

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

June 13, 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 Evelyn Schubert

Deputy Clerk, Terry Sauer
Administrative Assistant, Aimee Greenspan
Business Administrator, Michael Sondermeyer
Borough Attorney, Dawn Sullivan, Esq.

Excused: Councilwoman Dawn Hudson
Councilman Ray Yazdi

PUBLIC NOTICE STATEMENT

Mayor D'Amato stated: *This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 9, 2023; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.*

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

NON-AGENDA ITEMS

A. **Resolution No. 2023-6.27:** Municipal Alliance Grant

ORCHARD & WALLACE SIDEWALKS

***For the record, this ordinance was determined to be defeated, see below**

A. Second/Final Reading & Public Hearing:

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

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

Councilman Graziano 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:

**BOROUGH OF BLOOMINGDALE
BOND ORDINANCE NO. 21-2023**

**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**

Public Hearing:

Borough Engineer Tom Boorady was present for the hearing.

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

Paul Argent, 22 Wallace Ave., Bloomingdale

Made the following statements:

- Said it went against his 5th Amendment rights for the town to take control of this property, so he is not required to have his sidewalks replaced.

-The borough attorney responded by saying that they will investigate the case law.

Mark Sickle, 3 Orchard St., Bloomingdale

Questioned:

- Asked if he could use a private contractor for a better price and mentioned other towns usually pay for sidewalk repairs.

-The borough engineer mentioned that the price would likely be more, the quality won't be the same. He also mentioned that the state statute says residents are responsible for maintaining sidewalks.

GRAZIANO 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:

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

*******Later confirmed with Bond Counsel: The bond ordinance requires a 2/3 vote of the full membership of the Borough Council for final adoption, which requires 4 out of 6 Council members to vote in the affirmative. Under the Borough form of government, the Mayor can only vote to break a tie. The Council vote was 3 yes votes and 1 abstention. Since there was no tie to break, the Mayor was not authorized to vote on the bond ordinance. Without the Mayor's vote, the final vote was 3-1. For the aforementioned reasons, the bond ordinance failed to be adopted on second reading.**

EARLY PUBLIC COMMENT

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

Linda Huntley, 86 Van Dam Ave, Bloomingdale

Made the following inquiries:

- typos in Resolution No. 2023-6.10 & 2023-6.11 had the same info listed in sec. 1 and 2
- Discussion of resurfacing procedure

-The Mayor acknowledged the mistake, the typos would be corrected for permanent record when the council adopts the consent agenda

Maria Argent, 22 Wallace Ave., Bloomingdale

Made the following inquiries:

- In association with Orchard/Wallace project, would the water and sewer lines be replaced from the road to the homes and, if so, who is responsible for paying for it?

-The Mayor's response was that the homeowners are responsible for any work done to the lines for their own properties. Borough's responsibility is from the curb to the main

Since no one else wished to speak, GRAZIANO made a motion to close the meeting for public comment, seconded by DELLARIPA carried on voice vote, all in favor voting AYE.

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

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

- Library:
 - Dueling Pianos was April 22nd
 - Collecting plastic (have 212 lbs. so far) and batteries
 - Thanking Andy and Cullen [DPW staff]
 - June 6th Mystery Book Club
 - July 22nd library will be closed for the car show
 - Queens tea was a success on May 18th
 - Attended Sloan Park event
 - Will be at Bloomingdale Celebration Day
 - Paint and Sip event coming up
 - June 21st Charcuterie Board Event
 - Suggest adding library card into town Welcome Packets
- Seniors:
 - Chair Aerobics available
 - June 15th RENT at the Paper Mill Playhouse
 - Event and lunch calendars available on website
- BBYC:
 - Football registration closes Sept. 28th.
 - Cheer choreography Aug. 7-11 (mandatory)
 - Camps available in July
 - See BBYC website for more information
- Tri-Boro:
 - Still looking for kids to join
 - Wheelchairs available to borrow
 - Dueling Piano event in Oct.
- Additional:
 - Pastor Chuck invited our Mayor, Kinnelon and Butler to his church
 - The church has a food pantry open to donations as does the town that collected at the Sloan Park Festival

Councilman, John Graziano (EDC Chairperson/Municipal Alliance Liaison)

- Municipal Alliance
 - Thanked those who helped with the Sloan Park Event (FD, Police, DPW, Mike S.)
- EDC
 - Has a list of local contractors to promote local businesses

Councilman, Dominic Catalano (Environmental Commission)

- Environmental Commission
 - Bloomingdale cleanup was a success
 - Thanked DPW, FD, Mayor & volunteers

Business Administrator, Michael Sondermeyer:

- Provided the following updates:
 - *Hilltop Terrace Road Improvement project is still going on*
 - *Tennis courts are almost done*

Mayor, John D'Amato:

- *Pickleball & cornhole will be available through recreation*

CONSENT AGENDA

(Adoption of Resolutions No. 2023-6.1 – 2023-6.18)

Mayor noted that item E is being removed, this person decided to not accept the employment opportunity. Items J & K will be appropriately amended to reflect the awarding contracts price & description.

Motion: John Graziano

Second: Rich Dellaripa
Roll Call Vote: DELLARIPA (YES), GRAZIANO (YES), SCHUBERT (YES), CATALANO (YES)

CONSENT AGENDA RESOLUTION:

**RESOLUTION NO. 2023-6.1
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
June 13, 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 Remove Fire Dept Members:** *Michael John Wanklin, Emily Charman & Gavin Blane*
- B. Resolution No. 2023-6.2:** Renewal of ABC Licenses (2023-2024)
- C. Resolution No. 2023-6.3:** Grant Unpaid Sick Leave (S. Kelsey)
- D. Resolution No. 2023-6.4:** Accept Resignation of Part Time Shelter Staff (J. Halaw)
- E. Resolution No. 2023-6.5:** ~~*Hire of Part Time Shelter Staff (B. Robinson)~~
- F. Resolution No. 2023-6.6:** Reappointment of Building Subcode Official/Inspector (D. Hagberg)
- G. Resolution No. 2023-6.7:** Accept Resignation of Construction/Zoning Official (C. Walthour)
- H. Resolution No. 2023-6.8:** Renewal of Shared Service Agmt with Board of Education (Snowplow Services)
- I. Resolution No. 2023-6.9:** Declare an Emergency (HVAC – Boro Hall / PD)
- J. Resolution No. 2023-6.10:** Award of Contract for the ‘Resurfacing/Paving of the Reeve Avenue Easement’ to Mike Fitzpatrick Contractors, Inc.
- K. Resolution No. 2023-6.11:** Award of Contract for the ‘Resurfacing/Paving of the Construction Parking Lot’ to Mike Fitzpatrick Contractors, Inc.
- L. Resolution No. 2023-6.12:** Authorize the Issuance of 3rd Qtr Estimated Tax Bills
- M. Resolution No. 2023-6.13:** Hire of Recreation Summer Help (Day Camp)
- N. Resolution No. 2023-6.14:** Hire of Seasonal DPW Help
- O. Resolution No. 2023-6.15:** Renewal of Shared Service Agmt with Board of Education (SLEO/School Security)
- P. Resolution No. 2023-6.16:** Reappointment of Class III/SLEO (J. Tricoli)
- Q. Resolution No. 2023-6.17:** Declare an Emergency (HVAC – Boro Hall / PD)
- R. Resolution No. 2023-6.18:** Hold Harmless Agreement

*No action taken. Voided.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Bond Ordinance No. 20-2023: Road Reconstruction (Orchard & Wallace)

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

Councilman Graziano 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:

**BOROUGH OF BLOOMINGDALE,
IN THE COUNTY OF PASSAIC,
STATE OF NEW JERSEY**

BOND ORDINANCE NO. 20-2023

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

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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$900,000, which amount includes a \$274,541 grant expected to be received from the New Jersey Department of Transportation (the "DOT Grant"). No down payment for said improvements or purposes is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), as this bond ordinance involves a project funded by the DOT Grant, which is a grant provided by the State of New Jersey.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$900,000 appropriation not provided for by application hereunder of the DOT Grant, negotiable bonds of the Borough are hereby authorized to be issued in a principal amount not exceeding \$625,459 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$625,459 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for which said bonds or notes are to be issued are for the reconstruction of the entire lengths or portions of various roads within the Borough, including, but not limited to, Orchard Street and Wallace Avenue. Such improvements or purposes are to include, but are not limited to, as applicable, demolition and excavation, milling, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, driveway aprons, retaining walls, guardrails, and concrete improvements, and all other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications on file in the Office of the Clerk of the Borough and available for public inspection.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$625,459.

(c) The estimated cost of said improvements or purposes is \$900,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the DOT Grant.

SECTION 4. Except for the DOT Grant, in the event the United States of America, the State of New Jersey, and/or the County of Passaic make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Passaic. Except for the DOT Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Passaic, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough

as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) 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, New Jersey Department of Community Affairs, 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 or notes provided for in this bond ordinance by \$625,459 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$115,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this bond ordinance on a tax-exempt basis.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Public Hearing:

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

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

B. Adoption of Resolution No. 2023-6.19: Authorizing Purchase of Police Vehicle (Chevy Tahoe (NJ State Contract)

Motion: John Graziano

Second: Rich Dellaripa

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

Adoption of Resolution No. 2023-6.20: Authorizing Purchase of DPW Vehicle F-350 (NJ State Contract)

Motion: John Graziano

Second: Dominic Catalano

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

C. Chief Financial Officer / Qualified Purchasing Agent:

Adoption of Resolution No. 2023-6.21: Authorizing Appointment of CFO & QPA (D. Gallagher)

Motion: John Graziano

Second: Dominic Catalano

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

Adoption of Resolution No. 2023-6.22: Authorizing Appointment of Supervisory Pension Certifying Officer (D. Gallagher)

Motion: John Graziano

Second: Dominic Catalano

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

Adoption of Resolution No. 2023-6.23: Authorizing Addition of Signatory to Borough Bank Account (D. Gallagher)

Motion: John Graziano

Second: Dominic Catalano

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

NEW BUSINESS

A. Adoption of Resolution No. 2023-6.24: Authorizing Award of Contract for the 'Water & Sewer Improvements to Orchard Street & Wallace Avenue Project' to MSP Construction Corporation

Motion: John Graziano

Second: Rich Dellaripa

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

B. Adoption of Resolution No. 2023-6.25: Authorizing Adopting an Affirmative Marketing Plan

Motion: John Graziano

Second: Rich Dellaripa

Roll Call Vote: GRAZIANO (YES), SCHUBERT (ABST), CATALANO (YES), DELLARIPA (YES), D'AMATO (YES)

C. Adoption of Resolution No. 2023-6.26: Authorize Review of Hardship Requests/Fee Waiver (Summer Recreation)

Motion: John Graziano

Second: Dominic Catalano

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

D. Introduction of Ordinance No. 23-2023: Repeal & Add New Ch. 30 (Floodplain Management Regulations)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on June 27th, 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:

AN ORDINANCE BY THE BOROUGH COUNCIL AMENDING THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY CODE OF ORDINANCES TO REPEAL CHAPTER 30 “FLOOD HAZARD PROTECTION”; TO ADOPT A NEW CHAPTER 30 ENTITLED “THE FLOODPLAIN MANAGEMENT REGULATIONS”, TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

E. Introduction of Ordinance No. 24-2023: Amend Ch. 11 (Certificate of Occupancy)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on June 27th, 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:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 11 “BUILDING AND HOUSING”, SECTION 11-1.6 “CERTIFICATE OF CONTINUED OCCUPANCY FOR COMMERCIAL, INDUSTRIAL AND RESIDENTIAL PREMISES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

F. Introduction of Ordinance No. 25-2023: Amend Ch. 12 (Affordable Housing)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on June 27th, 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:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO REPEAL CHAPTER 12 “LOW AND MODERATE HOUSING” AND TO ESTABLISH A NEW CHAPTER 12 ENTITLED “AFFORDABLE HOUSING”

G. Introduction of Ordinance No. 26-2023: Amend Ch. 92 Zoning (One Family R-40-TH Zone)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 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:

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”, SECTION 92-48 “R-40-TH ONE-FAMILY RESIDENTIAL AND TOWNHOUSE ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

H. Introduction of Ordinance No. 27-2023: Amend Ch. 92 Zoning (Conditional Uses)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 2023 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 Deputy 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”, ARTICLE V “REGULATIONS GOVERNING CERTAIN USES”, SECTION 92-24 “CONDITIONAL USES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

I. Introduction of Ordinance No. 28-2023: Amend Ch. 92 Zoning (Garden Apt Zone R-G)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 2023 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 Deputy 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”, ARTICLE XII “SCHEDULE OF REGULATIONS”, SECTION 92-49 “R-G GARDEN APARTMENT ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

J. Introduction of Ordinance No. 29-2023: Amend Ch. 92 Zoning (In Town Apt & Senior Housing Zone R-M)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 2023 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 Deputy 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”, ARTICLE XII “SCHEDULE OF REGULATIONS”, SECTION 92-50 “R-M IN-TOWN APARTMENT AND SENIOR CITIZEN HOUSING ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

K. Introduction of Ordinance No. 30-2023: Amend Ch. 92 Zoning (General Business Zone B-1)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 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:

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”, SECTION 92-55 “B-1 GENERAL BUSINESS ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

- L. **Introduction of Ordinance No. 31-2023:** Amend Ch. 92 Zoning (Commercial Zone B-1-A)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 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:

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”, SECTION 92-55.1 “B-1-A COMMERCIAL ZONE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

- M. **Introduction of Ordinance No. 32-2023:** Amend Ch. 92 Zoning (BCD Zone)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on July 18th, 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:

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”, SECTION 92-55.2 “BLOOMINGDALE CENTER DISTRICT ZONE (BCD)” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

- N. **Introduction of Ordinance No. 33-2023:** Authorize Conveyance of Snow Plow(s) to the Borough of Oakland

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on June 27th, 2023 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 Deputy Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF THE BOROUGH’S TWO (2) SNOW PLOWS TO THE BOROUGH OF OAKLAND FOR TOTAL CONSIDERATION OF \$12,000

NON-AGENDA ITEMS

1. **Adoption of Resolution No. 2023-6.27:** Municipal Alliance Grant

Motion: John Graziano

Second: Richard Dellaripa

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

LATE PUBLIC COMMENT:

GRAZIANO opened the meeting to late public comment; seconded by DELLARIPA and carried on voice vote, all in favor voting AYE. Since there was no one who wished to speak

GRAZIANO moved that it be closed; second by DELLARIPA and carried on voice vote all members voting (AYE), none were opposed.

GOVERNING BODY SCHEDULE

- A. Special Meeting – June 20, 2023 7 PM (Adoption of Budget)**
- B. Regular Meeting – June 27, 2023 7 PM**
- C. Regular Meeting – July 18, 2023 7 PM**
- D. Regular Meeting – August 15, 2023 7 PM**

ADJOURNMENT:

Since there was no further business to be conducted, GRAZIANO moved to adjourn at 8:21PM; seconded by CATALANO and carried on voice vote with all Council Members voting AYE.

Drafted: Aimee Greenspan
Reviewed: Breeanna Smith, RMC

June 13, 2023 RESOLUTIONS

RESOLUTION NO. 2023-6.2 OF THE GOVERNING BODY OF

THE BOROUGH OF BLOOMINGDALE

Renewal of Alcoholic Beverage Licenses for 2023-2024 Term

WHEREAS, the Governing Body of the Borough of Bloomingdale has been informed by the Municipal Clerk that the following names, persons and corporations have made application for the renewal of their alcoholic beverage licenses; and

WHEREAS, said application is accompanied by the necessary municipal fee; and

WHEREAS, the licensees have filed an application online with State Division of Alcoholic Beverage Control, together with the necessary \$200.00 fee for said Division; and

WHEREAS, a copy of the Tax Clearance Certificate has been received for the applicant from the State of New Jersey Department of Taxation; and

WHEREAS, no objections have been filed in writing with the Municipal Clerk against the granting of this renewal and no objections being heard hereto;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby authorized to renew the alcoholic beverage license of the following place:

PLENARY RETAIL CONSUMPTION

Licensee:	Establishment:	Address:	License Number:
SALINA INC.	<i>(inactive / pocket)</i>	N/A	1601-33-012-006
NLS MGMT LLC	River of Beer Saloon	133 & 135 Main Street	1601-33-008-012
SHREE SAI INC.	Turnpike Liquors	139 Hamburg Tpke	1601-33-001-005
LLSTI INC	Stumble Inn	231 Hamburg Tpke	1601-33-009-004
El BORRACHO,LLC	Cinco De Mayo	125 Hamburg Tpke	1601-33-002-009
CAFÉ CHAMELEON	Cafe Chameleon	60/60A Main St	1601-33-007-012

PLENARY RETAIL DISTRIBUTION

Licensee:	Establishment:	Address:	License Number:
GB KRISHNA LLC	Bloomingdale Discount Liquor	82 Main Street	1601-44-004-005
HMT INC.	USA Wine Traders Club	29 Main Street	1601-44-005-008

CLUB LICENSE

Licensee:	Establishment:	Address:	License Number:
BLOOMINGDALE FIRE DEPT INC.	Bloomingdale Fire Department Inc.	97 Hamburg Turnpike	1601-31-013-001

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.3
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 Susan Kelsey (“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 May 2, 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, Susan Kelsey, during the period of May 2, 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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION FORMALLY ACCEPTING NOTIFICATION OF RESIGNATION FROM JENNA HALAW PART TIME ANIMAL SHELTER WORKER FOR THE BOROUGH OF BLOOMINGDALE

WHEREAS, Jenna Halaw has been employed by the Borough as a Part Time Animal Shelter Worker since August 16, 2022; and

WHEREAS Ms. Halaw has giving formal notification of her intent to resign on May 26, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey formally accepts notice of resignation from Jenna Halaw effective on May 26, 2023.

BE IT FURTHER RESOLVED the Governing Body wish to express gratitude to Jenna Halaw for her contributions to Borough as a Part Time Animal Shelter Worker & wish her the best in her future endeavors.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-
APPOINTING DANIEL HAGBERG AS BUILDING
SUBCODE OFFICIAL AND BUILDING INSPECTOR**

WHEREAS, there exists a need to fill the positions of Building Subcode Official and Building Inspector; and

WHEREAS, Daniel Hagberg meets the requirements for service as Building Subcode Official and Building Inspector and previously served in this capacity; and

WHEREAS, the Borough wishes to re-appoint Daniel Hagberg to the positions of part-time Building Subcode Official and part-time Building Inspector; and

WHEREAS, the term of this contract shall be for a four year statutory term as Building Subcode Official effective June 1, 2023 until May 31, 2027; and

WHEREAS, Mr. Hagberg shall receive an annual salary of \$35,000 for his position as part-time Building Subcode Official with the responsibilities of part-time Building Inspector.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that Daniel Hagberg is hereby appointed as the part-time Building Subcode Official with the responsibilities of a part-time Building Inspector for the Borough of Bloomingdale.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.7
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION ACKNOWLEDGING NOTIFICATION OF RETIREMENT – CHRIS WALTHOUR CONSTRUCTION OFFICIAL

WHEREAS, the Borough Administrator and Municipal Clerk of the Borough of Bloomingdale, have received formal written notification dated May 25, 2023 from Chris Walthour that he plans to submit an application for Retirement Allowance to the New Jersey Division of Pensions and Benefits on or before October 1, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the notice of resignation/retirement of Chris Walthour effective September 30, 2023 has been filed with the Municipal Clerk and the Borough extends gratitude to him for his dedicated service to the Borough of Bloomingdale.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.9
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING A CONTRACT(S)
FOR IMMEDIATE REPAIRS OF THE BOROUGHS FENCE ON REEVE AVE**

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with the fence on Reeve Ave.; and

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 Administration, 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 Administration, has appropriately recommended that the sanitation equipment repairs be remedied through the emergency award of contract to the following vendors:

Freedom Fence

WHEREAS, the emergency costs are not exceed \$6,800 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 remediation through emergency contract awards to the above mentioned vendors

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 June 13, 2023.

Breeanna Smith, Municipal Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY
AUTHORIZING THE AWARD OF A CONTRACT FOR
RESURFACING/PAVING OF THE REEVE AVENUE
EASEMENT TO MIKE FITZPATRICK CONTRACTORS, INC.

WHEREAS, the Borough Administration recommends road resurfacing and repairs need to be done at the Reeve Avenue easement; and

WHEREAS, the Borough of Bloomingdale solicited quotes for this project and the lowest responsible and responsive quote was from Mike Fitzpatrick Contractors, Inc.

WHEREAS, said quote has been reviewed by the Borough Engineer, Tom Boorady of Darmofalski Engineering and Donna Mollineaux, QPA; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this project as evidenced in the annexed certification of funds.

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

1. The Borough Council hereby awards a contract to Mike Fitzpatrick Contractors, Inc., 18 Cozy Lake Road, Oak Ridge, New Jersey 07438 for the resurfacing of the Reeve Avenue repairs in the total amount of \$14,900.00.
2. The Borough Officials are hereby authorized and directed to proceed with Mike Fitzpatrick Contractors, Inc. in accordance with its quote for performance resurfacing/paving of the Reeve Avenue repairs.
3. A notice of this action shall be printed once in the legal newspaper of the Borough of Bloomingdale as required by law.

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 June 13, 2023.

Breeanna Smith, Municipal Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.11
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY
AUTHORIZING THE AWARD OF A CONTRACT FOR
RESURFACING/PAVING OF THE CONSTRUCTION
DEPARTMENT PARKING LOT TO MIKE FITZPATRICK
CONTRACTORS, INC.

WHEREAS, the Borough Administration recommends road resurfacing and repairs need to be done at the Construction Department parking lot; and

WHEREAS, the Borough of Bloomingdale solicited quotes for this project and the lowest responsible and responsive quote was from Mike Fitzpatrick Contractors, Inc.

WHEREAS, said quote has been reviewed by the Borough Engineer, Tom Boorady of Darmofalski Engineering and Donna Mollineaux, QPA; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this project as evidenced in the annexed certification of funds.

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

1. The Borough Council hereby awards a contract to Mike Fitzpatrick Contractors, Inc., 18 Cozy Lake Road, Oak Ridge, New Jersey 07438 for the resurfacing of the construction department repairs in the total amount of \$40,400.00.

2. The Borough Officials are hereby authorized and directed to proceed with Mike Fitzpatrick Contractors, Inc. in accordance with its quote for performance resurfacing/paving of the construction department parking lot repairs.

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

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 June 13, 2023.

Breeanna Smith, Municipal Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.12
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2023 TAXES

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Mayor and Council of the Borough of Bloomingdale has determined that the Tax Collector may not be able to complete the mailing and delivery of the tax bills by June 15, 2023 due to the absence of a certified tax rate; and

WHEREAS, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Mayor and Council to approve the estimated tax levy of \$33,061,575.67 at a tax rate of \$4.521; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Borough of Bloomingdale is hereby authorized and directed to prepare, and issue estimated tax bills for the Borough of Bloomingdale for the third quarter installment of 2023 taxes.
2. The entire estimated tax levy for 2023 is hereby set at \$33,061,575.67. The estimated tax rate for 2023 is hereby set at \$4.521.
3. In accordance with the law, the third quarter installment of 2023 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Borough of Bloomingdale for their records.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.13
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorization for Seasonal Summer Help for Recreation Department

WHEREAS, there exists a need for seasonal help within the Recreation Department during the summer months for day camp; and

WHEREAS, the Recreation Director & Borough Administrator recommend that the authorization be given to hire the following individuals for Bloomingdale's 2023 Summer Day Camp program, help as per the Salary Ordinance:

Senior Staff (paid for 10 weeks June 19, 2023 – August 25, 2023)

Kailey Fitzpatrick – Camp Director \$1,000/week
Caitlin Monahan – Staffing Director \$20/hour
Kelly Kahilil – Activity Director \$17/hour

Counselors (paid for 8 weeks June 26, 2023 – August 18, 2023)

Minutes: June 13, 2023
Approved: November 3, 2023

Brent Benicasa
Maren Budd
Samantha Barile
Emily Costello
William Friscoe
Maddie Malone
Madison Meyers
Sara Petrera
Jimmy Russnak
Chloe Tomaselli

Unless otherwise noted, all counselors will be paid \$13.00 per hour

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the persons named herein be hired as Summer Recreation Staff as outlined in the Salary Ordinance.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.14
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorization to Hire Seasonal Help at the DPW

WHEREAS, there exists a need for seasonal help within the Department of Public Works; and

WHEREAS, the Assistant Superintendent of the Department of Public Works, Frank Neuberger, recommends that authorization be given to hire the following individuals, to work 40 hours per week, not to exceed 11 weeks, at the rate of \$18.00 per hour:

Brian Beier
Mathew Perez

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale that the aforementioned persons be hired as Seasonal Help for the Department of Public Works effective June 19, 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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.15
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING AND AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF

**BLOOMINGDALE AND BLOOMINGDALE PUBLIC SCHOOL DISTRICT
BOARD OF EDUCATION FOR S.L.E.O CLASS III OFFICER SERVICES**

WHEREAS, the Bloomingdale Public School District Board of Education has a need to continue the use of a SLEO Class III Officer throughout the public school district in Bloomingdale; and

WHEREAS, the Borough of Bloomingdale has established the position and provided the associated services for same as set forth in the School Security/ S.L.E.O. Law Enforcement Officer Shared Services Agreement negotiated between the parties; and

WHEREAS, in enacting the “Uniform Shared Services and Consolidation Act,” N.J.S.A. §40A:65-1 *et seq.*, the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another or other local units as a means to reduce municipal expenses; and

WHEREAS, accordingly, the Borough of Bloomingdale and the Bloomingdale Public School District Board of Education desire to enter into this School Security/ S.L.E.O. Law Enforcement Officer Shared Services Agreement (“Agreement”) and provide school security associated services for the Bloomingdale Public School District Board of Education.

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

1. The Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement with the Bloomingdale Public School District Board of Education for school security/ SLEO Class III Officer services for an term of July 1, 2023 through the last student day of school in June, 30 2024.
2. The Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the Agreement.
3. A copy of this Agreement shall be maintained on file in the office of the Borough Clerk.
4. A copy of this Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services, pursuant to the rules and regulations promulgated by the Division.

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				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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.16
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION REAPPOINTING JAMES E. TRICOLI TO SERVE AS A SPECIAL LAW ENFORCEMENT OFFICER CLASS III FOR THE BOROUGH OF BLOOMINGDALE POLICE DEPARTMENT

WHEREAS, James E. Tricoli has served as a Class III Special Law Enforcement Officer for the Bloomingdale Police Department to provide security in the public schools; and

WHEREAS, the Chief of Police recommends the re-appointment of Officer James E. Tricoli; and

NOW THEREFORE BE IT RESOLVED the Governing Body of the Borough of Bloomingdale does hereby authorize the following:

1. James E. Tricoli is hereby re-appointed to serve as a SLEO Class III Officer for the Bloomingdale Police Department for the 2023-2024 school year.
2. The salary for this position shall be \$40,800.00.
3. The term shall be from July 1, 2023 – June 30, 2024.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.17
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDED A CONTRACT(S) FOR IMMEDIATE REPAIRS OF THE BOROUGH'S HVAC SYSTEM (BOROUGH HALL / POLICE DEPARTMENT)

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with the air condition unit at Borough Hall, specifically in the Police Department; and

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 Administration, 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 Administration, has appropriately recommended that the sanitation equipment repairs be remedied through the emergency award of contract to the following vendors:

A-MAR INC.

WHEREAS, the emergency costs are not exceed \$8,710 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 remediation through emergency contract awards to the above mentioned vendors.

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 June 13, 2023.

Breeanna Smith, Municipal Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.18
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A HOLD HARMLESS AND INDEMNIFICATION AGREEMENT BETWEEN THE BOROUGH OF BLOOMINGDALE AND M&T REALTY DEVELOPMENT, LLC

WHEREAS, M&T Realty Development, LLC (“M&T”) is in the process of purchasing certain property located in the Borough of Bloomingdale, specifically Block 5105, Lot 14.01 (“Property”), which property is owned, supervised and/or operated by the Borough of Bloomingdale; and

WHEREAS, as part of this process, M&T has requested entry upon and use of the Property in order to install a construction fence, conduct soil testing and to take soil borings

WHEREAS, in connection with such entry and use of the Property, the parties have negotiated an acceptable hold harmless and indemnification agreement.

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. The Mayor and Borough Clerk, or other Borough personnel as appropriate, are hereby authorized to execute the agreement between the parties.

Section 2. The Borough Administrator is hereby authorized to take whatever actions are necessary to effectuate the purpose of this Resolution.

Section 3. A copy of this Resolution shall be provided to M&T’s counsel for their information and guidance.

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				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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.19
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 \$52,801.94; 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 June 13, 2023 to December 31, 2023.

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
2023 Chevrolet Tahoe 4X4 (Police Patrol)	Gentilini Motors 2703 Fire Road Egg Harbor Township, NJ 08234	17-FLEET-00758- MEE Item #4

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.20
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 \$63,142.00; 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 June 13, 2023 to December 31, 2023.

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
2023 F-350 (1) 4x4 SD Reg. Cab w/snowplow package	Route 23 Automall LLC 1301 Route 23 Butler, NJ 07405	17-FLEET-00241

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.21
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF DOROTHY GALLAGHER
TO FILL THE UNEXPIRED TERM OF RETIRING CHIEF FINANCIAL OFFICER
AND TO SERVE AS THE QUALIFIED PURCHASING AGENT FOR THE BOROUGH
OF BLOOMINGDALE**

WHEREAS, the current Chief Financial Officer “CFO”, who also serves as the Borough’s Qualified Purchasing Agent “QPA”, is retiring effective June 30, 2023; and

WHEREAS, due to this retirement, the Borough has a need to appoint a CFO to fill the unexpired term and a QPA; and

WHEREAS, the Borough has determined that Dorothy Gallagher meets all statutory qualifications and possesses the requisite knowledge, skills, qualities and accreditations to serve as the CFO and the QPA for the Borough; and

WHEREAS, the appointment to Chief Financial Officer shall be for the unexpired term of the retiring CFO through December 31, 2025; and

WHEREAS, the appointment to Qualified Purchasing Agent shall be for one term from July 1, 2023 through December 31, 2023; and

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bloomingdale, does hereby appoint Dorothy Gallagher to serve as the Chief Financial Officer authorized to exercise all of the duties of a CFO pursuant to N.J.S.A. 40A:9-140.10 et seq. for the Borough of Bloomingdale.

BE IT FURHTER RESOLVED that the Borough Council of the Borough of Bloomingdale, does hereby appoint Dorothy Gallagher to serve as the Qualified Purchasing Agent authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-3, with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit and, as permitted by law for the Borough of Bloomingdale.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.22
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION DESIGNATING A SUPERVISOR OF THE CERTIFYING OFFICER
FOR PENSION FUNDS**

WHEREAS, Chapter 52, P.L. 2011, N.J.S.A. 43:3C-15 establishes procedures and employer training requirements for the enrollment and/or transfer of employees into the State administered retirement systems; and

WHEREAS, there is a need to appoint a Supervisory Certifying Officer in order to perform the duties relating to matters concerning the New Jersey State administered Retirement Systems with respect to each of the employees of the Borough of Bloomingdale; and

WHEREAS, Dorothy S. Gallagher has completed the State mandated training requirements and is able to perform the duties of such.

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

That Dorothy S. Gallagher is hereby designated as Supervisory Certifying Agent in the Borough of Bloomingdale for the Public Employees Retirement System and the Police and Fireman’s Retirement System of the State of New Jersey, to serve in that position for and during the remainder of the calendar year of 2023, effective July 1, 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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.23
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC
AND STATE OF NEW JERSEY AUTHORIZING DOROTHY S. GALLAGHER AS A
SIGNATORY ON BOROUGH ACCOUNTS**

WHEREAS, the Borough Administrator, Michael Sondermeyer and Chief Financial Officer, Donna Mollineaux recommend adding the newly appointed Chief Financial Officer, Dorothy S. Gallagher, as an authorized signatory on Borough accounts; and

NOW THEREFORE BE IT RESOLVED that Lakeland Bank is hereby authorized to add Dorothy S. Gallagher to the bank accounts of the Borough of Bloomingdale and accept the manual or facsimile signatures of Dorothy S. Gallagher on Borough checks.

Dorothy S. Gallagher,
Chief Financial Officer

Adopted: June 13, 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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.24
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF
PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF
A CONTRACT FOR THE WATER & SEWER IMPROVEMENTS TO
ORCHARD STREET & WALLACE AVENUE PROJECT TO MSP
CONSTRUCTION CORPORATION**

WHEREAS, the Borough of Bloomingdale received sealed competitive bids on April 13, 2023 for performance of the Water & Sewer Improvements to Orchard Street & Wallace Avenue project; and

WHEREAS, eleven (11) sealed bids were received and opened on April 13, 2023, in accordance with the bid specifications:

1) MSP Construction Corporation	\$	803,908.00
<i>(this is a corrected price as the calculation on the bid document was incorrect)</i>		
2) Dumor Contracting Inc.	\$	915,662.00
3) John Garcia Construction Co., Inc.	\$	927,985.50
4) Regal Utility Services Inc.	\$	932,273.20
<i>(this is a corrected price as the calculation on the bid document was incorrect)</i>		
5) Your Way Construction, Inc.	\$	990,876.25
6) Mike Fitzpatrick Contractors, Inc.	\$	1,012,711.00
7) Montana Construction Inc.	\$	1,024,000.00
8) The Shauger Group, Inc.	\$	1,040,550.00
9) Kulpeksa Land Improvement Corp	\$	1,176,600.00
<i>(this is a corrected price as the calculation on the bid document was incorrect)</i>		
10) Underground Utilities Corp.	\$	1,814,744.00
<i>(this is a corrected price as the calculation on the bid document was incorrect)</i>		
11) William J. Guarini, Inc.	\$	1,808,213.00

; and

WHEREAS, said bids have been duly reviewed and analyzed by the Borough Engineer and the Borough Attorney; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the bid received from MSP Construction Corporation in the total amount of \$803,908.00 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract.

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 Borough Council hereby awards a contract to MSP Construction Corp., 19-B Minneakoning Road, Flemington, New Jersey 08822 for the Water & Sewer Improvements to Orchard Street & Wallace Avenue project in accordance with the bid specifications in the total amount of \$803,908.00.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with MSP Construction Corp. in accordance with its bid for the Water & Sewer Improvements to Orchard Street & Wallace Avenue project.

3. The Borough's Chief Financial Officer has certified the availability of funds for this contract.

4. This resolution and contract shall be available for public inspection in the office of the Borough Clerk.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.25
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY
OF PASSAIC AND STATE OF NEW JERSEY ADOPTING AN
“AFFIRMATIVE MARKETING PLAN” FOR THE BOROUGH OF
BLOOMINGDALE**

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations, the New Jersey Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26., et seq.), the Borough of Bloomingdale’s Affirmative Marketing Plan shall ensure that all affordable housing units created are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 1, the COAH Housing Region encompassing the Borough of Bloomingdale.

NOW, THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey, does hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Bloomingdale is located in COAH Housing Region 1, consisting of Bergen, Hudson, Passaic, and Sussex Counties.
- B. The Borough of Bloomingdale has a plan to address both its Prior Round Obligation (1987-1999) and its Third Round Obligation (1999-2025). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low, low and moderate income units, including those that are part of the Borough’s Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Bloomingdale, or the Administrative Agent of any specific developer approved by the Borough.
- D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising

and affirmative marketing shall be subject to approval and oversight by the designated Borough Administrative Agent.

- E. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Borough of Bloomingdale or on behalf of a specific developer, shall meet the following requirements and shall undertake, at the minimum, all of the following strategies:
1. The primary marketing shall take the form of at least one press release and a paid display advertisement in the below newspapers the first week of the marketing program and each month thereafter until all units are leased or sold. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 2. The advertisement shall, at a minimum, include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application;
 - h. Application fees.
 3. All newspaper articles, announcements, and requests for applications for very low, low- and moderate-income units shall appear in the Herald News and Star Ledger.
 4. Publication of the advertisement or application on the New Jersey Housing Resource Center's website (www.njhrc.gov).

One or more of the following regional cable television stations or regional radio stations shall be used. The developer must provide satisfactory proof of public dissemination on at least one of the station that covers entire region. Example stations are listed below:

- | | |
|---|---|
| <p><i>a.</i> 2WCBS-TV
Cbs Broadcasting Inc.</p> <p><i>b.</i> 4 WNBC
NBC Telemundo
License Co. (General
Electric)</p> <p><i>c.</i> 5 WNYW
Fox Television
Stations, Inc.
(News Corp)</p> <p><i>d.</i> 7WABC-TV
American
Broadcasting
Companies, Inc
(Walt Disney)</p> <p><i>e.</i> 11 WPIX
Wpix, Inc. (Tribune)</p> <p><i>f.</i> 13 Wpix, Inc.
(Tribune)
Educational
Broadcasting
Corporation</p> <p><i>g.</i> 25 WNYE-TV
New York City Dept.
Of Info Technology
&
Telecommunications</p> <p><i>h.</i> 31 WPXN-TV
Paxson
Communications
License Company,
Llc</p> <p><i>i.</i> 41 WXTV
Wxtv License
Partnership, G.p.
(Univision
Communications Inc.)</p> <p><i>j.</i> 47 WNJU
NBC Telemundo</p> | <p><i>k.</i> 50 WNJN
New Jersey Public
Broadcasting
Authority</p> <p><i>l.</i> 62 WRNN-TV
Wrnn License
Company, Llc</p> <p><i>m.</i> 63 WMBC-TV
Mountain
Broadcasting
Corporation</p> <p><i>n.</i> 66 WFME-TV
Family Stations Of
New Jersey, Inc.</p> <p><i>o.</i> 68 WFUT-TV
Univision New York
Llc</p> <p><i>p.</i> WFAN 660</p> <p><i>q.</i> WOR 710</p> <p><i>r.</i> WABC 770</p> <p><i>s.</i> WFNY-FM 92.3</p> <p><i>t.</i> WPAT-FM 93.1</p> <p><i>u.</i> WNYC-FM 93.9</p> <p><i>v.</i> WFME 94.7</p> <p><i>w.</i> WPLJ 95.5</p> <p><i>x.</i> WQXR-FM 96.3</p> <p><i>y.</i> WQHT 97.1</p> <p><i>z.</i> WAWZ 99.1</p> <p><i>aa.</i> WHTZ 100.3</p> <p><i>bb.</i> WCBS-FM 101.1</p> <p><i>cc.</i> WQCD 101.9</p> <p><i>dd.</i> WNEW 102.7</p> <p><i>ee.</i> WKTU 103.5</p> <p><i>ff.</i> WAXQ 104.3</p> <p><i>gg.</i> WWPR-FM 105.1</p> <p><i>hh.</i> WLTW 106.7</p> |
|---|---|

5. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall provide for posting in the following locations:
- a.* Bloomingdale Municipal Building
 - b.* Bloomingdale Borough Web Site
 - c.* Bloomingdale Library
 - d.* Developer's Sales/Rental Offices
 - e.* Passaic County Administration Building
 - f.* Bergen County Administration Building

- L. A random selection method to select occupants of very low, low- and moderate-income housing will be used by the Borough’s Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16 (l). This Affirmative Marketing Plan provides a regional preference for very low, low and moderate income households that live and/or work in COAH Housing Region 1, which is comprised of Bergen, Hudson, Passaic, and Sussex Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low and moderate income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Borough prior to the affirmative marketing of the units.
- M. The Borough’s Administrative Agent, or the Administrative Agent of any specific developer, shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26-1, et seq.
- N. The Borough’s Administrative Agent, or the Administrative Agent of any specific developer, shall provide or direct qualified very low, low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- O. All developers/owners of very low, low and moderate income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Borough’s Administrative Agent.
- P. The Borough’s Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26-1, et seq.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

This Resolution shall take effect immediately.

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert			X	
Hudson				X	Yazdi				X
Mayor D’Amato	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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.26
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DIRECTOR OF RECREATION AND THE BOROUGH ADMINISTRATOR TO REVIEW HARDSHIP REQUESTS AND TO WAIVE SUMMER CAMP FEES

WHEREAS, pursuant to the Borough Code, the Borough of Bloomingdale charges fees for participation in the Borough’s recreation programs, including the summer camp program; and

WHEREAS, occasionally a waiver of the fees for the summer camp program has been made; and

WHEREAS, the Borough Administrator and Recreation Director have reviewed such circumstances and determined that it would be in the best interests of the Borough residents if the ability to grant such a waiver, based on hardship, was granted to the Administrator and Director; and

WHEREAS, the Administrator and Recreation Director will review hardship circumstances such as low income, single working parent, multiple children under 12 years of age, unemployment, and medical financial hardship in determining the appropriateness of the waiver; and

WHEREAS, the Borough Council desires to enable the determination and waiver to be applied by the Borough Administrator and the Recreation Director when appropriate; and

WHEREAS, the Borough Council hereby designates and authorizes the Recreation Director and the Borough Administrator to evaluate requests for waiver of summer camp fees and make a determination that waiver is appropriate.

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. The Recreation Director and the Borough Administrator are hereby authorized to assess requests for waiver of summer camp fees based on the hardships noted above and to waive said fees if determined to be appropriate.

Section 2. The Recreation Director and Borough Administrator shall maintain a record of each waiver request, the individual making the request, the basis for the hardship and the determination made.

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				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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale

**RESOLUTION NO. 2023-6.27
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Municipal Alliance Grant July 1, 2023 to June 30, 2024 (FY2024)

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Bloomingdale County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Passaic;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Bloomingdale, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Bloomingdale Municipal Drug Alliance for the grant period of July 1, 2023 to June 30, 2024 in the amount of:

2.

DEDR	\$ 6,160.85
Cash Match	\$ 1,540.21
In-Kind	\$ 4,620.64

3. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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 June 13, 2023.

Theresa Sauer, Deputy Clerk
Borough of Bloomingdale