-2023
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 3 “POLICE REGULATIONS”, SECTION 3-1 “ABANDONED VEHICLES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth standards, definitions and restrictions regarding vehicles deemed to be abandoned throughout the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code, consulted with the Chief of Police and recommended certain changes be made in order to clarify the types of vehicles implicate, the definition for abandoned vehicles, the enforcement authority and what constitutes violation; and

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

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 3 “Police Regulations”, Section 3-1 “Abandoned Vehicles” shall be amended to read as follows:

§ 3-1 ABANDONED, JUNKED, INOPERABLE VEHICLES, UNUSED MACHINERY OR EQUIPMENT.

§ 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, any motor vehicle in such need of repair so as to render said vehicle incapable of being readily operated under its own power, any motor vehicle that is discarded, wrecked, dismantled or partially dismantled, any motor vehicle 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.

§ 3-1.2 Out-of-Door Storage Prohibited.

No person shall place, abandon or leave, keep or store, or suffer or permit the placing, abandoning, leaving, keeping or storage of any article described in Subsection **3-1.1** out-of-doors upon any public or private land in the Borough or between the right-of-way side lines of any public thoroughfare therein. Nothing herein contained shall be deemed to prohibit the placing, keeping or storage of any article in an enclosed garage, barn or other building.

§ 3-1.3 Presumptive Evidence.

If any article described in Subsection **3-1.1** shall be left, placed, kept or stored on private lands for 15 days or more, it shall be presumed that the owner or tenant in possession of the land left, placed, kept or stored it there or permitted or suffered it to be left, placed, kept or stored there.

§ 3-1.4 Service of Notice for Violation on Private Lands.

Whenever it shall appear to any member of the Police Department or to the Code Enforcement Officer that a violation of Subsection **3-1.2** exists and that the land on which the violation exists is privately owned, the Code Enforcement Officer shall notify, in writing, the owner or tenant in possession of the land to abate the violation by removing the article from the Borough or into an enclosed garage, barn or other building within 10 days of the service of the notice. The notice shall be served upon such owner or tenant by regular and certified mail addressed to him or her at his or her usual residence if ascertainable, otherwise by notice published in the newspaper in which the legal notices of the Borough are published and the owner or tenant shall abate the violation within the time stated in the notice.

§ 3-1.5 Service of Notice for Violation on Public Lands.

Whenever it shall appear to any member of the Police Department or the Code Enforcement Officer that a violation of Subsection **3-1.2** exists on public lands or between the right-of-way side lines of any public thoroughfare, the Police Department shall:

- a. Determine whether any article constituting the violation constitutes or may constitute a traffic hazard and if so, the Police Department shall move it or cause it to be moved to a nonhazardous location or into an enclosed storage place.
- b. Ascertain, if possible, who is the owner of the article and shall notify, in writing, such owner to abate the violation forthwith and in all events within 10 days after the service of the notice, which notice shall be given by the Police Department as required in Subsection **3-1.4**.
- c. If any article constituting the violation constitutes or may constitute a traffic hazard and it cannot be moved to a nonhazardous location or if the name cannot be ascertained or if the

violation be not abated in the time required by the notice given under Subsection **b**, the Police Department shall:

1. Determine whether the article has a value in excess of the cost of moving it to enclosed storage and the cost of storing it or them for three months in the case of motor vehicles and for six months for all other articles.
2. Unless the article appears to have a value clearly in excess of such cost, the Police Department shall arrange, if possible, for the removal of it by someone who will undertake that removal without cost to the Borough. Otherwise the Police Department shall arrange for its removal at the expense of the Borough to an authorized dump.
3. If the article appears to have a value clearly in excess of the cost of removal and storage, the Police Department shall cause it to be removed at the expense of the Borough to enclosed storage.
4. If the article is removed under Subsection **a** or of Subsection c2 or c3, the Police Department shall, in the manner required by Subsection **3-1.4**, give notice to the owner of the removal and of the place to which the article has been removed and of the owner's right to reclaim it by paying the cost of removal and interim storage charges.

§ 3-1.6 Noncompliance for Violation on Public Lands.

In the event the name and address of the owner of the article cannot be ascertained or if the violation has not been abated in the time stated in the notice, the Police Department may take possession of the article by the procedure established in N.J.S.A. 39:10A-1 et seq., or as otherwise may be provided by law.

§ 3-1.7 Penalties for Violations on Private or Public Lands.

Anyone who violates this section may, upon conviction, be liable to the penalty stated in Chapter 1, § 1-5.

All other portions of this Chapter not addressed herein shall remain unchanged.

SECTION 2. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. 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 4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

Breeanna Smith, Clerk

By: _____
John D'Amato, Mayor

PUBLIC NOTICE

**ORDINANCE NO. 6-2023
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 3 “POLICE REGULATIONS”, SECTION 3-1 “ABANDONED VEHICLES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on February 7, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on February 21, 2023 at 7PM, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk’s Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

Purpose/Summary of Ordinance No. 6-2023:

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code, consulted with the Chief of Police and recommended certain changes be made in order to clarify the types of vehicles implicate, the definition for abandoned vehicles, the enforcement authority and what constitutes violation. The recommendations include amending Chapter 3 “Police Regulation” Subsection(s):

- 3-1 Abandoned, Junked, Inoperable Vehicles, Unused Machinery or Equipment

Breeanna Smith, RMC
Municipal Clerk

Public Hearing:

At this time YAZDI made a motion to open the Public Hearing for comment; seconded by CATALANO and carried on a voice vote all voting AYE. Since there was no one who wished to speak YAZDI made a motion to close the public hearing; motion was seconded by GRAZIANO and carried on voice vote all members voting AYE; none were opposed.

Council Comments:

Councilman Catalano spoke in opposition of this ordinance. Recommended the council should focus on enforcement rather than expand regulations. Councilman Graziano wanted clarification on how it would apply to vehicles being worked on for businesses versus residential. Mayor D’Amato and Borough Administrator, Mr. Sondermeyer, clarified that there was a difference between the commercial vs. residential. The mayor gave examples as to the situations it would apply toward. Councilman Catalano reaffirmed his belief that the existing regulation could have addressed this concern and with it more detailed, opens it up to more opportunities for people to submit complaints following the additional regulations.

Adoption:

DELLARIPA made motion for adoption; the motion was seconded by YAZDI and carried per the following roll call vote: GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (NO), DELLARIPA (YES)

C. Second/Final Reading & Public Hearing:

Ordinance No. 7-2023: Amend Ch. 10 (Solar Installation)

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

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

The Municipal Clerk read the following Ordinance by title:

ORDINANCE NO. 7-2023

**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 10 “ALTERNATIVE ENERGY”, SECTION 10-4 “INSTALLATION REQUIREMENTS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth standards and requirements associated with the installation of alternative energy sources throughout the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to provide more information with regard to location of installation of such sources; and

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

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 10 “Alternative Energy”, Section 10-4 “Installation Requirements” shall be amended to read as follows:

§ 10-4 INSTALLATION REQUIREMENTS.

- a. Solar panels shall be permitted as a rooftop installation only in any zoning district. A roof-mounted system may be mounted on a principal building or accessory building. Ground-mounted solar systems or arrays shall not be permitted except on Borough owned property.
- b. Roof-mounted solar panels shall be mounted parallel to the roof angle and shall not exceed a height of 12 inches above the rooftop.
- c. A roof-mounted solar panel that is mounted on a flat roof may be angled to achieve maximum sun exposure but shall not exceed five feet above the roof. No such mounted solar panel shall exceed the maximum permitted height of the structure.
- d. All roof-mounted panels shall be installed at least three feet from the roof edges.
- e. Roof-mounted solar panels shall not be permitted on the front roof of a structure which faces a street. This requirement shall also apply to the side street of a corner lot. Solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing installation. Front-facing installation may be permitted if the applicant presents valid reasons to the Building Official as to why a front roof is the only effective or possible means for utilizing solar energy on the property. Such information shall be certified by a professional deemed qualified by the Building Department and reviewed by the Borough Engineer and any other professionals that the Borough deems necessary. All solar energy systems shall comply with the following conditions:
 1. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties, businesses, residential homes or roadways.
 2. All exterior electrical lines must be painted a color scheme that matches as closely as reasonably possible the color of the structure and adjacent materials.
 3. An external disconnect switch, which is clearly identified and unobstructed, shall be provided.

4. Signage identifying the use of solar panels shall be posted at an easily visible location. The signage shall clearly state the name, address and telephone number of the vendor authorized to deactivate the solar panel system in the case of an emergency.
5. In addition to the required signage, property owners shall provide the Borough Fire Official with a map illustrating the location of the disconnect switch, as well as any information regarding the vendor authorized to deactivate the solar panel.
6. Marking is required on all interior and exterior direct conduit, raceway, enclosures, cable assemblies and junction boxes to alert the Fire Service to avoid cutting them.

All other portions of this Chapter not addressed herein shall remain unchanged.

SECTION 2. Chapter 10 “Alternative Energy”, shall be amended to add a new Section 10-6 “Enforcement” to read as follows:

§ 10-6 ENFORCEMENT

The Borough Zoning Officer and/or Construction Official shall be responsible for enforcement of this Chapter.

All other portions of this Chapter not addressed herein shall 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 Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

Breeanna Smith, Clerk

By: _____
John D’Amato, Mayor

PUBLIC NOTICE

**ORDINANCE NO. 7-2023
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 10 “ALTERNATIVE ENERGY”, SECTION 10-4 “INSTALLATION REQUIREMENTS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on February 7, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on February 21, 2023 at 7PM, at which time any persons interested shall be given the opportunity to

be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk's Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

Purpose/Summary of Ordinance No. 7-2023:

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to provide more information with regard to location of installation of such sources. The recommendations include amending Chapter 10 "Alternative Energy" Subsection(s):

- 10-4 Installation Requirements
- 10-6 Enforcement

Breeanna Smith, RMC
Municipal Clerk

Public Hearing:

At this time DELLARIPA made a motion to open the Public Hearing for comment; seconded by YAZDI and carried on a voice vote all voting AYE.

Linda Huntley, 86 Van Dam Ave, Bloomingdale

Made the following inquiries:

- Why is there a restriction for solar panels in backyard
- Requested further revisions be made to this section of the code regarding placement of panels

Council/Administration Comments:

- In response to Ms. Huntley – It was noted the intent of this ordinance is to permit panels to be placed on the front of houses where previously this was restricted to just the back. Panels were never allowed to be placed in yards. Front facing installation is now permitted with the approval of the zoning officer. Should this require further revisions they'll be made with an additional ordinance.
- Mr. Graff (Chairperson of the ORC) added the intent of this ordinance was to allow the construction department to issue a permit for solar panels on the front of the house without the need for planning board approval; no other considerations were addressed at this time as they weren't necessary.

Since there was no one else who wished to speak HUDSON made a motion to close the public hearing; motion was seconded by DELLARIPA and carried on voice vote all members voting AYE; none were opposed.

Adoption:

YAZDI made motion for adoption; the motion was seconded by CATALANO and carried per the following roll call vote: HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES)

NEW BUSINESS

A. Discussion: Community Development Block Grant – [ADA Ramps at Borough Intersections]

Mayor addressed the council and would like to limit the expense of this potential future project which exceeds the anticipated awarded grant amount. If awarded, the Borough would repair ADA ramps. The Borough Engineer will proceed with the application. It was noted the application may be denied since the Borough has pending projects/grants in the queue. Members also discussed the adoption of the resolution regarding fair housing. 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, marital 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). It was noted that the CDBG FY2022 award was for \$90,000 but it is unknown how much the Borough would be awarded.

Adoption of Resolution No. 2023-2.19 and 2023-2.20: Fair Housing and Authorizing CDBG Application

Motion: Ray Yazdi

Second: Dominic Catalano

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

B. Adoption of Resolution No. 2023-2.21: Municipal Obligations

Motion: Dominic Catalano

Second: Rich Dellaripa

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

Recusals:

*Dellaripa recused from PO 23-08804

C. Adoption of Resolution No. 2023-2.22: Authorize Hiring of Assistant to the Administrator

Motion: Dawn Hudson

Second: John Graziano

Discussion: Members noticed this position to replace the retiring deputy clerk and will have dull role in the Clerk & Administration office.

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

D. Adoption of Resolution No. 2023-2.23: Authorize Stipend for Recreation Director (E. Alvarez)

Motion: John Graziano

Second: Ray Yazdi

Discussion: Erin is already a full time employee of the Borough, residents will be able to stop in during regular business hours for questions regarding the Recreation Department

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

E. Introduction of Ordinance No. 8-2023: Salary Ordinance (DPW Office Assistant & Summer Camp Director)

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on March 7, 2023 at 7PM; the motion was seconded by HUDSON 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 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CATEGORIES AND TITLES OF OFFICERS, NON-CONTRACTUAL EMPLOYEES AND CONTRACTUAL EMPLOYEES OF THE BOROUGH OF BLOOMINGDALE

F. Introduction of Ordinance No. 9-2023: Amend Ch. 2-64-11 (Recreation Fees)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on March 7, 2023 at 7PM; 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 II, ADMINISTRATION, SECTION 2-64.11 FEES FOR RECREATION PROGRAMS, OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

NON-AGENDA ITEMS

1. **Resolution No. 2023-2.24:** Accepting ROSE Trust Fund Report and Recommendations
Motion: Dawn Hudson
Second: Rich Dellaripa
Discussion: Members thanked the ROSE committee
Roll Call Vote: GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES)

LATE PUBLIC COMMENT:

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

Linda Huntley – 86 Van Dam Ave, Bloomingdale

Made the following inquiries:

- Questioned the contents of the ROSE report [Mayor responded]

Greg Stripeikis – 6 Sunrise Avenue, Bloomingdale

Made the following inquiries:

- *[background: pedestrian was recently struck by a vehicle on Main Street / fatal accident]*
Concerns with public safety and pedestrians crossing Main Street, does the Borough have plans to make the area safer for pedestrians.

Since there was no one else who wished to speak DELLARIPA moved that it be closed; second by GRAZIANO and carried on voice vote all members voting (AYE), none were opposed.

EXECUTIVE SESSION:

Adoption of Resolution No. 2023-2.25: Motion for Executive Session

One matter – Contract Negotiations (Shared Services)

Motion: Dawn Hudson

Second: Rich Dellaripa

Voice Vote: all members present voting AYE; none were opposed.

ENTER EXECUTIVE SESSION: 7:56PM

ENDED EXECUTIVE SESSION: 8:17PM

GOVERNING BODY SCHEDULE

- A. Workshop Meeting – March 7, 2023 7PM
- B. Regular Meeting – March 21, 2023 7PM
- C. Workshop Meeting – April 4, 2023 7PM
- D. Regular Meeting – April 18, 2023 7PM

ADJOURNMENT:

Since there was no further business to be conducted, GRAZIANO moved to adjourn at 8:17PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC
Municipal Clerk

February 21, 2023 RESOLUTIONS

**RESOLUTION NO. 2023-2.13
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

***Authorizing Submission to Passaic County of Applications for
Passaic County Open Space and Farmland Preservation Trust Fund
Recreational Facility Improvement and Open Space Preservation Grants***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has learned that Passaic County (“County”) is presently accepting grant applications for recreational facility improvements and open space preservation activities to be financed through the Passaic County Open Space and Farmland Preservation Trust Fund (“Fund”); 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:

***Bogue Pond Playground Rehabilitation
Phase 2***

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Borough notified, by Certified Mail, the property owners within 200 feet of the site being considered for improvement of the scheduled hearing on February 21, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the submission to Passaic County of applications for Passaic County Open Space and Farmland Preservation Trust Fund Grants to finance the foregoing projects and does hereby further authorize the appropriate municipal officials to complete any and all tasks necessary to perfect such applications.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.14
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Bloomingdale has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Bloomingdale intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Bloomingdale authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Bloomingdale pursuant to N.J.A.C. 5:30-5.5(b), the Chief Financial has certified the availability of funds in the annexed certification in an amount not to exceed \$150,000.00; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Bloomingdale and the Referenced State Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
Gas & Diesel Fuel	Rachles/Michele’s Oil Co Inc. 116 Kuller Rd Clifton, NJ 07011 rachlesoil@gmail.com 973-546-1041	19-FOOD-01099 Description: T1845 Ultra-Low Sulfur Diesel & Biodiesel Fuel

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.15
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 (12/31/24) Karin Pilaar

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.16
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**GOVERNING BODY CERTIFICATION PER N.J.A.C 7:14A-22.6(A)5 AND 22.8(A)3,
AUTHORIZING TREATMENT WORKS APPROVAL (TWA) APPLICATION**

WHEREAS, the Glen Wild Lake Association, Inc./ Garden, Randy & Sara, of Bloomingdale, NJ, has submitted a Treatment Works Approval (TWA) application to the New Jersey Department of Environmental protection (NJDEP) for 102 Graham Terrace, Block 4049; Lot 59, in Bloomingdale, NJ, for the alteration of a septic system; and

WHEREAS, consistent with N.J.A.C. 7:14A-22.6(A) 5 and 22.8(a)3, consent from the affected municipality regarding the project must accompany all TWA applications; and

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

1. Consent is hereby given for the TWA Application of 102 Graham Terrace for the alteration of a septic system.
2. Tim Zachok, Senior R.E.H.S (Health Inspector), is hereby designated as the authorized representative for the Borough to provide the necessary certifying information.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.17
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Bloomingdale has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Bloomingdale intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Bloomingdale authorizes the Purchasing Agent to purchase certain goods or services from those approved New

Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Bloomingdale pursuant to N.J.A.C. 5:30-5.5(b), the Chief Financial has certified the availability of funds in the annexed certification in an amount not to exceed \$20,000.00; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Bloomingdale and the Referenced State Contract Vendors shall be from February 21, 2023 to December 31, 2023.

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
Full PPE (Fire) Turnout Coat Bunker Pants Leather Structural Boots Helmet Stanf NFPA Structural Gloves	Skylands Area Fire Equipment & Training LLC (SAFE-T) 23 Hamburg Turnpike Unit A Riverdale, NJ 07457	17-FLEET-00810 T0790 Firefighter Protective Clothing & Equipment

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.18
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #18-00005

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 17, 2019 a lien was sold on, 18 Tice Street, Bloomingdale, for delinquent year 2018 Tax, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 5103, Lot 20, owned by Kutney, Steven & Lim, Peng C; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien which was sold to ATCF II NEW JERSEY LLC for a premium of \$37,300.00 and

WHEREAS, the Governing Body further finds and declares that for 18 Tice Street, the owner, Steven Kutney has requested redemption of TTL #18-00005, and

WHEREAS, the Governing Body further finds and declares that, the mortgage company has paid all monies, to the Borough of Bloomingdale;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the

amount of \$46,265.98 for the lien redemption and \$37,500.00 for the premium, be made payable to ACTF II NEW JERSEY LLC PO Box 69239 for the redemption and cancellation of Tax Title Lien Certificate #18-00005

1099 = \$12,026.92

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.19
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.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.20
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

AUTHORIZING APPLICATION TO PASSAIC COUNTY FOR AND USE OF FUNDS FROM THE FISCAL YEAR 2023 PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS FUNDED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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:

ADA Ramps at Borough Intersections

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.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.21
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, from the following accounts and in the following amounts:

BILLS LIST

PREPAID

LIST

CURRENT	\$1,814,685.93	CURRENT	\$684,913.47
UTILITY	\$15,768.72	UTILITY	\$23,100.15
CAPITAL	\$33,947.71	OPEN SPACE	
CAPITAL		TRUST ACCOUNT	\$13,280.00
UTILITY	\$6,351.71	RECYCLING	
TRUST	\$9,172.90	DOG TRUST	
DOG TRUST	\$1,894.13	UNEMPLOYMENT	\$661.50
RECREATION	\$893.14	CAPITAL	
ROSE FUND	\$70.00	WATER CAPITAL	
RECYCLING	\$0.00	RECREATION	
UNEMPLOYMENT	\$0.00	CAPITAL ASSESSMENT	
AFFORDABLE HOUSING	\$0.00		
TOTAL	\$1,882,784.24	TOTAL	\$721,955.12

Record of Council Vote on Passage

COUNCILPERSON	AYE	NAY	Abstain	Absent	COUNCILPERSON	AYE	NAY	Abstain	Absent
Hudson	X				Catalano	X			
Schubert	X				Graziano	X			
Dellaripa*	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, February 21, 2023.

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

**RESOLUTION NO. 2023-2.22
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE FULL TIME HIRE OF AN ASSISTANT TO THE ADMINISTRATOR

WHEREAS, there exists a need for full-time assistance in the Administrative Offices to support the Administrator and Municipal Clerk considering the pending retirement of the current Deputy Clerk; and

WHEREAS, notice of this position was advertised with the New Jersey League of Municipalities, the Municipal Clerk’s Association of New Jersey, & posted at Borough Hall; and

WHEREAS, prospective candidates were interviewed by the Borough Administrator, Mike Sondermeyer, and Municipal Clerk, Breeanna Smith; and

WHEREAS, based on a thorough review of the applications and resumes submitted, the interview panel recommends Aimee Greenspan for the position of ‘Assistant to the Administrator’ to support the Municipal Clerk & Borough Administrator and their respective offices; and

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

1. Aimee Greenspan is hereby hired to serve as a full-time Assistant to the Administrator,

effective March 20, 2023 at an annual salary of \$54,000.00.

2. This position will follow the terms of the Borough Employee Handbook / Policies & Procedure Manual and Borough Code.
3. The appropriate Municipal officials are hereby authorized to take all actions to implement this resolution.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-2.23
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION APPOINTING ERIN ALVAREZ AS RECREATION DIRECTOR AND
AUTHORIZING A STIPEND FOR SAME**

WHEREAS, the Governing Body of the Borough of Bloomingdale has accepted a notice of resignation from the Recreation Director effective January 31, 2023, and is in need of an immediate replacement to continue the Borough’s operation of its recreational programs; and

WHEREAS, Erin Alvarez, currently serves the Borough as an Assistant to the Tax Office and has expressed interest in the duties of a Recreation Director; and

WHEREAS, the Business Administrator has attested to Ms. Alvarez’s professionalism and contributions to the Borough and further recommends appointing her to serve in the capacity of Recreation Director; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey, does hereby authorize the following:

1. Erin Alvarez is appointed, effective immediately, to serve as the Recreation Director through December 31, 2023.
2. Erin Alvarez shall receive a stipend in the amount of \$15,000.
3. The Borough Administrator, Finance Department and Municipal Clerk are hereby authorized to take all actions necessary to implement this resolution.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023.-2.24
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

***Adopting the February 21, 2023
ROSE Trust Fund Advisory Board Report and Recommendations***

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the Recreation and Open Space Establishment (“ROSE”) Trust Fund (“Fund”) Advisory Board (“Board”) has submitted its Report and Recommendations, dated February 21, 2023 (“Report” attached), for appropriations of monies from the Fund; and

WHEREAS, the Governing Body further finds and declares that it has reviewed said Report and has determined that it is in the best interests of the citizenry of the Borough to adopt its Recommendations;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby adopt the February 21, 2023 Report and Recommendations of the Recreation and Open Space Establishment Trust Fund Advisory Board.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

2023 ROSE Fund Advisory Report

To: Mayor John D’Amato and Borough Council Members

Date: 2/21/2023

As required by the Borough Code, Chapter 2, Section 2-65.6b, the Rose Fund Advisory Board has held two public hearings in accordance with the Open Public Meetings Law. The first took place on January 24, 2023 and the second meeting was held on February 15, 2023.

Please find the formal recommendations of the Rose Fund Advisory Board for 2023 below. The first recommendation will be the 2023 funding percentage amount for each category. The second will be the annual recreation maintenance and project recommendations. The third will be for open space and related projects.

Proposed 2023 allocation of ROSE Funds

- Recreation: 40%
- Open Space: 10%
- Maintenance: 30%
- Discretionary: 40%

Proposed 2023 Recreation, Maintenance and Project Recommendations:

Annual DPW Tasks

- Lawn cutting of WTB, MBD, Sloan Park, Fire House, Police Office, Boro Hall, Bogue Pond, Oakwood Lake.
- Freshen up all stone dust in dugouts.
- Remove white tarp from Delazier field.
- Move garbage cans to the proper locations for baseball use.
- Set-up batting cage at Delazier Field.
- Mulch playgrounds.

- Add clay and remove all growth of grass from clay infields.
- Edge all infield grass areas.
- Weed-whack all fence edges - around entire fenced area, perimeter of part, dugouts, backstops, etc.
- Cut the grass at Delazier.
- Move bleacher to baseball field. DPW may have already done this after football.
- Constant maintenance all year long: clay, grass, weeds, etc.
- Open bathrooms at WTB and Delazier.
- Install outfield fence at Delazier (Temporary).
- Tune up all tractors at Delazier and WTB.
- Open hose bib on side of announcement booth. Install hose on hose reel.
- Test baseball scoreboards to make sure they are operational.
- Put out all screens, field draggers, and field spike dragger behind each backstop.
- July: start the conversion to Football/soccer. Move fence to create sidelines for soccer and football, buy paint to line the field, install goal posts, move bleachers to the football sidelines, put all baseball supplies in the trailer, dismantle batting cage, move garbage cans, etc.
- Late November: reverse all the opening procedures for field closure (same applies at WTB and MBD). Place white tarp to have grass again come spring, close sprinklers, close bathrooms. (Delazier, WTB, and MBD require the same services.)
- Open all parks: Sloan Park, Bogue, WTB, Oakwood, & Delazier playgrounds, weed, weed-whack, mulch, spring clean-up. Check playground equipment for safety. Install garbage cans for the season
- WTB Walking Path: Maintenance, Weed-whack, edging, etc.
- Open Sprinkler system at Sloan, WTB & Delazier
- Field opening and closing as well as 4-step fertilizer program. Also includes late spring aeration and seeding.
- Field Hockey now at Delazier Field
- Groom all baseball fields mid-season
- Expose and plug all base anchors on diamonds.
- Order Porta-Johns for Delazier
- Prep Clay infield so no drop offs
- Seed, top dress field with topsoil, winter fertilizer. (WTB and MBD)
- Purchase bags of speedy dry and bags of lime. Arrange vendor to deliver, notify DPW so they can store it in the trailer at Delazier and WTB, as needed year to year.
- Skating rink, currently in storage, pending a permanent home.

Non-DPW

- Fertilize fields by True Green, includes Grub control, WTB, MBD, All fields and all municipal green property.
- Geese Patrol performed by True Green

Proposed 2023 Recreation and Open Space Recommendations

Recreation

- Delazier Field Improvements:
 - Apply for any available county or state grants
 - *Updated at 2/15/2023 discussion:* Fields require additional roller pads to soak up water, at minimum 2, but possibly 4, so 2 at WTB and 2 at Delazier.
 - Delazier Field sprinkler system upgrade
 - Baseball backstop at Delazier Field needs to be reskinned and extended to build a fencing canopy over Homeplate for safety.
 - *Added 2/15/2023:* New Batting Cage at Little Softball Field at WTB.
 - *Added 2/15/2023:* Need electric at Little Ball Filed at WTB
 - *Added 2/15/2023:* At Delazier, 2 L-Screen Pitching Screens
- Upgrades to Bogue Pond Park:
 - Pursue 2023 Open Space Grants
 - Suggestions: Add Chess/Checkers Tables and seats, Add a Bocce ball court, Add a Horseshoe pit

- Add a kid's play sprinkler with padded base and overhead sprinkler (*Can this be considered as part of Bogue Pond Playground Refurbish?*)
- WTB Improvements:
 - Repair and maintain tennis courts at WTB as needed. (In progress and to be completed in 2023)
 - Add "How to Use Equipment" weatherproof signs at WTB Walking track for each equipment, and/or offer QR code links to "How to" videos.
 - Look into adding new piece of equipment at WTB, "Adult Fitness Unit"
- Additional item for future consideration: add a ga-ga pit, possibly at WTB
- Skating Rink – *Needs a permanent home. Still in storage.* Recommend adding either plywood, or a rubber padding around the skating rink. Plywood may be cheaper but may need to be replaced more frequently. Need to consider off-season storage of either mats or plywood. Or if skating rink is installed at Bogue basketball court, new fencing will solve the issue. Downside of installing skating rink on Bogue Basketball court is basketball court cannot be used on nicer winter days.
- Create All-Weather Cornhole Platforms to be set-up in different parks.
- Support Drug Alliance Banner
- Require users of tennis court to pay a nominal annual fee to use the tennis courts, higher fee for non-Bloomingtondale residents; to book court usage time online, max 2 hours. Once time reserved, a passcode is emailed or texted to use for the keyless entry. Passcode only valid during reserved time. Current concerns about out-of-town residents monopolizing court usage, and free usage of courts for business.

Open Space

- **Build a new Bloomingtondale REC center**
 - Form REC Building Project Committee to seek grants to build a new facility. This will allow for REC consolidation to one location. Larger facility needed to expand REC offerings.
 - Actively set aside portion of ROSE fund annually to create a building fund.
 - Begin reviewing possible locations for new REC center, such as near WTB School.
- Recommendation for ROSE Fund Donation to the Community Garden for \$1000.
- Recommendation for ROSE Fund donation to Master Gardeners for \$1000
- Recommend free mulch and gravel to Master Gardeners
- Recommend DPW spring clean-out of the riverbank behind the Senior Center to allow for expansions of gardens.
- Continue monitoring and managing Poison Ivy Removal and control at Delazier Field, Bogue Pond, Oakwood Lake, and any additional properties as needed.
- **ROSE Fund Balance from 2022 is \$112,000.**

Additional Items

- When Passaic County completes the purchase of the Horse Farm and takes possession, Passaic County plans to include Bloomingtondale in any discussions on how the property can be used. Representatives from REC and BEC would like to make suggestions on passive use of the property.

The Rose Fund Advisory Board has reviewed the Borough Code and has held two required public meetings. This Board believes that the recommendations conform to the intention of the Ordinance.

Respectfully,

Rose Fund Advisory Board
Tia Brady, Chairman

RESOLUTION NO. 2023-2.25

**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 21st day of February, 2023 that:

- ❖ Prior to the conclusion of this Council 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.**
 - **Contract Negotiations (Shared Services)**
 - () 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).

Adopted: February 21, 2023

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 February 21, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale