

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

May 2, 2023

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 Deputy Clerk)

In Attendance:

Mayor John D'Amato
Councilman Dominic Catalano
Councilman Richard Dellaripa
Councilman John Graziano
Councilwoman Dawn Hudson
Councilwoman Evelyn Schubert (arrived at 7:08 p.m.)
Councilman Ray Yazdi

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

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.

EARLY PUBLIC COMMENT

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

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

Councilwoman, Dawn Hudson (BOH Liaison)

- Public Events
 - May 20th Town/River Clean Up Day 10AM
 - May 6th Tips & Tricks for Seniors 10:30AM
 - June 3rd Townwide Garage Sale

Councilman, John Graziano (EDC Chairperson/Municipal Alliance Liaison/ Tri-Boro Little League Liaison)

- EDC is working on creating a list of local vendors to share with the community
- Great turnout for the Little League Parade & Opening Day, thanked all involved in organizing

Business Administrator, Michael Sondermeyer:

- Provided the following updates:
 - *Andrew Place Road Improvement project is near completion – minimal punch items left*
 - *DPW bucket truck is inoperable (originally purchased from Butler 15 years ago). Butler has permitted the Borough to use one of their reserve fleet vehicles. Within a year, Butler is replacing their vehicle & at that time would consider selling the bucket truck to Bloomingdale. Discussion will continue with the Borough administrators.*
 - *Remove item B under section 10. New Business – the position will be offered tomorrow & if accepted will be listed on the next agenda*
 - *BA, Clerk & CFO interviewed a CFO; would like to form a council committee to conduct a second interview*

Mayor, John D'Amato:

- *Rainy forecast the past week. The improvements made to Sloan Park have been effective as there wasn't any flooding. De-snagging that has begun on Van Dam Ave brook has also been effective in alleviating flooding in that area*
- *Light the Night for Fallen Firefighters May 4-7, 2023*
- *Memorial Day Parade 5/29 (start in Butler proceed to Sloan Park)*

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

- Seniors:
 - *May event calendar is posted on the Borough Webpage*
 - *May 2023 is proclaimed 'Older American's Month' (also motorcycle safety awareness)*
 - *May 31st Resorts Casino – Frankie Valle Show*
 - *E-Z pass discount program for seniors (available on webpage)*
- Tri-Boro First Aid Squad
 - *Will host a 'dueling piano' beefsteak fundraiser at the firemen's hall, more information to come*
- Library Events:
 - *May 15th Art Class (must register)*
 - *Storytime 10:30AM (Tues, Thurs & Sat) [must register]*
 - *Kids book club Wednesdays (must register)*

CONSENT AGENDA

(Adoption of Resolutions No. 2023-5.1 – 2023-5.3)

Motion: Dawn Hudson

Second: Ray Yazdi

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

CONSENT AGENDA RESOLUTION:

**RESOLUTION NO. 2023-5.1
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
May 2, 2023, 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:

- April 18, 2023 – Regular Meeting
- B. Motion to approve Block Party Application #1-2023:** Woodward Ave (June 10th 2023)
- C. Proclamation:** *Older Americans Month*
- D. Resolution No. 2023-5.2:** Grant Unpaid Sick Leave (R. Thomas)
- E. Resolution No. 2023-5.3:** Appoint Municipal Employee Benefit Fund Commissioner & Alternate

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 May 2, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

PENDING ITEMS

A. Second/Final Reading & Public Hearing:
Ordinance No. 15-2023: Amend Ch. 92 Zoning (BCD)

The Deputy Clerk, Terry Sauer, 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 Deputy Clerk read the following Ordinance by title:

**ORDINANCE NO. 15-2023
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 92 “ZONING”, ARTICLE XII “SCHEDULE OF REGULATIONS” 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 the Bloomingdale Center District Zone; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to clarify the building design standards and guidelines applicable throughout the Bloomingdale Center District Zone;

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 XII “Schedule of Regulations”, Section 92-55.2 “Bloomingdale Center District Zone (BCD)” shall be amended to read as follows:

§92-55.2 Bloomingdale Center District Zone (BCD).

- N. Building design standards and guidelines.
- (1) Purpose. The purpose of this section is to promote a desirable visual environment within the Bloomingdale Center District by improving the appearance of buildings and structures to make a more attractive and inviting destination for residents, consumers, professionals and retailers to conduct commerce, gather, dine and walk in a mixed-use environment while promoting the Borough’s Complete Streets Policy (Borough Code Chapter 20, Article III). An essential strategy in achieving the objective is to foster recognition that facades, buildings and structures should have a visual and harmonious relationship with surrounding facades, buildings and structures. Integral to the strategy is recognition that visible side or rear elevations contribute significantly to a building or structure's overall appearance.

- (2) Benefits. Potential tangible benefits Bloomingdale will realize by adhering to these standards and guidelines include: the creation of a more desirable location for existing and new businesses; the improvement of commerce for existing and future retail and professional businesses as well as residential uses; the improvement of commercial and residential property values and the avoidance of adversely affecting the value of adjacent or nearby properties; the creation of a destination for shoppers; and the improvement of the walking experience.
- (3) Applicability. The provisions of this section shall apply to new buildings and any alteration of existing buildings when such alteration changes the exterior design or appearance of a building. All alterations shall be registered with the Zoning Official. An Alteration Project Certificate, to be displayed on the building in a visible location, will be issued upon coordination and review with the Zoning Official.
 - (a) Exterior painting of more than twenty (20%) percent of any one facade of an existing building shall be considered a change to the appearance of the building.
 - (b) Exterior painting of the trim or accent façade elements of any one facade of an existing building shall be considered a change to the appearance of the building.
 - (c) Roof replacement of more than twenty (20%) percent of all roof areas of an existing building shall be considered a change to the appearance of the building.
- (4) Building Designs Prohibited. Modular buildings, trailers, converted trailers and storage containers utilized as buildings shall be prohibited.
- (5) Building facade design. All sides of a building should be architecturally designed so as to be consistent with regard to style, materials, colors and details.
 - (a) Horizontal articulation between floors. Each facade should be designed to have a delineated floor line between street level and upper floors. This delineation can be in the form of a masonry belt course, a concrete lintel or a cornice line delineated by any façade permitted finish materials described in this section.
 - (b) Vertical articulation. Buildings shall avoid long, monotonous, uninterrupted facades. Building facade offsets or vertically articulated treatments, including balconies, canopies, columns, piers, recessed windows, overhangs, ornamental projection of molding, different exterior materials or recessed portions of the main surface of the facade itself should be used to add architectural interest and variety to the massing of a building.
- (6) Building facade permitted finish materials.
 - (a) Textured concrete block; concrete block with stucco.
 - (b) Reinforced concrete with smooth finish or with stucco.
 - (c) Natural brick or stone.
 - (d) Brick-face systems; applied stone.
 - (e) Wood, pressure treated or naturally decay-resistant species.
 - (f) Fiber-reinforced cement panels or boards that simulate wood.
 - (g) Metal, plastic or vinyl siding that is not used to such an extent that it is the dominant architectural feature.
 - (h) Similar materials as approved by the Planning Board, Zoning Officer or Construction Official.
- (7) Building facade prohibited finish materials.
 - (a) Metal, plastic or vinyl siding with exposed fastenings.
 - (b) Corrugated or reflective metal panels, steel buildings.
 - (c) Exposed concrete block; smooth, scored or rib-faced concrete block; cinder block.
 - (d) Any translucent material, other than glass.
 - (e) Residentially scaled, horizontal vinyl or aluminum siding. Metal, plastic or vinyl siding that is used to such an extent that it is the dominant architectural feature.
 - (f) Plywood and other compressed wood sheathing products, textured or nontextured.
 - (g) Cement parging, shingles, shakes.
 - (h) Exterior insulation finishing systems (EIFS).
 - (i) Natural brick or stone in a rubble construction look.
- (8) Building facade color guidelines.
 - (a) The color scheme should be compatible with adjacent buildings.
 - (b) Buildings should not be painted to compete for attention with other buildings in the vicinity or to stand out boldly in their context.
 - (c) All visible facades of the building should be used to contribute to the architectural and visual unity of the building.
 - (d) Simple color schemes are encouraged. The building facades should not exhibit more than three colors.
 - (e) The field or body of a facade should be the lightest color. The trim should be a deeper shade of the field or body's color, or the trim alternatively should be white

or black. The facade's trim and accent elements should be a brighter complimentary or contrasting color. Such trim and accent elements should be utilized to avoid monotonous, single-color facades.

- (9) Building facade color standards.
 - (a) The field or body of the building facades shall be a solid color included in an earth tone palette.
 - (b) Trim and accent facade elements shall be solid colors.
 - (c) Garish or gaudy colors shall not be used on any portion of a facade.
 - (d) Black shall not be used for the field or body of a facade. Neon or fluorescent colors shall not be used on any portion of a facade.

- (10) Roofing and roofline. The type, shape, pitch, texture and color of a roof should be considered as an integral part of the design of a building.
 - (a) The maximum roof pitch should be 8/12 and all gables on a building should be of the same pitch. A flat roof may be permitted on a building of a minimum of two (2) stories in height, provided that all visibly exposed walls should have an articulated cornice that projects out horizontally from the vertical building wall plane. Mansard roofs are permitted. Architectural embellishments that add visual interest to roofs, such as dormers, masonry chimneys, cupolas, clock towers and similar elements are encouraged, provided these elements are architecturally compatible with the style, materials, colors and details of the building.
 - (b) Terra-cotta-style roofing shall not be permitted.
 - (c) The top of all buildings must be capped by a cornice or sloping roof element. Varying rooflines are encouraged.
 - (d) All roof-mounted equipment shall be screened from public view by use of parapet walls or other architectural features. An additional five (5) feet in height for equipment screening features is permitted.
 - (e) Continuity of treatment. The architectural treatment of a roof should be completely continued around all visibly exposed sides of a roof. All sides of a roof should be architecturally designed so as to be consistent with regard to style, materials, colors and details.

- (11) Fenestration. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate.
 - (a) At least 30% of the first floor primary building frontage for retail, office or other non-residential commercial uses shall be clear window glass permitting a view of the building's interior. This percentage shall be calculated within the area of the building facade that is located above the first floor elevation level.
 - (b) Residential entries in multi-use buildings shall be distinguished by architecture, color or other elements.
 - (c) Orientation. All primary facades shall be oriented toward the public right-of-way so as to provide a continuous, varied and attractive landscape.

- (12) Awnings and canopies.
 - (a) Awnings and canopies are encouraged at the ground floor level. Such awnings and canopies may project over a public sidewalk.
 - (b) In buildings with multiple storefronts or storefronts and residential entrances, all awnings and canopies shall be designed of compatible materials.
 - (c) Awnings and canopies shall be designed with a minimum vertical clearance of eight (8) feet and shall not extend more than three (3) feet from the face of the building.
 - (d) A maximum number of three (3) colors, inclusive of black and white, are permitted.
 - (e) Any lettering on the awning or canopy shall be limited to the name of the occupant only, which shall be included in determining the color and other sign calculations. The lettering shall have a maximum letter size of eight (8) inches and occupy a maximum of 70% of the valance area.
 - (f) Signs of any type shall not be permitted to hang from awnings and canopies.
 - (g) No awning or canopy shall be erected or maintained so as to obstruct access to any fire escape, window or door.
 - (h) Awnings and canopies are permitted to encroach within the front yard setback and the public right-of-way, but shall project no closer than four (4) feet from the curb line.

- (13) Lighting. All exterior lighting proposed shall be designed to minimize any impact to the surrounding area and shall meet or exceed the principles and standards of the International Dark Sky Association.

- (a) All outdoor building lights shall be decorative fixtures. The style of any freestanding light and light standard or stanchion shall be consistent with the architectural style of the principal building and shall not exceed fifteen (15) feet above the mean ground level of the surrounding area. Whenever possible, light standards or stanchions should be integrated into landscaped islands.
 - (b) All lights shall be shielded to restrict the maximum apex angle of the cone of illumination to fifty (50) degrees.
 - (c) All lights shall utilize color-corrected lamps. The use of fluorescent or mercury vapor lighting is prohibited. Use of minimum-high-pressure sodium lighting is encouraged.
 - (d) Any internal site pathway or sidewalk lighting proposed shall be with low- or mushroom-type standards.
 - (e) Storefront and façade lighting. Lighting should be directed toward the storefront and should be shielded and recessed to prevent spillage. Facade-mounted lights shall not be located higher than the second floor.
 - (f) No lighting is permitted on the roof structure of a building.
 - (g) The use of floodlights and spotlight-type fixtures are prohibited.
 - (h) Lighting shall not be permitted which requires flashing or intermittent illumination. Exterior neon lights and lighting generating glare and unnecessary night-glow impacts shall be prohibited.
- (14) Signage.
- (a) Roof signs are prohibited. Awning and canopy hanging signs or banners are prohibited.
 - (b) For multi-tenanted buildings, signs shall be designed with uniform area and height.
 - (c) Signs affixed to the exterior of a building should be architecturally compatible with the style, materials, colors and detail of the building and other signs used on the property.
 - (d) Street address signage is required on each building or individual unit. Numbers shall be a maximum of one (1) foot in height.
- (15) Barrier-free construction. Any barrier-free construction shall be compatible with the architecture and style of the structure.
- (16) Trash enclosures.
- (a) Trash enclosures shall not be visible from any public street and shall be located to the rear or side of the building.
 - (b) All trash enclosures shall be screened by a solid masonry wall on three (3) sides and heavy-duty gate closures on the fourth side. Building materials for such trash enclosures shall match the materials and color of the primary structure.
- (17) Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
- (18) Special features. Exposed storage areas; exposed machinery installations, including roof installations; service areas, truck loading areas; utility buildings and structures; and similar accessory areas and structures shall be so located and screened with plantings or by other methods to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
- (19) All applicable regulations set forth in Chapter 92 Zoning shall be adhered to. In the event that standards and guidelines set forth in this Section N conflict with standards and guidelines set forth in other sections of Chapter 92 Zoning, this section of design standards and guidelines shall supersede.
- (20) Enforcement. No building permit shall be issued for exterior construction and/or exterior renovation or alteration for any building in the Bloomingdale Center District, used in whole or in part for nonresidential purposes, without the review and approval of plans by the Planning Board, if applicable, the Zoning Officer or the Construction Official. Certificates of occupancy, temporary or permanent, shall not be issued for any building that is in violation of the standards set forth in this section, or for any building where the approved plans by the Planning Board, Zoning Officer or Construction Official have not been adhered to. Any building material changes and color changes after the date of adoption of this section shall be subject to the standards and guidelines as set forth in this section N. The Zoning Officer, Construction Official and Code Enforcement Official have jurisdiction to cite violations of this section and to levy fines of \$2,000 per day until the violation ceases.

All other portions of this Section 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: _____
Breeanna Smith, Clerk

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

By: _____
John D'Amato, Mayor

PUBLIC NOTICE

**ORDINANCE NO. 15-2023
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 92 "ZONING", ARTICLE XII "SCHEDULE OF REGULATIONS" 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 April 4, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on May 2, 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. 15-2023:

WHEREAS, the Borough Code currently sets forth zoning standards and restrictions throughout the Borough, including those governing the Bloomingdale Center District Zone. The Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to clarify the building design standards and guidelines applicable throughout the Bloomingdale Center District Zone. The recommendation includes amending Chapter 92 "Zoning", Article XII 'Schedule of Regulations' Sections:

- Section 92-55.2 'Bloomingdale Center District Zone'

Breeanna Smith, RMC
Municipal Clerk

Public Hearing:

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

Planning Board Recommendation:

The Planning Board secretary informed the Municipal Clerk of the following *At their April 26, 2023 public meeting, a motion was made by Comm. Ollenschleger, 2nd by Comm. Croop recommending that the Mayor and Council adopt Ordinance No. 15-2023 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:

HUDSON made motion for adoption; the motion was seconded by YAZDI 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. 16-2023: Amend Ch. 92 Zoning (Terms Defined)

The Deputy Clerk, Terry Sauer, read the Public Notice statement.

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

The Deputy Clerk read the following Ordinance by title:

**ORDINANCE NO. 16-2023
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 92 “ZONING”, ARTICLE XI “DEFINITIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth zoning standards applicable throughout the Borough, including definitions for terms to ensure consistency and understanding; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to clarify and simplify certain definitions;

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 XI “Definitions”, Section 92-43 “Terms Defined” shall be amended to read as follows:

§92-43 Terms Defined.

BUILDING HEIGHT

Building height in feet shall be measured at the deck line of a flat or mansard roof, or to the eave line of a sloped roof from the grade plane. Chimneys, spires, towers, elevator penthouses, tanks, screened mechanical equipment and architectural features serving no other functions except that of decoration shall be excluded for the purpose of calculating building height.

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

SECTION 2. Chapter 92 “Zoning”, Article XI “Definitions”, Section 92-43 “Terms Defined” shall be amended to add a new definition to read as follows:

§92-43 Terms Defined.

GRADE PLANE

Areas Located Outside the Flood Hazard Area. Grade plane shall be a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Finished grade shall be preconstruction grade on level sites and not in excess of two (2) feet above the preconstruction grade on the upland side(s) of a structure on sloping sites. A level site shall be any property where the change in grade within the building envelope is no more than fifteen (15) per cent. A sloping site shall be any property where the change in grade within the building envelope is greater than fifteen (15) per cent.

Areas or Portions of the Building Area of a Lot Located Within the Flood Hazard Area. Grade plane shall be the reference plane which is the more restrictive of the base flood elevation or the advisory base flood elevation of the flood hazard area plus three (3) feet.

All other portions of this Section 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 4. This Ordinance 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. 16-2023
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 92 "ZONING", ARTICLE XII "SCHEDULE OF REGULATIONS" 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 April 4, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on May 2, 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. 16-2023:

WHEREAS, the Borough Code currently sets forth zoning standards and restrictions throughout the Borough, including those governing the Bloomingdale Center District Zone. The Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to clarify the building design standards and guidelines applicable throughout the Bloomingdale Center District Zone. The recommendation includes amending Chapter 92 "Zoning", Article XI 'Definitions' Sections:

- Section 92-43 'Terms Defined'

Breeanna Smith, RMC
Municipal Clerk

Public Hearing:

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by YAZDI and carried on a voice vote all voting AYE. Since there was no one who wished to speak CATALANO 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.

Planning Board Recommendation:

The Planning Board secretary informed the Municipal Clerk of the following: *At their April 26, 2023 public meeting, a motion was made by Comm. Crum, 2nd by Comm. Steenstra recommending that the Mayor and Council adopt Ordinance No. 16-2023 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:

HUDSON 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 (YES) DELLARIPA (YES)

C. Second/Final Reading & Public Hearing:

Ordinance No. 17-2023: 2023 Index Rate CAP Bank

The Deputy Clerk, Terry Sauer, 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 Deputy Clerk read the following Ordinance by title:

**ORDINANCE NO. 17-2023
BOROUGH OF BLOOMINGDALE
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless

authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Bloomingdale, in the County of Passaic, finds it advisable and necessary to increase its CY 2023 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$100,692.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Bloomingdale shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$352,424.13, and that the CY 2023 municipal budget for the Borough of Bloomingdale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be uploaded on the FAST System for the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be uploaded on the FAST System for the said Director within 5 days after such adoption.

John D'Amato, Mayor

Breeanna Smith, Municipal Clerk

Introduced: April 18, 2023
Public Hearing: May 2, 2023
Adopted: May 2, 2023

I, HEREBY certify that the foregoing is a true copy of an Ordinance adopted by the Governing Body of the Borough of Bloomingdale, New Jersey at a meeting on the 2nd day of May, 2023.

Breeanna Smith, Municipal Clerk

Public Hearing:

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

Adoption:

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

D. Second/Final Reading & Public Hearing:

Ordinance No. 18-2023: Various Water & Sewer Improvements (Asset Management Plan)

The Deputy Clerk, Terry Sauer, read the Public Notice statement.

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

The Deputy Clerk read the following Ordinance by title:

**ORDINANCE NO. 18-2023
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

ORDINANCE APPROPRIATING \$35,000.00 AVAILABLE FROM THE WATER AND SEWER CAPITAL SURPLUS FUND TO PROVIDE FOR VARIOUS IMPROVEMENTS DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Section 1. \$35,000.00 is available from the Water and Sewer Capital Surplus Fund to provide for the following purposes:

<u>Description of Purpose</u>	<u>Amount</u>
Asset Management Plan	\$ 35,000.00
TOTAL:	\$ 35,000.00

Section 2. The capital budget of the Borough of Bloomingdale is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect ten days after final publication hereof as provided by N.J.S.A. 40:49-9.

**BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY**

ATTEST:

Breeanna Smith, Clerk

By: _____
John D’Amato, Mayor

Public Hearing:

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by YAZDI 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 CATALANO 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: SCHUBERT (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)

E. Second/Final Reading & Public Hearing:
Ordinance No. 19-2023: Amending Bond Ordinance 8-2022

The Deputy Clerk, Terry Sauer, read the Public Notice statement.

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

The Deputy Clerk read the following Ordinance by title:

**BOROUGH OF BLOOMINGDALE
ORDINANCE NO. 19-2023**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING
BOND ORDINANCE NUMBER 8-2022 HERETOFORE
FINALLY ADOPTED ON MAY 3, 2022, BY AND IN THE
BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF
PASSAIC, STATE OF NEW JERSEY; TO INCREASE THE
APPROPRIATION TO \$1,370,000 AND TO INCREASE THE
AUTHORIZATION OF BONDS OR NOTES TO \$1,370,000
THEREIN**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW
JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), **AS
FOLLOWS:**

SECTION 1. The bond ordinance of the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council of the Borough on May 3, 2022, numbered 8-2022 and entitled, "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" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as set forth herein.

SECTION 2. For the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated from the Water Utility of the Borough an additional sum of \$125,000, making the total appropriation available from the Water Utility for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, equal to \$1,370,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water Utility is self-liquidating.

SECTION 3. (a) In order to finance the cost of the improvements or purposes set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, additional negotiable bonds or notes of the Water Utility of the Borough in the amount of \$125,000 are hereby authorized to be issued by the Borough, such that the total authorization of negotiable bonds or notes to be issued by the Water Utility of the Borough for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, is equal to \$1,370,000.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$1,370,000.

(c) The estimated cost of the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, is equal to \$1,370,000.

SECTION 4. The Borough hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Water Utility of the Borough. The capital budget or temporary capital budget of the Water Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Water Utility as approved by the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$125,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 6. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication after final adoption of this bond ordinance, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: April 18, 2023

BREEANNA SMITH,
Clerk of the Borough of Bloomingdale

ADOPTED ON SECOND READING

DATED: May 2, 2023

BREEANNA SMITH,
Clerk of the Borough of Bloomingdale

Public Hearing:

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

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

- *Purpose of the ordinance increase [to which Mayor responded the bids came in higher than the engineer's estimated cost to fund the project]*

Since there was no one else 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.

Adoption:

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

NEW BUSINESS

A. Adoption of Resolution No. 2023-5.4: Police Recording System (State Contract)

Motion: Dawn Hudson

Second: Ray Yazdi

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

B. [item removed, no action taken]

C. Introduction of Bond Ordinance No. 20-2023: Road Reconstruction (Orchard St. & Wallace Ave.)

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on June 13, 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 Deputy Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF VARIOUS ROADS, BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$900,000 THEREFOR (INCLUSIVE OF A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$274,541) AND AUTHORIZING THE ISSUANCE OF \$625,459 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

D. Introduction of Bond Ordinance No. 21-2023: *Special Assessment (Orchard & Wallace Sidewalks)*

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on June 13, 2023 at 7PM; the motion was seconded by DELLARIPA and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Deputy Clerk read by Title:

BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS ALONG ORCHARD STREET AND WALLACE AVENUE, IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF AND THE SPECIAL ASSESSMENT OF THE COST THEREOF

E. Introduction of Ordinance No. 22-2023: Recreation Fees (Cornhole, Pickleball, Fencing, Trips)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on May 16, 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 Deputy 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

LATE PUBLIC COMMENT:

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

Linda Huntley, 86 Van Dam Ave, Bloomingdale:

Made the following inquires:

- *Whether the CFO will be part time or full time [administration responded, full time]*

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

EXECUTIVE SESSION:

Adoption of Resolution No. 2023-5.5: Motion for Executive Session

One Matter – Personnel

One Matter – Contract Negotiations

Motion: Ray Yazdi

Second: Dawn Hudson

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

[Terry Sauer exited the meeting at 7:30PM]

ENTER EXECUTIVE SESSION: 7:30PM

ENDED EXECUTIVE SESSION: 8:25PM

GOVERNING BODY SCHEDULE

- A. Regular Meeting (& Budget Hearing) – May 16, 2023 7PM
- B. Workshop Meeting – June 13, 2023 7PM
- C. Special Meeting – June 20, 2023 7PM (Adoption of Budget)
- D. Regular Meeting – June 27, 2023 7PM
- E. Regular Meeting – July 18, 2023 7PM

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 8:25PM; seconded by HUDSON and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC
Municipal Clerk

Drafted: Aimee Greenspan
Approved: Breeanna Smith

May 2, 2023 RESOLUTIONS

**OLDER AMERICANS MONTH
PROCLAMATION OF THE BOROUGH OF BLOOMINGDALE
-May 2023-**

WHEREAS, The Borough of Bloomingdale includes a growing number of older Americans who contribute their time, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities and backgrounds have the opportunity to participate and live independently; and

WHEREAS, the Borough of Bloomingdale recognizes our need to create a community that provides the services and supports older adults may need to make choices about they age; and

WHEREAS, the Borough of Bloomingdale can work to build and even better community for our older residents by:

- Not limiting our thinking about again,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community’s diversity

NOW THEREFORE BE IT RESOLVED, we the council of the Borough of Bloomingdale do hereby proclaim, May 2023 to be *Older Americans Month*. We urge every resident to celebrate our older citizens, help to create an inclusive society and accept the challenge of flexible thinking about aging.

Dated this 2nd day of May, 2023
John D’Amato, Mayor

**RESOLUTION NO. 2023-5.2
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Granting Unpaid Sick Leave to Borough Employee

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

WHEREAS, the Governing Body further finds and declares that the Employee has been out of work on unpaid sick leave as of January 12, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant unpaid sick leave to Borough Employee, Ron Thomas, during the period of January 12, 2023 through December 31, 2023; and

BE IT FURTHER RESOLVED that if applicable, the Pension Certification Officer is hereby directed to formally notify the Division of Pension and Benefits 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				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 May 2, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-5.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC
AND STATE OF NEW JERSEY, APPOINTING NORTH JERSEY MUNICIPAL
EMPLOYEE BENEFIT FUND COMMISSIONER & ALTERNATE**

BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that Mike Sondermeyer be and is hereby appointed as Fund Commissioner to the North Jersey Municipal Employee Benefit Fund to represent Bloomingdale; and

BE IT FURTHER RESOLVED that Jasmin Azcona be and is hereby appointed as Alternate Fund Commissioner effectively immediately.

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 May 2, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-5.4
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 \$17,579.00; 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 May 2, 2023 to December 31, 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 May 2, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
Eventide 16 Port Analog & IP Recording System – IP Phones and Analog Radio	Interaction Insight Corporation 125 Half Mile Road Suite 200 Red Bank, NJ 07701	PO 83891 T0109-Radio Communication Equipment and Accessories

**RESOLUTION NO. 2023-5.5
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 2nd day of May, 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 (One Matter – M&T)**
- (X) b. (8) Personnel matters.
 - **One Matter**
- () 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: May 2, 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 May 2, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale