

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

**April 20, 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 7:00PM.

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

**Official Roll Call:** (taken by the Borough Clerk)

*In Attendance:* Councilman John D'Amato  
Councilman John Graziano  
Councilwoman Dawn Hudson  
Councilman Drew Juhlin

Municipal Clerk, Breeanna Calabro  
Business Administrator, Michael Sondermeyer  
Borough Attorney, Fred Semrau

*Excused:* Councilman Richard Dellaripa  
Councilman Ray Yazdi (later joined at 7:59PM in Executive Session)

**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 ITEM:**

1. **Resolution No. 2021-4.20:** Waiver of Town Wide Garage Sale Fee

**Introduction of Assemblywoman-Elect: DeAnne DeFuccio**

*(There were no representatives on the call)*

**EARLY PUBLIC COMMENT:**

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

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

**Councilwoman Hudson** (Board of Health Liaison): *Townwide Garage sale, April 24<sup>th</sup> 9AM-5PM; Town clean-up day May 8<sup>th</sup> at 10AM; BOH has vaccine appointments available 4/21/2021 – contact Clerk's office; the Borough is still maintaining a list of homebound residents*

**Councilman Juhlin (Recreation & Tri-Boro Little League Liaison):**

*Tri Boro little league baseball/softball started this past weekend. May have a parade at the end of the season. ROSE committee has submitted their report, thanked members for their work. Recreation commission is working hard to navigate covid restrictions and still have activities for the community*

**Councilman Graziano (EDC Liaison/Commissioner):** *EDC commission has submitted an opinion memo to the Council for their review on the recent legalization of cannabis regulation. Grand Opening for Jazzercise on May 8*

**Council President / Acting Mayor, John D'Amato:**

- *Successful free paper shredding event for residents held on 4/17*

**Municipal Clerk, Breeanna Calabro:** *The Borough will proceed with a Memorial Day Parade with the Borough of Butler starting in Butler ending in Sloan Park*

**Borough Attorney, Fred Semrau:** *provided an update on tax appeals, the Borough only has 8 petitions filed which is reflective of the real estate market doing well & assessed values are holding*

**Business Administrator, Michael Sondermeyer:**

- *Flag Burning Ceremony on May 1<sup>st</sup> 10AM*
- *Budget introduction May 4<sup>th</sup>*
- *School budget being introduced on May 4<sup>th</sup> @ 5:30PM*
- *Veteran's Tree & Dunleavy Tree have been planted at Borough Hall*
- *Mike & John will set up a meeting to meet the Interim Superintendent of Schools*
- *Cleaning service for Borough Hall, quotes have been received – this will be placed on a future agenda for approval, there is a possibility of Covid grant money covering this service. As of now DPW cleans the building and there just is not the manpower to thoroughly clean the building*
- *Borough Hall/Library are open to public – it is going well*
- *Hoping to receive direction on Covid grant funding by May 11<sup>th</sup>*

**CONSENT AGENDA**

*(Adoption of Resolutions No. 2021-4.9 – 2021-4.17)*

**Motion:** Dawn Hudson

**Second:** John Graziano

**Roll Call Vote:** D'AMATO (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES)

**RESOLUTION NO. 2021-4.9  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the  
April 20, 2021 Workshop 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. Approval of Minutes:**

- Workshop Meeting – April 6, 2021

**B. Proclamation: Older Americans Month (May 2021)**

- C. **Resolution No. 2021-4.10:** Accepting the ROSE Trust Fund Advisory Board Report
- D. **Resolution No. 2021-4.11:** Aquatic Vegetation Control (Pond Management Program for Bogue Pond & Oakwood Lake [Lake Management Sciences – LMS])
- E. **Tax Offices Resolutions:**
  - **2021-4.12:** Homestead Benefit Refund (3035/71)
  - **2021-4.13:** Refund Overpayment (2004/22)
  - **2021-4.14:** Refund Overpayment (4049/128 & 130.01)
  - **2021-4.15:** State Tax Court Settlement (4049/79)
  - **2021-4.16:** TTL Redemption 18-00003
  - **2021-4.17:** TTL Redemption 17-00010

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2021-4.10  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Adopting the April 7, 2021  
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 April 7, 2021 (“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 April 7, 2021 Report and Recommendations of the Recreation and Open Space Establishment Trust Fund Advisory Board.

**2021 ROSE Fund Advisory Report**

To: Acting Mayor John Damato & Council

Date: 4/7/2021

As required by the Borough Ordinance #10-2001, Section 2-65.6b, The Rose Fund Advisory Board has held two public meetings. The first took place on March 15, 2021. The second meeting was held on March 29, 2021.

Please find the formal recommendations of the Rose Fund Advisory Board for 2021. The Advisory Board is making the following recommendations. The first recommendation will be the 2021 funding percentage amount into each category. The second will be the annual recreation maintenance and project recommendations. The third will be for open space and related projects.

**Proposed 2021 allocation of ROSE Funds**

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

**Proposed 2021 DPW Tasks**

- Lawn cutting of WTB and MBD.
- 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 playground and all flower beds.
- 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.
- Install outfield fence at Delazier.
- Clean out small trailer at Delazier.
- 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: 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 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
- Opening and maintaining Sloan Park
- Continue to monitor for possible pooling of water at Delazier Field, by first base line. Issue was previously corrected but seems to be continuing.
- Groom all baseball fields mid-season
- Purchase extra clay to be stored at Delazier.
- Expose and plug all base anchors on diamonds.
- Order Porta-Johns for Delazier, Bogue Pond, and MBD.
- Boro controls sprinklers via Wi-Fi app
- Prep Clay infield so no drop offs
- Seed, top dress field with topsoil, winter fertilizer. (WTB and MBD)
- Purchase 100 bags of speedy dry and 100 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.

#### **Non-DPW**

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

#### **Proposed 2021 REC Recommendations**

- Upgrades to Bogue Pond Park
  - Pursue grants for possible upgrades to Bogue Pond Park in 2021
  - Add Chess/Checkers Tables and seats
  - Add a Bocce ball court
  - Add a Horseshoe pit
  - Add Shade canopies (like a sail) to provide additional shading over seating and playing areas.
  - Add a kid's play water feature, such as one with a padded base and overhead sprinkler
- WTB Improvements

- Add benches at WTB for Basketball courts. Existing movable benches may currently be on the property but looking for something more permanent to remain around the courts and not have to move around. WTB is hidden so solution is needed to make sure the benches remain.
- Add digital/remote app locks to restrooms at WTB.
- Consider purchasing and installing one Scoreboard at WTB.
- Repair and maintain tennis courts at WTB as needed. (In progress)
- On tennis courts, add lines for Pickleball. (Pending tennis court improvements)
- Additional Tennis Court Enhancements:
  - Require users of tennis court to book 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.
  - Restrict tennis court use to boro residents only. Current concerns about out-of-town residents monopolizing court usage.
- Add batting Cages at WTB for Baseball & Softball
- Create a Bike and Skate Park at WTB. Provide basic skating features. Also create features for bikes. Neighboring towns such as West Milford offer bike and skate parks. Currently, Bloomingdale residents are using streets, curbs, sidewalks, and business parking lots to gather and perform skating tricks. Providing a designated skating location, to skate at your own risk, will provide a safer location that is away from traffic.
- Add shorter hoops for younger kids, either adjustable hoops or portable hoops.
- Delazier Field Improvements
  - Possibly replace field surface with turf
  - Apply for any available county or state grants
- Skating Rink Recommendations
  - If the skating rink remains at Delazier Field playground, then add either plywood, or a rubber padding around the skating rink so skaters have a safe surface to hold on to. Plywood may be cheaper but may need to be replaced more frequently. Need to consider off-season storage of either mats or plywood.
  - Or locate Skating Rink to Bogue Pond Basketball court. This will allow the fencing to be used to support skaters around the rink without need to install walls, but it means the basketball court cannot be used during nicer winter days.
- Create All-Weather Cornhole Platforms to be set-up in different parks.
- Support Drug Alliance Banner
- Recommendation of Supplement to Soccer program, not to exceed \$1500.
- Form REC Building Project Committee
  - Seek grants to expand and improve the existing REC facility and consolidate to one location, possibly on Ballston St
  - Relocate the Water Department to a new facility.
  - Or Look into building a new REC center in a new location, possibly near WTB school in the next few years.
- Recommendation to form a PAL with REC and possibly neighboring towns.
- Add 24 hr motion sensitive cameras to town parks where cameras are not installed: Oakwood Lake Playground, Sloan Park?
- Add Signage to all Parks to pick up after dogs and possible fines
- Add No smoking signage to all parks. Smokers in parks are littering. Concerns of littering in Sloan Park, Bogue Pond, etc near waterways.

**Proposed 2021 Open Space Recommendations**

- Recommendation for ROSE Fund Donation to the Community Garden for \$1000.
- Recommendation for ROSE Fund donation to Master Gardeners for \$1000
- Recommend free mulch to Master Gardeners
- Recommend free gravel to Master Gardeners
- Recommend DPW spring clean-out of the riverbank behind the Senior Center to allow for expansions of gardens.
- Recommend ROSE funds be used for enhancements to Higgins-Perragallo & Bicoastal property on Federal Hill.

- Need clear boundary markings between private residence and public property. May require a Surveyor
- Add Signage on Union Ave to define entrance to walking trails
- Promote Carry-in/Carry-out of waste, no Trash bins as close to Union Ave and trail entrance.
- Davy Crockett Park: Recommend signage to define entry and explore defining property lines for easier public use.
- Continue monitoring and managing Poison Ivy Removal and control at Delazier Field, Bogue Pond, Oakwood Lake, and any additional properties as needed.
- \*\*\* The ROSE Committee members would like to thank the Bloomingdale DPW's phenomenal work at removing the poison ivy and maintaining the area around Oakwood Lake. Their efforts have been greatly appreciated by the residents and visitors to Oakwood Lake.
- No recommendations for Dragonfly Meadows since the property is still owned by PRC. But a plan should be considered once PRC is ready to transition ownership to Bloomingdale.
  - Increase parking where the current pull out is located on Union Ave
  - Build a bridge to cross from the parking area into the park since a stream is located next to the parking area making access more difficult.
  - Consider making Dragonfly Meadows ADA accessible since the property is fairly flat and easily walkable.
  - Boundary markers are needed since the property is situated between private yards and the horse farm.
  - Property maintenance required to remove garbage and downed trees. Need to consider that property is located within the Highlands Zone so use of equipment restrictions may apply.

**Additional Items**

- Reach out to Passaic County and pursue building a Dog Park at Friendship Park. The current park provides a terrific location along Glenwild Ave by the parking lot, for fenced in areas, away from waterways, with ample parking, and close to the street for monitoring and access. (A Dog Park is currently being planned by Passaic County for Friendship Park)
- Also contact Passaic County regarding better patrols of Friendship Park at night in the park itself. Trespassers are still building and using firepits deep within the park (overlooking Mathews Dr), littering leaving behind a lot of broken glass, and occasionally riding ATVs in the park. Trespassers are accessing the park at night via the backyards of residents on Reeve Ave or Mathews Dr.

The Rose Fund Advisory Board has reviewed the Ordinance 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

**RESOLUTION NO. 2021-4.11  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Authorizing Award of Contract for Aquatic Vegetation Control and Fountain Program  
(Pond Management Program for Bogue Pond & Oakwood Lake) to Lake Management  
Sciences-LMS***

**WHEREAS**, the Borough of Bloomingdale has a need for the management of aquatic vegetation control and fountain program(s) for Bogue Pond and Oakwood Lake; and

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

**WHEREAS**, the Borough Department of Public Works has reviewed the submitted quote and recommends that said contract be awarded to Lake Management Sciences-LMS, of Branchville, NJ; and

**WHEREAS**, the award is subject to the deposition of the ROSE fund money and certification of funds (to be annex to this resolution); and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey that a contract for the management of aquatic vegetation control and fountain program(s) for Bogue Pond and Oakwood Lake be awarded as follows:

1. The Borough of Bloomingdale authorizes the Council President and Clerk to execute an agreement with Lake Management Sciences-LMS, P. O. Box 2395, Branchville, NJ 07826, as per their proposal dated March 21, 2021; and
2. This contract is not to exceed \$4,733.00 without prior authorization from the Borough Council.
3. Notice of this action shall be published once in the Borough's official newspaper as required by law; and
4. A copy of this resolution shall be provided to Lake Management Sciences-LMS for their information and guidance & be on file in the Borough Clerk's office for public inspection.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**RESOLUTION NO. 2021-4.12  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorizing Overpayments in Tax Office*

**WHEREAS**, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Bruce Conklin, said owner of Block 3035 Lot 71 is entitled to a refund for a 2017 & 2018 Homestead Benefit that was placed on property after Mr. Conklin was given full veteran exemption. Mr. Conklin is entitled to a refund of \$1,091.78.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue refund check to the following:

Bruce Conklin  
Address: 55 Woodward Avenue  
Bloomingdale, NJ 07403

Refund Amount: \$1,091.78

**RESOLUTION NO. 2021-4.13  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorizing Overpayments in Tax Office*

**WHEREAS**, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Kampfe Lake Association, 4 West Shore Road, Bloomingdale, NJ did receive an Assessment reduction in 2017 on Block 2004 Lot 22;

A refund of overpayment in the amount of \$10.14 is being returned to Kampfe Lake Association.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue refund check to the following:

Kampfe Lake Association

Address: 4 West Shore Road  
Bloomingdale, NJ 07403  
Refund Amount: \$10.14

**RESOLUTION NO. 2021-4.14  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorizing Overpayments in Tax Office*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Glenwild Lake Association, 7 Clubhouse Road, Bloomingdale, NJ did receive an Assessment reduction in 2017 on Blocks 4049 Lots 128 & 130.01;

A refund of overpayment in the amount of \$3041.46 is being returned to Glenwild Lake Association.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue refund check to the following:

Glenwild Lake Association

Address: 7 Clubhouse Road  
Bloomingdale, NJ 07403  
Refund Amount: \$3041.46

**RESOLUTION NO. 2021-4.15  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorizing State Tax Court Refund*

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on March 10, 2021 the Municipality was notified of a State Tax Court judgment, and

**WHEREAS**, the Governing Body further finds and declares that this judgment is on Block 4049 Lot 79, known as 126 Demarest Road, owned by Cathleen Dennehy for the 2019 tax assessments for taxes, and that the 2019 taxes have already been paid, and

**WHEREAS**, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the trustee of Plaintiff, Jennifer R Jacobus, Trustee for Dennehy, Cathleen.

**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 a check in the amount of \$1165.86 payable to Jennifer R Jacobus, Trustee for Dennehy, Cathleen, 201 Littleton Road, Suite 100, Morris Plains, NJ 07950

**RESOLUTION NO. 2021-4.16**



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

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #18-00003***

**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,  
126 Demarest Road, Bloomingdale, for delinquent year 2018 Tax, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 4049, Lot 79, owned by Cathleen Dennehy; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien which was sold to C & E TAX LIEN FUND I for a premium of \$52,300.00 and

**WHEREAS**, the Governing Body further finds and declares that for 126 Demarest Road, the homeowner, Cathleen Dennehy has requested redemption of TTL #18-00003, and

**WHEREAS**, the Governing Body further finds and declares that, Cathleen Dennehy 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 \$39,239.48 for the lien redemption and \$52,300.00 for the premium, be made payable to C & E TAX LIEN FUND I , PO Box 5021, Philadelphia, PA 19111for the redemption and cancellation of Tax Title Lien Certificate #18-00003

1099 = \$7769.16

**RESOLUTION NO. 2021-4.17  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #17-00010***

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 29, 2018 a lien was sold on,  
101 Clark Street, Bloomingdale, for delinquent year 2017 Tax, and

**WHEREAS**, the Governing Body further finds and declares that the foregoing property is also known as Block 3036, Lot 45, owned by Vincent & Susan Depeola; and

**WHEREAS**, the Governing Body further finds and declares that the foregoing lien which was sold to SUNSHINE ST CERTVII/BANKUNITED for a premium of \$50,200.00 and

**WHEREAS**, the Governing Body further finds and declares that for 101 Clark Street, the Title Agency, Foundation Title, LLC has requested redemption of TTL #17-00010, and

**WHEREAS**, the Governing Body further finds and declares that, Foundation Title, LLC 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 \$81,042.86 for the lien redemption and \$50,200.00 for the premium, be made payable to SUNSHINE ST CERTVII/BANKUNITED, 7900 Miami Lakes Drive West, Miami Lakes, FL 33016 for the redemption and cancellation of Tax Title Lien Certificate #17-00010

1099 = \$18,244.14

## **PENDING ITEMS**

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

*Ordinance No. 10-2021: Authorizing & Confirming the Special Assessments (Red Twig Trail)*

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

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

The Municipal Clerk read the following Ordinance by title:

### **ORDINANCE NO. 10-2021 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AND CONFIRMING THE SPECIAL ASSESSMENTS CALCULATED PURSUANT TO STATUTE AND SET FORTH IN THE REPORT OF DARMOFALSKI ENGINEERING ASSOCIATES, INC. IN CONNECTION WITH THE RED TWIG TRAIL IMPROVEMENTS TO BE PAID IN INSTALLMENTS OVER THE COURSE OF TEN (10) YEARS**

**WHEREAS**, the Borough Council adopted Bond Ordinance 17-2019 which authorized the issuance of bonds or notes to finance portions of the Red Twig Trail Improvement Project not paid for through grants and authorized institution of a special assessment for recovery of that portion of the project which benefitted residents' property; and

**WHEREAS**, upon completion of the project and calculation of the assessment for each property owner, Darmofalski Engineering Associates, Inc. issued a report setting forth such assessments; and

**WHEREAS**, after due notices were given, a public hearing was held on March 4, 2021 pursuant to N.J.S.A. §40:56-25 and

**WHEREAS**, the Borough Council has considered the assessment report submitted by Darmofalski Engineering Associates, Inc. and approved of by the Borough Tax Assessor in connection with the assessment of benefit conferred upon lots and parcels of land by reason of the installation of sidewalks on Red Twig Trail as part of the Red Twig Trail Improvement Project in accordance with Bond Ordinance No. 17-2019 adopted on June 11, 2019; and

**WHEREAS**, the Borough Council finds that the appropriate notice has been given to the benefitted property owners pursuant to N.J.S.A. §40:56-25 and N.J.S.A. §40:56-30 and that the report is in proper form.

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

1. The cost of the sidewalk improvements shall be assessed against all benefitting properties as listed in the Darmofalski Engineering Associates, Inc. report attached hereto as Exhibit A revised as of March 12, 2021.
2. The special assessments assigned to the Red Twig Trail property owners as set forth in Attachment A are hereby adopted and confirmed.
3. The procedures for making and collecting this special assessment, which are set forth in N.J.S.A. §40:56-1 *et seq.* and N.J.S.A. §40:65-1 *et seq.*, have been followed in developing the information contained in Exhibit A.

4. Pursuant to N.J.S.A. §40:56-33, the special assessment shall be a lien on the property paramount to all prior or subsequent alienations and descents of such real estate or encumbrances thereon. A record of this paramount lien shall be maintained in accordance with N.J.S.A. §40:56-41.3.
5. Each Red Twig Trail property owner may make a lump sum payment of the full assessment amount within sixty (60) days of the effective date of adoption of this Ordinance which sets the special assessment, or at any time thereafter, or may pay said amount in installment payments to be made over a period of ten (10) years in accordance with the notices to be provided by the Borough Tax Collector pursuant to N.J.S.A. §40:56-35.
6. Bills for the special assessment will be sent out by the Borough Tax Collector annually.
7. If any payment is not made, except for good cause, the Borough has the right to demand payment of the entire assessment, less amounts already remitted, in full be made within fifteen (15) days of the date of demand. If full payment is not made, the Borough may pursue all legal options, including filing a lien against the property or forcing sale of the property.
8. Pursuant to N.J.S.A. §40:56-35, the governing body may permit any person who is delinquent in the payment of such an installment to pay only the amount of the delinquent payment and any interest on the delinquent payment that has accrued from the date that the installment was due and payable until the date that payment of the delinquent installment is made. After the delinquent installment is satisfied, the person assessed shall be reinstated on a regular installment payment schedule. This accommodation shall be permitted to a property owner only once throughout the course of the ten (10) years of repayment.
9. The Borough Tax Collector shall be provided with a copy of this Ordinance and is hereby directed to proceed with the collection of the assessments herein.
10. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.
11. 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.
12. This ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**Public Hearing:**

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by GRAZIANO 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 JUHLIN and carried on voice vote all members voting AYE; none were opposed.

**Adoption:**

GRAZIANO made motion for adoption; the motion was seconded by JUHLIN and carried per the following roll call vote: GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), D'AMATO (YES)

**NEW BUSINESS:**

***A. (Adoption of Resolution No. 2021-4.18)***

**Motion:** Dawn Hudson

**Second:** John Graziano

**Roll Call:** HUDSON (YES), JUHLIN (YES), D'AMATO (YES)\*, GRAZIANO (YES)

**Recusal:** \*D'Amato recused from all items listed for vendor #01463 (Darmofalski Engineering)

**RESOLUTION NO. 2021-4.18  
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	1,841,452.68	CURRENT	447,783.28
UTILITY	54,953.59	UTILITY	22,803.16
CAPITAL	30,644.97	OPEN SPACE	00.00
UTILITY CAPITAL	00.00	TRUST ACCOUNT	00.00
TRUST	226,084.34	RECYCLING	00.00
DOG	4,239.59	DOG TRUST	00.00
RECREATION	1,425.00	UNEMPLOYMENT	436.42 ROSE
FUND	2,624.89	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	236.29	RECREATION	00.00
AFFORDABLE HOUSING	00.00	CAPITAL ASSESSMENT	00.00
<b>TOTAL</b>	<b>2,161,661.35</b>	<b>TOTAL</b>	<b>471,022.86</b>

**B. (Adoption of Resolution No. 2021-4.19)**

**Discussion:** Administration, DPW Superintendent & Foreman have received quotes for fleet tracking software & equipment. The quote includes 25 tracking devices, & 6 cameras to be placed on the Superintendent’s vehicle, the 3 garbage trucks, and the streetsweeper. Various reports can be produced with this equipment including but not limited to: safety, vehicle location, fuel efficiency, car maintenance, start time of vehicles, driver styles etc.

Councilman Juhlin inquired if there were issues within the DPW that presented a demand for this. Business Administrator responded no; the initial outreach came after this year’s snowstorm. Juhlin questioned if the Borough would be liability for any safety issues that may be presented in the future for not getting this contract. Borough Attorney commented at this time this service is an option & not mandatory, but it very well may be a standard at some point for safety reasons.

**Motion:** John Graziano  
**Second:** Dawn Hudson  
**Roll Call:** JUHLIN (YES), D’AMATO (YES), GRAZIANO (YES), HUDSON (YES)

**RESOLUTION NO. 2021-4.19  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AWARD OF CONTRACT TO VERIZON CONNECT FOR GPS FLEET TRACKING SOFTWARE & EQUIPMENT THROUGH SOURCEWELL NATIONAL COOPERATIVE**

**WHEREAS**, the Borough of Bloomingdale is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use alternative procurement methods by entering into nationally recognized cooperative purchasing agreements, provided certain requirements are met; and;

**WHEREAS**, the Bloomingdale Public Works Department & Borough Administrator have recommended the award of a contract to Verizon Connect for the purchase GPS Fleet Tracking software & equipment for the DPW based on a proposal dated March 4, 2021, which was submitted in accordance with a proposal submitted by Verizon Connect to National Joint Powers Alliance (“NJPA”) (now known as Sourcewell), a national cooperative; and,

**WHEREAS**, Sourcewell and the contract award by the Sourcewell to Verizon Connect meets the requirements of NJ State law for awarding contracts through national cooperatives, including the following:

- The ‘Fleet Management & Related Technology Solutions’ contract #022217-NWF was awarded through a competitive bidding process that complies with the laws covering the issuing entity;
- Sourcewell is a contracting unit as defined by statute; and
- Sourcewell’s bid was advertised as a national cooperative contract;

**WHEREAS**, Verizon Connect has submitted required documentation with its proposal, including the following:

- New Jersey Business Registration certificate;
- Non-Collusion Affidavit and Stockholder Disclosure statement; and
- Proof of EEO compliance;

**WHEREAS**, as required by State statute, the Acting Mayor and Council are satisfied, based on the information and representations presented to them, that the use of the Sourcewell contract shall result in cost savings after all factors have been considered; and,

**WHEREAS**, as recommended by New Jersey Division of Local Government Services Local Finance Notice 2012-10, the Borough has published a Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement establishing a comment period for the award of the contract to Verizon Connect under the Sourcewell contract; and,

**WHEREAS**, the Chief Financial Officer has certified the available of funds which is annexed to this resolution; and

**NOW THEREFORE, BE IT RESOLVED** by the Acting Mayor and Council of the Borough of Bloomingdale, County of Passaic and State of New Jersey that the contract described herein is hereby approved for the purchase of GPS Fleeting Tracking Software & Equipment and is hereby awarded to Verizon Connect, in an amount not to exceed \$4,500.00 in accordance with its proposal dated March 4, 2021; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be provided to Verizon Connect, the Department of Public Works Supervisor and the Finance Department for their guidance.

**C. Discussion: Cannabis Legislation**

*Bloomingdale Economic Development Committee submitted a letter of recommendation dated April 20, 2021 for the Governing Body to consider. In summary, it is the EDC’s recommendation that Bloomingdale permit and regulate the sale of cannabis within our community.*

Acting Mayor D'Amato opened the floor for decision. He suggested the Governing Body make this decision for the Borough without their personal input. D'Amato stated he is against cannabis however it is now legal.

**John Graziano, Councilman (EDC Chairman):** The recent public question vote (2020 General Election) shows that voters in Bloomingdale support the retail sale of Cannabis. Suggest that other municipalities who are denying or hesitating to permit sales, may provide Bloomingdale with an opportunity. This is potential revenue & a great opportunity to thoroughly control with ordinances. Supports permitting 'retail' sales at this time.

**Dawn Hudson, Councilwoman:** Agrees with Councilman Graziano & is in favor of the retail sale in the Borough. This is an opportunity.

**Drew Juhlin, Councilman:** Would like to remove his opinion of the use cannabis as it now legal in NJ, to not influence the decision to be made on behalf of the Borough which is to permit or ban the sale of cannabis. Agreed this is an opportunity & the Borough as the advantage to control it insightfully.

**John D'Amato, Acting Mayor / Council President:** Highlighted some points made in a presentation that was completely against permitting the sale of cannabis. Expressed there are many different opinions and while some surrounding towns will ban the sale, others will permit it specifically towns that have highway frontage. Expressed this may benefit the Borough financially & may come through the town anyway – agrees with having a strong plan / ordinance in place to control it. The Borough will form a Cannabis regulatory committee, John Graziano will chair.

**Fred Semrau, Borough Attorney:** Recommended the council take clear direction by June. Any zoning ordinance will need to be referred to the planning board for review. Once a committee is formed and given the direction the council supports – a subcommittee can work together under guidance of the Governing Body. For example, if the Governing Body supports retail – the subcommittee can then focus on that aspect of the permitting ordinance. Fred confirmed there is a local tax revenue for the Borough. Additionally, recommended breaking down each license (retail, cultivation, distribution, manufacturing, wholesale) & determining which ones to permit.

**NON-AGENDA:**

**Resolution No. 2021-4.20: Waive Town wide Garage Sale Fees**

**Motion:** John Graziano

**Second:** Drew Juhlin

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

**RESOLUTION NO. 2021-4.20  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey, Setting Dates for the Annual Town Wide Garage sale in Accordance with the Borough Code***

**WHEREAS**, section 92-26.3 (Signs) and section 2-80 (Fees) of the Borough Code provides for garage sales within the Borough and regulations and fees; and

**WHEREAS**, the Town Wide Garage sale will be held on April 24, 2021 (rain date of Sunday 4/25/2021), and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby establish Saturday, April 24, 2021 (rain date Sunday 4/25/2021) as the date for the Town-wide Garage Sale; and

**BE IT FURTHER RESOLVED** the Borough Council does hereby authorize and waive the licensing and sign fees for these dates.

### **LATE PUBLIC COMMENT**

GRAZIANO opened the meeting to late public comment; seconded by JUHLIN and carried on voice vote, all in favor voting AYE:

**Steve Pardalis – 2 High Street, Bloomingdale  
(EDC member)** made the following inquiries:

- *Spoke regarding the EDC recommendation on Cannabis submitted to the council for review; EDC unanimously supports the retail sale of Cannabis in Bloomingdale & recommends the formation of a local Cannabis Regulatory committee*

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

### **EXECUTIVE SESSION**

**Discussion:** *Action may be taken after Executive Session*

**Motion:** John Graziano

**Second:** Dawn Hudson

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

*Entered Closed Session: 7:57PM (approximately)*

## **RESOLUTION NO. 2021-4.21 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 20<sup>th</sup> day of April, 2021 that:

- ❖ Prior to the conclusion of this Workshop Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - One matter – Contract Negotiations (Potential Developer)
    - One Matter – Atty/Client (Cannabis Legislation)
  - ( X ) b. (8) Personnel matters. (DPW Staffing)

( ) 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: 9:05PM*

**Consideration of Executive Session Business:**

*(Note for record: There were no attendees of the public on the zoom session when the council returned in Open Session)*

1. YAZDI offered a motion to internally post the [vacant as of 7/1/21] DPW Superintendent position; second by GRAZIANO carried on voice vote, all voting AYE in favor; none were opposed.
2. HUDSON offered a motion to advertise for two (2) part time labors (seasonal help) for the DPW; second by GRAZIANO carried on voice vote, all voting AYE in favor; none were opposed

**GOVERNING BODY SCHEDULE:**

- A. Workshop Meeting – May 4, 2021 **7PM**
- B. Regular Meeting – May 18, 2021 **7PM**
- C. Workshop Meeting – June 1, 2021 **7PM**

**ADJOURNMENT:**

Since there was no further business to be conducted, HUDSON moved to adjourn at 9:06PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC  
Municipal Clerk