

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

**April 5, 2022**

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

Mayor led the **Salute to the Flag**

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

*In Attendance:*

Mayor John D'Amato  
Councilman Dominic Catalano  
Councilman John Graziano  
Councilman Drew Juhlin  
Councilman Ray Yazdi

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

*Excused:*

*Councilwoman Dawn Hudson  
Councilwoman Evelyn Schubert*

**PUBLIC NOTICE STATEMENT**

**Councilman D'Amato stated:** *This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 12, 2022; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.*

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

**EARLY PUBLIC COMMENT:**

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

Linda Huntley, 86 Van Dam Avenue, Bloomingdale:  
Made the following inquires:

- What does Lake Management Sciences do at Bogue Pond & Oakwood Lake

Since there was no one else who wished to speak, YAZDI made a motion to close public comment, second by JUHLIN & carried on voice vote all members voting AYE, none were opposed.

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

**Councilman Graziano (EDC Liaison/Municipal Alliance Liaison):**

- Municipal Alliance – Unity through Community Dodgeball event April 7<sup>th</sup>

**Councilman Drew Juhlin (Tri Boro Little League Liaison):**

- Tri-Borough Little League – Opening Day April 23<sup>rd</sup> (rain date 4/24)

- The Municipal Drug Alliance along with our police department held a presentation for the 8th grade class at Walter T Bergen school. Jaimie Frasche, a former WTB graduate who celebrates 8 years of sobriety

**Business Administrator, Michael Sondermeyer**

- Informed council that interviews have been conducted for a part time position in the Finance Dept, a resolution for official hire will be on a future agenda

**Borough Attorney, Fred Semrau:**

- Attorney office is working diligently with M&T regarding the Meer Tract with Administration

**Mayor, John D'Amato:**

- DPW recognition submitted by a resident, thank you to Dillion & Angel for a job well done (37 Hillside Drive)
- Fishing Contest – April 9<sup>th</sup> Bogue Pond
- Police Department – the Public Safety committee & Chief Borell have conducted interviews for the promotion of Lieutenant. Swearing in ceremony date TBD

**CONSENT AGENDA**

*(Adoption of Resolutions No. 2022-4.1 – 2022-4.11)*

**Motion:** Ray Yazdi

**Second:** John Graziano

**Discussion:** Thank you to new members joining the Senior Advisory Board

**Roll Call Vote:** CATALANO (YES), GRAZIANO (YES), \*JUHLIN (YES), YAZDI (YES)

**\*JUHLIN – voted NO for Resolution 2022-4.9**

**CONSENT AGENDA RESOLUTION:**

**RESOLUTION NO. 2022-4.1  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the  
April 5, 2022 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. Motion to approve minutes:**

- December 28, 2021 – Regular Meeting
- March 15, 2022 – Regular Meeting

**B. Proclamation – ‘Older Americans Month’ May 2022**

**C. Resolution No. 2022-4.2:** Lake Management Sciences (Bogue Pond & Oakwood Lake)

**D. Resolution No. 2022-4.3:** Declaration of Emergency (Pump Station)

**E. Authorizing Public Event Vendors:**

- **Resolution No. 2022-4.4:** Contract with Serpico Pyrotechnics, LLC/Starfire Corporation (Fireworks)
- **Resolution No. 2022-4.5:** Contract with MRT Rental (rides)

**F. Resolution No. 2022-4.6:** Support of Distracted Driving Crackdown (UDrive. UText. UPay.)

**G. Resolution No. 2022-4.7:** Senior Citizen Advisory Commission

**H. Resolution No. 2022-4.8:** Granting Paid Sick Leave (J. Adams)

**I. Resolution No. 2022-4.9:** Authorizing Tax Appeal Settlements (Block: 5060 Lot: 15 & Block: 3029 Lot: 4, 5 & 6)

- J. Resolution No. 2022-4.10:** Online Auction (*property of no useful life/public use*)
- K. Resolution No. 2022-4.11:** Endorsing Enactment S-354 Establishing the School Funding Formula Evaluation Task Force

***Record of Council Vote on Passage***

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

\*Recusal listed in 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 April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**PENDING ITEMS**

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

*Ordinance No. 4-2022: Amend Ch. 92 Zoning (Accessory Structures)*

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

Councilman GRAZIANO 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. 4-2022  
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 92 “ZONING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, the Borough Code currently sets forth zoning standards and restrictions throughout the Borough, including those governing accessory structures; and

**WHEREAS**, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to establish the appropriate use of accessory structures;

**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 92 “Zoning”, Article IV “Supplementary Lot, Height and Yard Regulations”, Section 92-17 “Accessory Structures” shall be amended to read as follows:

**§92-17 Accessory Structures.**

A. Maximum size regulations.

(1) The maximum permitted height of accessory structures shall be one and one-half (1 1/2) stories or 15 feet.

(2) The maximum permitted total foot print square-footage of all accessory structures on a residential lot shall not exceed the foot print square-footage of the principal dwelling structure.

- B. Minimum yard regulations.
- (1) Unattached accessory structures in residential districts. Accessory structures which are not attached to a principal structure may be erected within one of the side yards or within the rear yard in accordance with the following setback requirements:
    - (a) Front yard: 50 feet.
    - (b) Side yard (interior lot): five feet.
    - (c) Side yard (corner lot): same as for principal structures.
    - (d) Rear yard: five feet.
    - (e) Accessory structures shall not be closer to a principal structure than 10 feet.
  - (2) Swimming pools. Permanent swimming pools shall be subject to yard requirements covered in Chapter 16, Swimming Pools, in the Revised General Ordinances of the Borough of Bloomingdale.
  - (3) Attached accessory structures in residential districts. When an accessory structure is attached to the principal building, it shall comply in all aspects to the requirements of this chapter applicable to the principal building.
  - (4) Non-dwelling accessory structures in other districts. Non-dwelling accessory structures shall comply with front and side yard requirements for the principal structure to which they are accessory and shall be not closer to any rear property line than 10 feet; except that where the rear property line shall abut a residential district, the rear yard requirements for the principal structure in that zone district shall apply to all accessory structures.
- C. Accessory structures shall not be utilized as a dwelling structure.
- D. Flag poles in residential districts may be placed in residential yards provided the following setbacks are met:
- (1) Front Yard: 10 feet.
  - (2) Side yard: 10 feet.
  - (3) Flag poles must be no closer to a principal structure than 10 feet.

All other portions of this Section shall remain unchanged.

**SECTION 2.** Chapter 92 “Zoning”, Article XII “Schedule of Regulations”, Section 92-44 “R-130 One-Family Residential Zone” shall be amended to read as follows:

**§92-44 R-130 One-Family Residential Zone.**

The following regulations shall apply in the R-130 Zone:

- B. Accessory permitted uses (see §§ 92-16 and 92-17).
- (1) Home occupations as defined in § 92-26B.
  - (2) Signs as regulated in § 92-26.3G.
  - (3) Private garages and private parking areas (see § 92-22).
  - (4) Private swimming pools [see § 92-17B(2)].
  - (5) Private boathouses on lakefront property at either Glenwild Lake, Lake losco, Kampfe Lake or Morse Lake.
  - (6) Other accessory uses and structures customarily appurtenant to a principal permitted use.

All other portions of this Section 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.

**Public Hearing:**

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

Linda Huntley, 86 Van Dam Avenue, Bloomingdale:  
Made the following inquires:

- What is being changed in this ordinance

**Council Discussion:**

*The square footage of an accessory structure shall not exceed the footprint square footage of the principal dwelling structure. Discussed lot area, & use of accessory structures as dwellings*

Since there was no one who wished to speak GRAZIANO 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.

**Planning Board Recommendation:**

Per the Planning Board secretary - *Please be advised that at their March 23, 2022 regular public meeting, a motion was made by Comm. Croop, 2nd by Comm. Hammaker recommending that the Mayor and Council adopt Ordinance No. 4-2022 Amending Chapter 92 Zoning, as it is found to be consistent with the Master Plan and Borough Zoning code. The motion carried with an 8-0 vote.*

**Adoption:**

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

**NEW BUSINESS:**

**A. Adoption of Resolution No. 2022-4.12: Temporary Appropriations per N.J.S.A. 40A:4-20**  
**Motion:** Ray Yazdi  
**Second:** John Graziano  
**Roll Call Vote:** JUHLIN (YES), YAZDI (YES), CATALANO (YES), GRAZIANO (YES)

**B. Adoption of Resolution No. 2022-4.13: Soil Permit Application #673 Tilcon NY**  
**Motion:** Ray Yazdi  
**Second:** Dominic Catalano  
**Discussion:** JUHLIN inquired if this had relation to executive session. This is for a 5 year soil mining permit.  
**Roll Call Vote:** YAZDI (YES), CATALANO (YES), GRAZIANO (YES), JUHLIN (YES)

**C. Introduction of Ordinance No. 6-2022: Amending Ch. 92 Zoning (Cannabis Retail)**

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on May 3, 2022 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 ordinance will be referred to planning board for recommendation.

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 92 “ZONING” AND OF THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ADDRESS CANNABIS RETAILERS**

**D. Introduction of Ordinance No. 7-2022: Amending Ch. 14 General Licensing (Cannabis Retail Licensing & Taxes)**

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on May 3, 2022 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 14 “GENERAL LICENSING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ADDRESS CANNABIS RETAILERS**

**E. Introduction of Bond Ordinance No. 8-2022: Water Utility Improvements**

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on May 3, 2022 at 7PM; the motion was seconded by CATALANO and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Municipal Clerk read by Title:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE WATER UTILITY OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$1,245,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,245,000 BONDS OR NOTES OF THE WATER UTILITY OF THE BOROUGH TO FINANCE THE COSTS THEREOF**

**LATE PUBLIC COMMENT:**

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

Brian Bergen, 116 West Shore, Denville, NJ:

Made the following inquires:

- Introduced himself to the Council. New Jersey State Legislature – Assemblyman of the 25<sup>th</sup> District. Combat Veteran serving the US Army – former officer, company commander & Apache helicopter pilot

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

**GOVERNING BODY SCHEDULE**

- A. Regular Meeting – April 19, 2022 7PM**
- B. Workshop Meeting – May 3, 2022 7PM**
- C. Regular Meeting – May 17, 2022 7PM**

**EXECUTIVE SESSION:**

**Resolution No. 2022-4.14:** Motion for Executive Session  
(One matter – Contract Negotiations (Shared Services)  
(One matter – Attorney / Client (M&T Realty)

**Motion:** Ray Yazdi

**Second:** Dominic Catalano

**Voice Vote:** all members voting AYE (in favor)

*Entered executive session at 7:21PM; resumed in open session at 9:08PM*

**ADJOURNMENT:**

Since there was no further business to be conducted, YAZDI moved to adjourn at 9:08PM; seconded by JUHLIN and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC  
Municipal Clerk

**APRIL 5, 2022 RESOLUTIONS**

**RESOLUTION NO. 2022-4.2  
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 Borough of Bloomingdale has previously contracted with Lake Management Sciences LMS for this service in 2021 & wish to continue to retain LMS for 2022; 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 Mayor and/or Business Administrator to execute an agreement with Lake Management Sciences-LMS, P. O. Box 2395, Branchville, NJ 07826, as per their proposal on file with the Municipal Clerk; and
2. This contract is not to exceed \$4,800.00 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.

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale



**RESOLUTION NO. 2022-4.3  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING A CONTRACT  
FOR IMMEDIATE REPAIRS ON THE NATALIE COURT PUMP STATION**

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with inadequate performance of the grinder pump, motor starter and capacitor at the Natalie Court pump station; **WHEREAS**, the Governing Body further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

**WHEREAS**, the Governing Body further finds and declares that **N.J.S.A. 40A:11-6** authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

**WHEREAS**, the Governing Body further finds and declares that the Department of Public Works, acting in the reasonable belief that an emergency affecting the public health, safety and welfare requires immediate remedial action without public advertisement for services;

**WHEREAS**, the Governing Body further finds and declares that the Department of Public Works, has appropriately recommended that the repairs on the Natalie Court pump station be remedied through the award to the following vendors:

**Capitol Supply  
Parkhurst Distributing  
Barret Construction**

**WHEREAS**, the emergency costs are not exceed \$13,000.00 and the CFO has certified the availability of funds;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the completion of the repairs on the Natalie Court pump station as soon as possible and does hereby award said project to the entities mentioned above.

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.4  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING AN AWARD OF CONTRACT TO SERPICO PYROTECHNICS,  
LLC/STARFIRE CORPORATION FOR FIREWORKS DISPLAY ON JUNE 25, 2022**

**WHEREAS**, the Borough of Bloomingdale Council and Public Events committee is desirous of holding the annual ‘Fourth of July’ firework display for the Bloomingdale residents at the Walter T. Bergen School on June 25, 2022; and

**WHEREAS**, the Borough has received a proposal from Serpico Pyrotechnics, LLC/Starfire Corporation of 133 Orchid Court, Toms River, NJ 08753; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds from account 2-01-30-420-001-100 as evidenced in the annexed certification;

**NOW THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Bloomingdale as follows:

1. The Borough does hereby award a contract for Fireworks Display to Serpico Pyrotechnics, LLC/Starfire Corporation, to be held on Saturday, June 25<sup>th</sup>, 2022 with a rain date of June 26<sup>th</sup>, 2022.
2. The contract is hereby awarded in an amount not to exceed \$10,000.00, and the Chief Financial Officer as certified the availability of funds.
3. The contract is below the bid threshold and accordingly is not awarded through the bidding process.
4. The Mayor and/or Business Administrator are hereby authorized to execute the display contract agreement.

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022.-4.5  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING VENDOR FOR BOROUGH'S PUBLIC EVENT(S)  
BLOOMINGDALE FIREWORKS JUNE 25, 2022 & 'PRIDE DAY' SEPTEMBER 24,  
2022**

**WHEREAS**, the Borough of Bloomingdale will host the following public events during the 2022 calendar year, "Bloomingdale Fireworks" (June 25<sup>th</sup>) & "Pride Day" (September 24<sup>th</sup>); and

**WHEREAS**, the Borough Administrator and Public Events Committee recommend the use of the following vendor(s):

**MRT RENTAL DBA BIG MARK'S (rides)**

**WHEREAS**, MRT Rental DBA Big Mark ("Vendor") has submitted estimates for provision of the requested services for Borough's public events; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, the estimated cost for each Vendor's services is below the bid threshold and contracts may be awarded without bidding; and

**WHEREAS**, the Borough wishes to enter into contracts with the Vendor to perform such services at the Bloomingdale Fireworks & Pride Day public events; and

**WHEREAS**, the Vendor has agreed to provide the requested services, at no cost to the Borough, during the aforementioned Borough public events pursuant to their proposals; and

**WHEREAS**, the Vendor has provided the Borough with a Certificate of Insurance evidencing coverage for the day of the event(s).

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

**Section 1.** A contract with MRT Rental DBA Big Mark's is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-3(a) of the Local Public Contracts Law because the contracts are for services to be performed for amounts below the bid threshold.

**Section 2.** The Vendor shall perform the respective services at 'Bloomingdale Fireworks' on June 25<sup>th</sup> and at 'Pride Day' on September 24<sup>th</sup>.

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

**Section 4.** A copy of this Resolution shall be provided to Donna Mollineaux Chief Financial Officer, and to MRT Rental DBA Big Mike's of 256 Maxim Road in Howell, NJ 07731 for their information and guidance.

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.6  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**Supporting the 2022 *UDrive. UText. UPay.*  
*Distracted Driving Crackdown*  
April 1 - 30, 2022**

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, in 2019 alone distracted driving-related crashes resulted in 3,142 deaths and 400,000 injuries on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in 49-percent of all motor vehicle crashes in 2019; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Distracted Driving 2022 Crackdown* from April 1 - 30, 2022 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is *UDrive. UText. UPay.*; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways;

**THEREFORE**, be it resolved that Borough of Bloomingdale declares it's support for the *Distracted Driving 2022 Crackdown* both locally and nationally from April 1 - 30, 2022 and pledges to increase awareness of the dangers of distracted driving.

**Record of Council Vote on Passage**

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.7  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Appointments to the Senior Citizen Advisory Committee***

**WHEREAS**, the Senior Citizens Advisory Committee ("Committee"), which shall consist of nine members, a majority of which shall be residents of the Borough of Bloomingdale ("Borough"). The Committee membership shall be representative of senior citizens; disabled persons; religious institutions; nonprofit civic organizations; health professionals and organizations; and the community at-large; and

**WHEREAS**, members shall be nominated by the Mayor and confirmed for appointment by an affirmative vote of at least three members of the Borough Council.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Bloomingdale, that they do provide consent to the appointment of the following members to serve on the Senior Citizen Advisory Committee:

*New appointments effective April 5, 2022:*

- Jacqueline Blacksmith 3 years (expiring 12/31/24)
- Barbara Conley 3 years (expiring 12/31/24)
- Celeste Miller 3 years (unexpired 12/31/22)
- Richard Gerbitz 3 years (unexpired 12/31/23)
- Linda Huntley 3 years (expiring 12/31/24)
- Anne DuHaime 3 years (expiring 12/31/24)
- Linda Shortman 3 years (unexpired 12/31/22)

*Reinstating:*

- Jessica Mirabella 3 years (expiring 12/31/23)
- Cathy Gerbitz 3 years (unexpired 12/31/22)

Pat Yannacci, Senior Citizen Coordinator  
Evelyn Schubert, Council Liaison / Mayor's Representative

**Record of Council Vote on Passage**

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.8  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Borough Employee

**WHEREAS**, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Jennifer Adams (“Employee”) is an employee of the Borough of Bloomingdale; and

**WHEREAS**, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of April 11, 2022; and

**WHEREAS**, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of her paid sick leave;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Jennifer Adams, during the period of April 11, 2022 through August 22, 2022; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk be and is hereby directed to formally notify the Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

*Record of Council Vote on Passage*

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.9  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE  
AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS  
FILED AT THE TAX COURT**

**WHEREAS**, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT	ADDRESS
Bloomingdale Plaza Assoc. LLC	5060	15	45-47 Main Street
GL Group Holdings LLC	3029	4, 5 & 6	152 Hamburg Turnpike

; and

**WHEREAS**, the Tax Assessor, Appraiser and Borough Attorney are of the opinion that it is in the best interest of the Borough to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court

of New Jersey is hereby authorized as follows:

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Bloomington Plaza Assoc. LLC	2020	\$1,276,500	\$1,276,500
Bloomington Plaza Assoc. LLC	2021	\$1,276,500	\$1,176,500
GL Group Holdings LLC Lot 4	2018	\$330,200	\$270,200
GL Group Holdings LLC Lot 5	2018	\$153,000	\$100,000
GL Group Holdings LLC Lot 6	2018	\$382,400	\$329,800

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

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

4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.

5. This Resolution shall take effect immediately.

*Record of Council Vote on Passage*

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomington at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomington

**RESOLUTION NO. 2022-4.10  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGTON**

**AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY BY USE OF  
ONLINE AUCTION – GOVDEALS.COM PURSUANT TO N.J.S.A. 40A:11-36**

**WHEREAS**, the Borough of Bloomington has title to the following property:

- 1993 Fruehauf Van Trailer VIN# 1H2V04527PB019304

**WHEREAS**, based upon the condition & the repairs necessary, the personal property is of no useful life and is no longer needed for public use; and

**WHEREAS**, the Borough wishes to dispose of the aforementioned property, which is municipal public property; and

**WHEREAS**, the Borough of Bloomindale desires to list personal property for sale via an online auction hosted by GovDeals.com, which sale is going to be conducted pursuant to Local Finance Notice 2008-9; and

**WHEREAS**, the terms and conditions of the agreement that will be entered into with the vendor are available on the vendor’s website and available in the Borough Clerk’s office.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to sell the above listed vehicle described above in an online auction hosted by GovDeals.com.

*Record of Council Vote on Passage*

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.11  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, ENDORSING ENACTMENT OF S-354 ESTABLISHING THE SCHOOL FUNDING FORMULA EVALUATION TASK FORCE**

**WHEREAS**, for decades, local school districts across New Jersey have been hampered by budgetary constraints in fulfilling their mission of providing the thorough and efficient education guaranteed to every student by the New Jersey State Constitution; and

**WHEREAS**, those budgetary constraints have been exacerbated by the failure of the State of New Jersey to ensure stable, consistent State school aid that enables school districts to address the needs of all students regardless of where they reside and attend school in our state; and

**WHEREAS**, the Bloomingdale School District is one school district whose budgetary constraints have been exacerbated by dramatic reductions in State school aid under the School Funding Reform Act of 2008 (“Act”) since 2019, including a projected \$176,019 cut in Governor Murphy’s proposed budget for the FY2022-2023 school year:

- ↓ FY2019-2020: - \$106,413
- ↓ FY2020-2021: - \$164,443
- ↓ FY2021-2022: - \$212,542
- ↓ FY2022-2023: - \$176,019

**WHEREAS**, these State school aid cuts have negatively impacted the Bloomingdale community by forcing Bloomingdale taxpayers to pay higher property taxes for local schools, as evidenced by an analysis by *USA Today Network New Jersey* published on [www.northjersey.com](http://www.northjersey.com) on March 8, 2022, showing that Bloomingdale is one of sixty (60) municipalities in New Jersey in which homeowners spend more than 10% of their income on property taxes (\$11,240) if they live in their town’s average home (\$255,573) and earn their town’s average income (\$112,528); and

**WHEREAS**, these State school aid cuts have negatively impacted the school district by compromising educational programs and opportunities for Bloomingdale school students; and

**WHEREAS**, S-354 has been introduced with bipartisan support in the New Jersey State Senate to establish the School Funding Formula Evaluation Task Force (“Task Force”) for the purpose of studying, evaluating, and assessing the provision of State school aid pursuant to the Act to provide recommendations on improving various aspects of the Act, including:

- The manner in which school district adequacy budgets and local shares are calculated;
- The current methodology of measuring and weighting at-risk students and students with limited English proficiency and the impact on the educational outcomes of those students;
- The weights applied to students in different grade levels, as well as those applied to students enrolled in county vocational school districts;
- The current methodology used to calculate the geographic cost adjustment;
- The formula’s use of the census-based funding methodology for determining the amount of State aid a school district receives to educate its special education population and the effects of potentially employing different methodologies;
- The provision of extraordinary special education aid and the cost thresholds used as the bases for reimbursement of extraordinary special education costs;
- The methodologies used to calculate security categorical aid and transportation aid; and
- The impact that the reallocation of State school aid pursuant to P.L.2018, c.67, commonly referred to as “S-2,” had on 43 school districts’ finances; and

**WHEREAS**, S-354 directs the Task Force to issue a final report detailing its findings and recommendations to the Governor of the State of New Jersey and the New Jersey State Legislature no later than one year after its organization; and

**WHEREAS**, the Bloomingdale Borough Council, in conjunction with the Bloomingdale Board of Education, welcomes the renewed focus and transparency that S-354 is intended to bring to the provision of State school aid pursuant to the Act in the hope that it will achieve more stable and consistent State school aid for local school districts that will ameliorate local property taxes, while expanding educational programs and opportunities for all students; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, that the Council hereby endorses the enactment of S-354 into law and requests the Borough Clerk transmit a certified copy of this Resolution to Governor Philip Murphy; State Senate President Nicholas Scutari; Assembly Speaker Craig Coughlin; S-354’s primary sponsors, State Senators Vin Gopal and Steven Oroho; State Senator Holly Schepisi; Assemblypersons Robert Auth and DeAnne DeFuccio; and the Boards of Education of all neighboring school districts.

This Resolution shall take effect immediately.

Adopted: April 5, 2022

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.



Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.12  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**EMERGENCY RESOLUTION  
N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)**

**WHEREAS**, pursuant to N.J.S.A. 40a:4-19 the Borough council of the Borough of Bloomingdale adopted Resolutions to provide temporary funds for the period from January 1, 2022 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

**WHEREAS**, additional appropriations will be required from April 5, 2022 until the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, NEW JERSEY, that:**

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND	\$3,500,000.00
WATER AND SEWER UTILITY FUND	\$1,500,000.00

2. This action shall take effect April 5, 2022
3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Bloomingdale.

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.13  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO CONDITIONALLY GRANT A MAJOR SOIL PERMIT APPLICATION #673**

**WHEREAS**, Tilcon NY, in accordance with the Borough Code, has filed a major soil permit application which is identified as Application #673, and the property designated as Block 5105, Lots 14.02 and 84 on the Tax Map of the Borough of Bloomingdale; and

**WHEREAS**, the Bloomingdale Planning Board, after a public hearing appropriately noticed and held on August 11, 2021, adopted an extensive resolution recommending the Mayor and Council grant the major soil permit application #673; and

**WHEREAS**, this approval is limited to the application and request for a soil permit pursuant to Section 32-2 et al of the Borough Code.; and

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

The Mayor and Council hereby grant the major soil permit application #673 subject to all of the terms and conditions of the Planning Board Resolution relating to this application.

**BE IT FURTHER RESOLVED** this approval is limited to the application and request for a soil permit pursuant to Section 32-2 et al of the Borough Code.

*Record of Council Vote on Passage*

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-4.14  
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 5<sup>th</sup> day of April 2022 that:

- ❖ Prior to the conclusion of this Regular Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - One Matter – Contract Negotiations (Shared Services)
    - One Matter – Attorney / Client (M&T Realty)
  - ( ) 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: April 5, 2022

***Record of Council Vote on Passage***

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

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 5, 2022.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale