

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

August 17, 2021

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

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

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Councilman John D'Amato
Councilman Richard Dellaripa
Councilman John Graziano
Councilwoman Dawn Hudson
Councilman Ray Yazdi

Municipal Clerk, Breeanna Calabro
Business Administrator, Michael Sondermeyer
Borough Attorney, Dawn Sullivan

Excused: Councilman Drew Juhlin

Other professionals present: Joseph Borell, Police Chief
Eric Tuason, Fire Chief
Mike Hudson, OEM Coordinator

PUBLIC NOTICE STATEMENT

Councilman D'Amato stated: *This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on April 1, 2021; 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 DELLARIPA to open the meeting for public comment; seconded by YAZDI and carried on voice vote all voting AYE.

One member of the public was present to comment on the Natalie Court discussion listed under new business of the agenda. It was decided to hold commented until council began discussion.

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

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

Councilman Graziano (EDC Liaison/Commissioner/CRC Commissioner): *CRC committee has begun discussing cultivation license & an ordinance possibly controlling odor of cannabis; the commission will prepare a memo to submit to the council*

Councilwoman Hudson (Board of Health Liaison): *the Borough will continue to share vaccine information as it is available; booster COVID-19 vaccines may become available. Public outreach platforms will be updated*

Council President / Acting Mayor, John D'Amato:

- *Hamilton Street Improvement project is near completion, sidewalks will begin*
- *Union Ave Improvements (pre-construction meeting scheduled for next week)*

CONSENT AGENDA

(Adoption of Resolutions No. 2021-8.1 – 2021-8.14)

Motion: Ray Yazdi

Second: Rich Dellaripa

Roll Call Vote: D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES)

CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 2021-8.1 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
August 17, 2021 Regular Meeting*

WHEREAS, the Borough Council of the Borough of Bloomingdale has determined that to increase efficiency, the Consent Agenda shall be adopted with one resolution, and

NOW THEREFORE BE IT RESOLVED, that the following resolutions, placed on this agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in their entirety by the Council of the Borough of Bloomingdale.

A. Approval of Minutes:

- Regular Meeting – June 22, 2021
- Regular Meeting – July 20, 2021

B. Motion to approve: Block Party Application #1-2021 (Bailey Avenue)

C. Authorization for Road Closures for the following event(s):

- Fire Dept Boot Drive (Coin Toss) – October 9, 2021

D. Resolution No. 2021-8.2: Authorization to Bid (Andrew Place)

E. Resolution No. 2021-8.3: Authorization to Bid (WTB Tennis Courts)

F. Resolution No. 2021-8.4: Declaring an Emergency (Storm Damage – Bogue Pond & Martha B Day School)

G. Resolution No. 2021-8.5: Declare an Emergency (Road Repairs – sinkhole)

H. Resolution No. 2021-8.6: Ch. 159 Municipal Alliance Grant

I. Resolution No. 2021-8.7: Appoint Alternate Member Cannabis Regulatory Commission (D. Juhlin)

J. Resolution No. 2021-8.8: Extend Paid Leave for Employee

K. Resolution No. 2021-8.9: Authorize Paid Sick Leave for Employee

L. Tax Office Resolutions:

1. **Resolution No. 2021-8.10:** Cancel Water/Sewer Balance (277 Macopin)
2. **Resolution No. 2021-8.11:** Authorizing Tax Exemption for 100% Disabled Vet
3. **Resolution No. 2021-8.12:** Refund of Overpayment (49.E/64)

M. Resolution No. 2021-8.13: Hire Part Time Animal Shelter Help

N. Resolution No. 2021-8.14: Reinstating Town Center Advisory Committee

RESOLUTION NO. 2021-8.2 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

**AUTHORIZING THE BOROUGH TO GO OUT FOR PUBLIC BID FOR THE
ANDREW PLACE & VALE ROAD PROJECT**

WHEREAS, the Borough of Bloomingdale has received funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2020 Municipal Aid Program for the Andrew Place & Vale Road Project in the amount of \$510,000.00; and

WHEREAS, the Acting Mayor, Borough Administrator, and Finance Department recommend the Borough Engineer, Thomas Boorady, proceed with the bidding process of the Andrew Place & Vale Road Project; and

WHEREAS, the Municipal Clerk will give notice that sealed proposals will be received by the Borough at fixed date and time; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Acting Mayor, Borough Administrator, Borough Engineer and the Municipal Clerk to move forward with the public bidding process as it relates to aforementioned project;

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**RESOLUTION NO. 2021-8.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE BOROUGH TO GO OUT FOR PUBLIC BID FOR THE WALTER
T. BERGEN TENNIS COURT PROJECT**

WHEREAS, the Borough of Bloomingdale has received funding from the Passaic County Open Space, Farmland and Historic Preservation Trust Fund for the Walter T. Bergen Tennis Court Project in the amount of \$99,000.00; and

WHEREAS, the Acting Mayor, Borough Administrator, and Finance Department recommend the Borough Engineer, Thomas Boorady, proceed with the bidding process of the Walter T. Bergen Tennis Court Project; and

WHEREAS, the Municipal Clerk will give notice that sealed proposals will be received by the Borough at fixed date and time; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Acting Mayor, Borough Administrator, Borough Engineer and the Municipal Clerk to move forward with the public bidding process as it relates to aforementioned project;

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**RESOLUTION NO. 2021-8.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING CONTRACTS
FOR THE IMMEDIATE REPAIR OF MISCELLANEOUS STORM DAMAGE AT
BOGUE POND PARK & MARTHA B. DAY SCHOOL**

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares an emergency situation has developed with the most recent storm causing damage to miscellaneous items at Bogue Pond Park & Martha B. Day School; and

WHEREAS, the Governing Body further finds and declares this of an emergent nature affecting the public health, safety and/or welfare and warrants immediate remedial action; and

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

WHEREAS, the Public Works Department, acting in the reasonable belief, identifies that an emergency described herein exists which requires immediate remedial action & the need for invoking **N.J.S.A. 40A:11-6 Emergency Contracts**; and

WHEREAS, the Governing Body further finds and declares that the Public Works Department, has correctly recommended that the aforementioned repairs be remedied through the emergency award of contract to the following:

Freedom Fence

WHEREAS, the emergency costs are not to exceed \$6,700.00 and the CFO has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the immediate remediation through emergency contract awards to **Freedom Fence**. The contract(s) are hereby awarded as necessary to respond to the emergent needs described herein.

**RESOLUTION NO. 2021-8.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING CONTRACTS
FOR THE IMMEDIATE REPAIR OF SINKS HOLES ON BOROUGH ROADS**

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed concerning sinkholes on Borough roadways; and

WHEREAS, the Governing Body further finds and declares this of an emergent nature affecting the public health, safety and/or welfare and warrants immediate remedial action; and

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

WHEREAS, the Public Works Department, acting in the reasonable belief, identifies that an emergency described herein exists which requires immediate remedial action & the need for invoking **N.J.S.A. 40A:11-6 Emergency Contracts**; and

WHEREAS, the Governing Body further finds and declares that the Public Works Department, has correctly recommended that the aforementioned repairs be remedied through the emergency award of contract to the following:

L Becker & Sons Inc

WHEREAS, the emergency costs are not to exceed \$7,000.00 and the CFO has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the immediate

remediation through emergency contract awards to **L. Becker & Sons Inc.** The contract(s) are hereby awarded as necessary to respond to the emergent needs described herein.

**RESOLUTION NO. 2021-8.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**Authorizing the Insertion into the FY2021 Municipal Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a State of New Jersey
2021 Municipal Alliance Grant**

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (“Director”), within the State of New Jersey Department of Community Affairs, may approve the insertion of any special item of revenue in the budget of any county or municipality; and

WHEREAS, the Governing Body further finds and declares that N.J.S.A. 40A:4-87 provides that the Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough to request approval of the insertion into the Borough’s FY2021 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby request that the Director of the Division of Local Government Services, within the State of New Jersey Department of Community Affairs, approve the insertion into the Borough’s FY2021 Municipal Budget of an item of revenue in the sum of \$6,160.85, which item is now available as revenue in the form of a State of New Jersey Current Fund – **2021 Municipal Alliance Grant**; and

BE IT FURTHER RESOLVED that a like sum of \$6,160.85 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations
2021 Municipal Alliance Grant*

AND BE IT FURTHER RESOLVED that the Chief Financial Officer will electronically file with the State of NJ in accordance with LFN 2014-11.

**RESOLUTION NO. 2021-8.7
OF THE GOVERNING BODY OF
BOROUGH OF BLOOMINGDALE**

**RESOLUTION TO APPOINTMENT AN ALTERNATE COUNCILMEMBER TO
BOOMINGDALE’S CANNABIS REGULATORY COMMISSION**

WHEREAS, by Resolution No. 2021-5.2 the Governing Body of the Borough of Bloomingdale established Bloomingdale’s Cannabis Regulatory Commission; and

WHEREAS, there is a need to appoint an alternate member to serve on the Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby appoint the following member for a one year term, expiring December 31, 2021:

Alternate Member: Drew Juhlin, Councilman

**RESOLUTION NO. 2021-8.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Extending Paid Sick Leave to Borough Employee

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Michael Boffa (“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 paid sick leave as of May 4, 2021; and

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby extend paid sick leave to Borough Employee, Michael Boffa, during the period of August 12, 2021 through October 5, 2021; and

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

**RESOLUTION NO. 2021-8.9
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Borough Employee

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that James Mara (“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 paid sick leave as of July 27, 2021; and

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, James Mara, during the period of July 27, 2021 through October 5, 2021; and

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

**RESOLUTION NO. 2021-8.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION AUTHORIZING THE CANCELATION OF WATER/SEWER CHARGES

FOR 277 MACOPIN ROAD IN THE BOROUGH OF BLOOMINGDALE

WHEREAS, it has been recommended by the Tax, Finance and Administration Department that the Borough Council authorizes a cancellation in the amount of \$812.00 for water/sewer charge on 277 Macopin Road (Account #127451); and

WHEREAS, it has determined that the lienholder of said property paid an \$812.00 subsequent for water/sewer on TTL certificate #18-00006; and

WHEREAS, the TTL certificate #18-00006 had been redeemed and lienholder was issued a refund for \$812.00; and

WHEREAS, erroneously the utility records were not adjusted to reflect the refund therefore the account has an outstanding balance of \$812.00; and

WHEREAS, the property known as 277 Macopin Road has sold and the new owner is not responsible for the outstanding balance of \$812.00; and

NOW, THEREFORE, BE IT RESOLVED by the Acting Mayor and Council of the Borough of Bloomingdale, that the following Water/Sewer charges are hereby cancelled: Water/Sewer Account #127451; 277 Macopin Road, Bloomingdale, NJ in the amount of \$812.00. Notice of this resolution shall be distributed to the Tax Department, Finance Department and Water/Sewer Billing Department of the Borough of Butler.

**RESOLUTION NO. 2021-8.11
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Resolution of the Borough of Bloomingdale, County of Passaic, State of New Jersey
Authorizing a 100% Disabled Veteran Tax Exemption for Block: 2004 Lot: 13*

WHEREAS, N.J.S.A. 54:4-3.30 et seq. as amended by P.L.2019, c.413; N.J.A.C. 18:28-1.1 et seq. states a 100% disabled veteran shall be exempt from taxation; and

WHEREAS, the Tax Assessor granted a claim for property tax exemption on a dwelling of a disable veteran for the taxing year of 2021, effective June 21, 2021; and

WHEREAS, the Tax Collector finds and declares that the applicant has paid the 2021 3rd quarter taxes in full, and are entitled to refund; and

NOW, THEREFORE, BE IT RESOLVED, that the Finance Department be authorized and directed to issue refund check to the following property owner:

Veteran: Michael Harty
Property: Block 2004 / Lot 13
Address: 10 Anna Rose Court
Bloomingdale, NJ 07403

Refund Amount: \$5,565.00

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel the balance of the 2021 taxes.

**RESOLUTION NO. 2021-8.12
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Refund of Overpayments in Tax Office

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Morse Lakes POA, [c/o Linda Thornton, 37 Ridge Road, Bloomingdale, NJ] received an Assessment reduction in 2013 on Block 49.E Lot 64; and

WHEREAS, an overpayment in the amount of \$256.56 shall be refunded to Kampfe Lake Association; and

NOW, THEREFORE, BE IT RESOLVED, that the Finance Department be authorized and directed to issue a refund check for the following:

Account #:	49.E / 64
Vendor:	Morse Lakes POA c/o Linda Thornton 37 Ridge Road Bloomingdale, NJ 07403
Refund Amount:	\$256.56

This resolution shall take effect immediately.

**RESOLUTION NO. 2021-8.13
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Hiring of Part-time help for the Animal Shelter

WHEREAS, there is a need to hire a part-time employee for the North Jersey Community Animal Shelter; and

WHEREAS, the Animal Control Director, Lisa Perry, has recommended the hiring of Victoria Demaro to fill the position; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale that Victoria Demaro be hired as a part-time and/or seasonal help for the North Jersey Community Animal Shelter at a salary of \$12.00 per hour, for 12-15 hours per week to begin on or about August 21, 2021.

**RESOLUTION NO. 2021-8.14
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Resolution Appointing Members to the Town Center Advisory Committee

WHEREAS, the Borough of Bloomingdale is petitioning for a renewal of its ‘Town Center’ endorsement/designation; and

WHEREAS, there are submission requirements the petitioner must meet in order to achieve plan endorsement and qualify for associated benefits; and

WHEREAS, the petitioner shall appoint an advisory committee to guide the plan endorsement process, serve as liaison with the State, county, regional agencies and local officials throughout the process and increase public awareness of and participation in the plan endorsement process; and

WHEREAS, the advisory committee shall consist of between five and ten people including at least one representative of the governing body, of which the mayor is considered a member, for this purpose, at least one Class IV member of the planning board, at least one member of another local board, commission or committee; and at least two representatives of the public who reside within the jurisdiction of the petitioner and are not elected or appointed to any public position within said jurisdiction.

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Bloomingdale does hereby appoint the following members to the Town Center Advisory Committee for a one-year term expiring December 31, 2021:

Governing Body Representative	John D'Amato, Acting Mayor
Class IV Planning Board Member	Bill Graf
Economic Development Commission Member	John Graziano
Public Representative	Jack Weinberg
Public Representative	William Joel
Member	Michael Sondermeyer, BA
Member	Mark Redfield

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Ordinance No. 16-2021: Amend Ch. 92 (Zoning – “Regulations Governing Certain Uses”)

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

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

The Municipal Clerk read the following Ordinance by title:

ORDINANCE NO. 16-2021 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 V “REGULATIONS GOVERNING CERTAIN USES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth zoning regulations and restrictions throughout the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to ensure such requirements and standards are consistent;

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 V “Regulations Governing Certain Uses”, Section 92-26.3 “Signs” shall be amended to read as follows:

§92-26.3 Signs

B. Definitions. For the purposes of this section, the following words and phrases shall have the meanings ascribed to them in this section.

FLEA MARKET SALE

Includes all sales of tangible personal property which are advertised by any means whereby the public at large is or can be made aware of said sales and which are not sponsored by a homeowner and do not take place on the premises of said homeowner. A flea market includes "street fairs", "peddler's fairs" and "craft shows."

GARAGE SALE

Includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale", "yard sale" or any other similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of said sale and which is sponsored by a homeowner and takes place on the premises of said homeowner.

F. Temporary signs. Temporary signs shall be allowed in all zones.

- (1) Temporary signs may be installed for a period of not more than 15 days with one extension not to exceed another 15 days, with property permits and approval by the Construction Code Official pursuant to § 92-26.3C. Each locale is limited to two (2) temporary sign approvals per year, except that Flea market locales are permitted ten (10) temporary sign approvals per year.
- (2) Elective Office. Temporary signs for elective office are permitted only after a permit is obtained from the Construction Code Official. Such signs must be removed no later than 10 days after the date of the election to which they pertain. Maximum size of such signs shall be 24 square feet. The permit fee shall be waived for temporary signs for elective office.
- (3) Garage Sales and Flea Markets. Garage Sale and Flea Market temporary signs must be removed within 24 hours after completion of the event. The permit fee shall be waived for Garage Sale and Flea Market temporary signs.

G. Residential zones. All commercial signs are prohibited within a residential zone district except:

- (1) Real estate signs which are customary and necessary in the offering of real estate for sale or let, placed upon the premises being offered;
 - (2) Garage sale signs as regulated by § 92-26.3F;
 - (3) A professional nameplate or announcement sign not larger than eight by twenty (8 x 20) inches;
 - (4) Temporary signs for elective office are permitted as regulated by this section.
- All other temporary signs are prohibited unless specifically approved by § 92-26.3.

H. Signs within General Business Zone, Light Industrial Zone, Bloomingdale Center District Zone, Commercial Zone and Office Zone. The only signs permitted shall be a sign or signs advertising the premises upon which it is located or displayed, or the identity of the occupancy thereof, or a service rendered therein, or a product or item available therein, or a permitted trade, business or profession carried on therein as hereinafter regulated.

- (1) There shall be no more than one principal sign for each retail establishment or permitted use therein except where the following conditions are met:
 - (a) Any permitted use within a building having an exterior wall facing an off-street parking area may have a secondary sign on said wall if that wall contains a pedestrian entrance to said permitted use;
 - (b) Any permitted use within a building on a corner lot may have a secondary sign. One sign shall be located on one street and a second sign shall be located on the second or side street. Nothing contained herein shall be construed to permit more than two signs on a building. Secondary signs are to be a maximum of two feet in height, not to exceed 30% of principal sign.
- (2) All signs, unless a freestanding sign, as hereinafter regulated:
 - (a) Shall be installed parallel to the face of the wall to which it is attached;
 - (b) Shall not extend more than 12 inches from the structural face of the building wall;

- (c) The bottom of the sign shall not be less than seven feet high, measured from the ground level below;
- (d) The sign height measurement shall not exceed 5% of the front face of the building.
- (3) In General Business Zone, Commercial Zone and the Bloomingdale Center District Zone, the maximum height dimension of the sign shall not exceed three feet and the total gross area shall not exceed 10% of the front face of the building to which it is attached.
- (4) Where there shall be more than one occupant of the building and where each occupant has a separate ground floor entrance, the total area of all signs permitted as hereinafter regulated, taken in the aggregate, shall not exceed the maximum gross area requirement above set forth for each wall upon which any sign is permitted to be erected. All signs shall be uniform in appearance, shall be made of the same material with the same background and contain the same letter typestyle and material.
- (5) No signs are permitted above the first floor.
- (6) For those premises where the structure is set back at least 20 feet from the front curblin, a freestanding sign of an area not to exceed 12 square feet in area on each side and 24 square feet in aggregate shall be permitted, provided however the top of said sign shall not be more than 10 feet above the level of the ground and the sign shall not be located within any road right-of-way, or be closer than five feet from any property line. The provisions of this subsection shall not be construed to prohibit freestanding signs accessory to filling and service stations as provided in § **92-26.3H(9)**.
- (7) Neon signs and/or signs painted on, placed or hung on/or within 24 inches from the inside window glass of, and paper signs attached to, windows for advertising purposes shall be limited to covering 30% of the area of any one window, but in no event shall the area of coverage exceed a total of 36 square feet for each window pane. Notwithstanding the provisions of this section, unlettered and undecorated balloons, pennants, flags, banners and the like shall only be permitted for grand opening of a new permitted use and shall be displayed in accordance with § **92-26.3E**. Signs other than principal signs that fail to comply with provisions of this section shall be removed no later than 60 days after the effective date of this section. Window signs are prohibited in the General Business Zone, Commercial Zone, Bloomingdale Center District Zone and Office Zone.
- (8) Facade mounted signs for permitted uses in the General Business Zone, Light Industrial Zone, Bloomingdale Center District Zone, Commercial Zone and Office Zone which share a common entrance shall be limited to tenant identification or directory signs. Said signs shall be unlighted, limited to one sign per tenant, uniform in appearance, made of the same materials with the same background and contain the same letter typestyle and materials as all other similar signs used by tenants of the building. Said signs shall not exceed an area of two square feet per sign or a vertical height dimension of eight inches, and where there is more than one tenant in the building, all of said signs shall be abutting one another and not indiscriminately placed on the exterior walls of the building. The total square footage of the directory sign or individual tenant identification signs shall not exceed the allowable sign area for that zone.
- (9) The following signs, customary and necessary to the operation of filling and service stations, are permitted:
 - (a) Lettering on buildings displayed over individual entrance doors consisting of the words "washing," "lubricating," "repairing," or words of similar import, provided there shall be not more than one such sign over each entrance, and that the letters shall not exceed 12 inches in height;
 - (b) Lettering or other insignia which are a structural part of a gasoline pump, consisting only of a brand name, lead warning sign and other signs as required by law;
 - (c) A credit card sign not exceeding one square foot in area, affixed to the building or permanent sign structure of the sign next referred to;

(d) One sign bearing the brand or trade name of the station, of a design specified by the manufacturer, permanently affixed to the building or its own metal substructure, such sign not to exceed 24 square feet in area on each side, or 48 square feet in aggregate area if both sides shall have signs thereon, which sign, if on its own metal substructure, shall be rigidly and securely attached to the ground surface so as to create no danger to life or limb and which sign, whether affixed to a building or on its own substructure, shall not exceed 18 feet in height overall. Provided that no such sign shall be so affixed or erected until permission in writing therefor shall have been issued by the Construction Code Official;

(e) A sign attached to each gas pump, with the price of the product as required by law.

(10) Signs are permitted on awnings not to exceed the applicable size regulations allowed in that zone. A sign on an awning which is not installed on the flap or vertical plane shall be considered a principal sign. Signs running in a horizontal direction are permitted on the flap or vertical plane of any permitted awning provided said sign does not exceed a height of eight inches, measured from the bottom to the top of such sign or lettering.

(11) Any change of signage for preexisting, nonconforming business area uses in residential zones shall:

(a) Not exceed the dimensions of the sign being replaced;

(b) Comply with the maximum allowable sign area for that zone, and;

(c) Any relief from this subsection shall be obtained from the Board of Adjustment as a use variance.

All other portions of this Section remain unchanged.

SECTION 2. Chapter 92 “Zoning”, Article V “Regulations Governing Certain Uses” shall be amended to add a new Section 92-26.6 “Temporary Uses” to read as follows:

§92-26.6 Temporary Uses

A. Residential Garage Sales

(1) It shall be unlawful for any person or residence association to conduct a Garage Sale without first applying for a permit with the Borough Clerk’s Office. In the case of a residence association, each Sale location shall operate with an individual permit. Each permit so issued must be properly displayed on the premises upon which the Sale is conducted. Unless such Sale is held within two months of the date of the permit, such permit shall expire by limitation. Each homeowner or residence association may apply for said permit(s) not more than twice each calendar year.

(2) The fee for all Garage Sale permits shall be as specified in Chapter 2 of the Borough Ordinances.

(3) Each Garage Sale is limited to a period of two consecutive weekends (Saturday and Sunday), and shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. only.

(4) Signs shall be permitted as regulated in 92-26.3 F.

B. Commercial and Organization Sponsored Flea Markets

(1) It shall be unlawful for any person or organization to conduct a Flea Market without first applying for a permit with the Borough Clerk’s Office. Each permit so issued must be properly displayed on the premises upon which the Flea Market is conducted and unless such event is held within two months of the date of the permit, such permit shall expire by limitation. No location, person or organization shall receive more than ten (10) permits per calendar year.

(2) The permit fee for all Flea Markets shall be as specified in Chapter 2 of the Borough Ordinances. In cases where charitable, religious or civic organizations have applied for permits, the Borough Council is empowered to waive said permit fee upon request.

- (3) Each Flea Market is limited to a period of two consecutive week-ends (Saturday and Sunday), and shall be conducted between the hours of 8:00 a.m. and 8:00 p.m. only.
- (4) All applicants subject to the provisions of this Section shall be required to prudently operate and conduct said activities.
 - (a) The accumulation of discarded waste material shall be minimized. Containers for the storage of garbage, rubbish and refuse shall be provided.
 - (b) Restroom facilities shall be provided.
 - (c) The public safety and traffic control plan shall be approved by the Chief of Police.
- (5) To assure the faithful clean-up operations of all areas on public property affected by the event, a cash bond as specified in Chapter 2 of the Borough Ordinances or sufficient security in lieu thereof acceptable to the Borough Council, shall be posted by the applicant.
- (6) The applicant applying for said permit and the person in actual control of the activity or the agent thereof shall be responsible for cleaning up the above referenced area between the closing hour of the first day of operation and the opening hour of the next day and within 24 hours after termination of the event. Failure to do so will cause an automatic forfeiture of the deposit or any part thereof necessary to enable the Borough to effectuate a prompt clean-up.
- (7) Signs shall be permitted as regulated in 92-26.3 F.

SECTION 3. Chapter 92 “Zoning”, Article XIII “Schedule of Regulations”, Section 92-55 “B-1 General Business Zone” shall be amended to read as follows:

§92-55 B-1 General Business Zone

The following regulations shall apply in the B-1 Zone:

- A. Permitted principal uses.
 - (1) Bakery.
 - (2) Banks and other financial institutions.
 - (3) Barbershops and beauty parlors.
 - (4) Book and stationery stores.
 - (5) Business schools.
 - (6) Cigar stores.
 - (7) Clothing and clothing accessory shops.
 - (8) Pharmacies.
 - (9) Dry-cleaning provided that no flammable cleaning agents are used.
 - (10) Convenience stores.
 - (11) Eating and drinking places.
 - (12) Electric substations, including transformers, switches and auxiliary apparatus, serving a distribution area.
 - (13) Electricians.
 - (14) Fire and police stations.
 - (15) Florists.
 - (16) Food stores.
 - (17) Furniture stores.
 - (18) Hardware stores.
 - (19) Household-appliance stores.
 - (20) Interior-decorating shops.
 - (21) Printing.
 - (22) Laundries, hand or automatic, self-service.
 - (23) Leather goods.
 - (24) Locksmiths.
 - (25) Appliance and electronics.
 - (26) Newspapers.
 - (27) Business, professional and governmental offices.

- (28) Package liquor stores.
 - (29) Paint stores.
 - (30) Commercial and public parking lots and garages for automobiles and trucks.
 - (31) Pet shops.
 - (32) Photographic studios.
 - (33) Physical therapy and health services.
 - (34) Plumbers.
 - (35) Post offices.
 - (36) Sporting and athletic goods stores.
 - (37) Music and dancing studios.
 - (38) Custom tailors and furriers.
 - (39) Theaters.
 - (40) Undertakers and funeral parlors.
 - (41) Upholsterers.
 - (42) Variety shops.
 - (43) Water- and sewer-pumping stations serving a local area.
 - (44) Other similar retail and service uses.
- B. Accessory permitted uses. (See §§ **92-16** and **92-17**)
- (1) Private parking and loading. (See §§ **92-22A** and **92-22B**)
 - (2) Signs as regulated in § **92-26D** and § **92-26.3**.
 - (3) Other accessory uses customarily appurtenant to a permitted use.
24. C. Conditional uses to be acted upon by the Planning Board, subject to § **92-**
- (1) Automobile service stations, including major repairs. (See § **92-22E**)
 - (2) Automobile sales.
 - (3) Motor vehicle repairs, including paint and body shops.
 - (4) Hotels and motels.
 - (5) Bowling alleys and pool halls or billiard parlors.
 - (6) Social halls, lodges, fraternal organizations and clubs.
 - (7) Dwelling units above permitted business uses. (See Chapter 12 for five (5) or more units)
- D. Minimum lot size. (See Article **IV**)
- (1) Minimum lot area: 5,000 square feet.
 - (2) Minimum lot frontage: none.
 - (3) Minimum lot depth: none.
- E. Yards and lot coverage. Minimum yard dimensions for principal structures shall be as follows. (See Article **IV** and § **92-14.**)
- (1) Front yard: none.
 - (2) Side yard: All B-1 Zone uses may be built without side yards, except that where the B-1 Zone adjoins a residence district there shall be a minimum side yard of 10 feet.
 - (3) Rear yard: 10 feet.
- F. Maximum improved lot coverage: exempt.
- G. Maximum building coverage: exempt.
- H. Maximum building height for principal structures. (See Article **IV**)
- (1) Feet: 30.
 - (2) Stories: two.

I.

(1) Required parking and loading spaces. Also see § 92-22A to D(5).

B-1 Zone On-Street/Off-Street Parking and Off-Street Loading	
Use	Minimum Parking
Funeral homes and mortuaries	10 per parlor
Retail stores, store groups, shops, consumer services, take out food only, etc.	1 for each 300 sf of floor area. Minimum 3 spaces
Eating/drinking establishments	1 for each 3 seats. Minimum 5 spaces
Medical or dental offices, and other professional offices	4 for each professional occupant
General business office	1 for each 300 sf of floor area
Hotels and motels	1 per bedroom, plus 0.5 per employee on the highest shift
Dwelling Units	As required by RSIS (except that the Board may consider approval of a shared parking arrangement if the nature of the uses on the site is such that there will not be overlapping demand for the shared parking spaces). At all times there must be at least one dedicated parking space per dwelling unit
Minimum Loading	
Offices	1 per 10,000 sf of floor area
Retail, commercial, wholesale, manufacturing, storage and miscellaneous uses	1 per 10,000 to 25,000 sf of floor area: 2 for each 25,000 to 40,000 sf of floor area: 3 for 40,000 to 60,000 sf of floor area: 1 for each additional 50,000 sf of floor area or fraction thereof
Minimum Required Parking Use and Loading Spaces	
Undertakers and funeral parlors	1 for each 5,000 square feet of floor area. 1 for each additional 5,000 square feet of floor area or major fraction thereof

J. Enclosure. All uses shall be conducted wholly within a completely enclosed building, except for off-street parking and loading facilities, new and used car lots and service stations.

K. Bakeries. Bakeries first permitted in any B-1 Zone shall be located no closer to a residential district than 50 feet, and goods produced on the premises shall be sold only at retail on the premises.

L. Dwelling Unit Development Regulations

- (1) Number of Bedrooms. No dwelling unit shall have over two bedrooms.
- (2) Minimum Habitable Floor Space

Number of Bedrooms	Minimum Floor Space - Square Footage
0	550 square feet (efficiency)
1	650 square feet
2	800 square feet
(3)	Efficiency units shall not exceed 20% of total number of dwelling units.

M. Where residential uses will be provided above the first floor as permitted in §92-55C(7) above, a separate residential entrance shall be provided to the building.

SECTION 4. Chapter 92 “Zoning”, Article XIII “Schedule of Regulations”, Section 92-55.1 “B-1-A Commercial Zone” shall be amended to read as follows:

§92-55.1 B-1-A Commercial Zone

The following regulations shall apply in the B-1-A Zone:

A. Principal permitted uses.

- (1) Retail and service business uses as listed at § **92-55A**: (1)-(4), (6)-(11), (15)-(21), (23), (24), (28)-(30), (32)-(35), (38)-(41), (43), and (44).
- (2) Electronics stores.
- (3) Martial arts studios.
- (4) Garden centers, nurseries and farm markets.
- (5) Nursery schools and child-care centers.
- (6) Uses similar to those listed above, subject to the rendering of an interpretation thereto by the Planning Board acting in its capacity as the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70b.
- (7) Shopping centers consisting of two or more of the above permitted uses.
- (8) Public uses.
- (9) Houses of worship on lots of three acres or more.

B. Accessory permitted uses. (See § **92-16** and § **92-17**)

- (1) Private parking and loading. (See § **92-22A** and **92-22B**)
- (2) Signs as regulated in § **92-26.3** and in § **92-26D**.
- (3) Other accessory uses customarily incidental to a principal permitted use, provided that except for garden centers, nurseries and farm markets, there shall be no outdoor storage or display of materials, supplies, equipment or products.

C. Conditional uses. (See § **92-24**).

- (1) Animal hospitals, veterinary offices, kennels and animal day-care centers.
- (2) Hotels and motels.
- (3) Dwelling units above permitted business uses. (See Chapter 12 for five (5) or more units)

D. Development standards.

- (1) Maximum lot coverage by all buildings, all parking areas, whether paved or unpaved, and all other impervious surfaces: 70% of the lot area.
- (2) Other bulk requirements applicable to development in this zone shall be as follows:
 - (a) Minimum lot area: 20,000 square feet
 - (b) Minimum lot frontage and width: 100 feet.
 - (c) Minimum lot depth: 125 feet.
 - (d) Maximum height: 3 stories and 40 feet, except as specifically provided to the contrary for hotels and motels as conditional uses.
 - (e) Minimum yards: 35 feet front from Union Avenue; 0 feet front from Main Street; 15 feet each side (except where buildings are attached across lot lines, in which case there shall be no side yard requirement); 50 feet rear.
 - (f) Minimum setback of accessory structure: 10 feet from side or rear lot line.
- (3)
 - (a) Parking, (see § **92-22A** to **92-22D(5)**) shall be provided in the following ratios, provided that where the application of the required parking

ratio yields a fraction of a space, the number of parking spaces required shall be rounded up to the next whole space:

[1] Retail and service business uses as listed at Subsection A(1)-A(4), A(6) and A(7) above shall provide parking at the rate of one space per each 300 square feet of gross floor area except as specifically provided to the contrary below.

[2] All residential uses shall provide parking as required by the RSIS, except that the Board may consider approval of a shared parking arrangement if the nature of the uses on the site is such that there will not be overlapping demand for the shared parking spaces. At all times there must be at least one dedicated parking space per dwelling unit.

[3] Eating and drinking establishments and houses of worship shall provide parking at the rate of one space for each three seats for a minimum of five seats.

[4] Nursery schools or child-care centers shall provide parking at the rate of one space per employee plus one space per each 10 children of licensed capacity, except that a child-care center located wholly within a building containing other business uses shall not be required to provide any parking.

[5] Kennels or animal day-care centers shall provide parking at the rate of one space per employee plus one space for each 10 animals of capacity.

[6] Veterinary offices and animal hospitals shall provide parking at the rate of four spaces per veterinarian in addition to required kennel spaces as set forth in Subsection e above.

[7] Hotels and motels shall provide parking at the rate of one space per guest room plus .5 spaces per employee.

[8] Banks shall provide parking at the rate of one space for each 300 square feet of floor area plus sufficient room for at least five cars to be queued at each drive-up window or ATM machine.

(4) Perpendicular parking spaces shall measure at least nine feet by 18 feet; parallel parking spaces shall measure at least eight feet by 23 feet. ADA parking requirements shall be met in the design of the parking lot.

(5) All parking areas shall be located in the side or rear yards, where they shall be set back a distance of at least 15 feet from any residential lot line, and shall be screened from view from adjacent properties by a six foot high fence or plantings or both, as approved by the Planning Board. Parking shall be prohibited within a front yard.

(6) Parking lot lighting, where provided, shall not be mounted higher than the height of the first floor of the building, shall be shielded from adjacent properties, and shall be set on a timer such that the parking lot lighting will be fully extinguished not later than one hour after the close of business. Residential style carriage lamps may be mounted on the building at its entrances and may remain on after hours for security purposes.

(7) All portions of the lot not used for buildings, parking lots, driveways and walkways shall be attractively landscaped subject to Planning Board approval.

(8) Where residential uses will be provided above the first floor as permitted in § **92-55.1C(3)** above, a separate residential entrance shall be provided to the building.

(9) Dwelling Unit Development Regulations

(a) Number of Bedrooms. No dwelling unit shall have over two bedrooms.

(b) Minimum Habitable Floor Space

Number of Bedrooms	Minimum Floor Space - Square Footage
0	550 square feet (efficiency)
1	650 square feet
2	800 square feet
(c)	Efficiency units shall not exceed 20% of total number of dwelling units.

(10) All properties that are proposed for development or redevelopment within this zone shall be subject to site plan review by the Planning Board. All other provisions of Chapter 92, Zoning, that are not in conflict with this section shall be applicable.

SECTION 5. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 6. 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 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Planning Board Recommendation:

Please be advised that on 8/11/21 the Bloomingdale Planning Board did find Ord. #16-2021 Amending Chapter 92 "ZONING" Article V "Regulations Governing Certain Uses" consistent with the Master Plan and recommends that the Mayor & Council adopts ordinance #16-2021 as presented. Voice vote shows all in favor of adoption.

Public Hearing:

At this time YAZDI made a motion to open the Public Hearing for comment; seconded by DELLARIPA and carried on a voice vote all voting AYE. Since there was no one who wished to speak 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: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES), D'AMATO (YES)

B. Second/Final Reading & Public Hearing:

Ordinance No. 17-2021: Amend Ch. 2-80 (Flea Market Fees)

The Municipal Clerk, Breeanna Calabro, 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 Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 17-2021
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 2 "ADMINISTRATION", SECTION 2-80 "FEES CHARGED FOR MUNICIPAL SERVICES" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

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

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to address flea markets;

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 2 "Administration", Section 2-80 "Fees Charged for Municipal Services" shall be amended to read as follows:

§2-80 Fees Charged for Municipal Services.

mm. The fee for all flea market permits shall be \$100. This sum shall be paid by the organizer of said flea market. If held on public property a cash bond in the amount of \$1000.00 will be held for clean-up purposes.

All other portions of this Section remain unchanged.

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

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

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

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 GRAZIANO 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: GRAZIANO (YES), HUDSON (YES), YAZDI (YES), D'AMATO (YES), DELLARIPA (YES)

NEW BUSINESS:

(To be more efficient Item H, Item C & Item D were moved to the beginning of new business)

H. Discussion: Natalie Court (Morse Lakes Emergency Entrance)

It was noted by Mayor D'Amato, Police Chief Borell, Fire Chief Tuason & Mike Hudson (OEM Coordinator) there have been incidents (storm damage, power lines, trees etc.) that have blocked the main entrance to Morse Lakes community. This prevents emergency (fire/police/medical etc.) response access to all of Morse Lakes. More recently there was a structure fire in the neighborhood & emergency personnel was blocked from aiding.

The Public Safety committee along with members of Bloomingdale's OEM team have held discussion regarding creating an emergency entrance to the Morse Lakes (& Lake Iosco) community through Natalie Court (near the Borough's generator). This would give access to Overlook Road in Morse Lakes. All noted it was a duty to protect the residents of Bloomingdale & this solution would certainly provide additional security & safety to them.

Councilwoman Hudson spoke in support of the emergency access via Natalie Court.

Tom Marinaro – 112 Natalie Court, Bloomingdale

Mr. Marinaro noted he was a former member of the council & an advocate of public safety. He expressed concern:

- of the town 'taking' his property to create an emergency entrance
- other areas in the town that have similar circumstances in the event of the emergency
- cost
- willingness to 'fight' &/or file suit against the Borough
- notices regarding eminent domain

Acting Mayor D'Amato responded/noted for the record this was a 'discussion'. The Borough would need to survey the area (Bloomingdale property) to see if this a possible solution for an additional entrance into Morse Lakes without interfering with anyone's property. Borough professionals will continue to discuss the matter & survey the area. Mr. Marinaro can address additional concerns / comments to Mike Sondermeyer, Business Administrator. Discussion Ended.

Discussion on Item C & Item D (Hiring of Police Officers)

Mayor D'Amato noted two members of the department have announced their plans for retirement by the end of year. By way of memorandum to the Public Safety Committee, Chief Borell has recommended the hiring of Michael Moore & Alexandra Morse. Chief Borell addressed to council – Michael Moore is a Class II Special with the Haledon Police Department and has been working on patrol for four years; a waiver would be requested from the Police Training Commission to have him elevated to Patrol Officer. Alexandra Morse is currently attending the Passaic County Police Academy as an Alternate Route Candidate with an anticipated graduation of September 29.

C. Adoption of Resolution No. 2021-8.17

Motion: Dawn Hudson

Second: Ray Yazdi

Roll Call: HUDSON (YES), YAZDI (YES), D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES)

**RESOLUTION NO. 2021-8.17
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE HIRE OF PATROL OFFICER FOR THE BLOOMINGDALE
POLICE DEPARTMENT**

WHEREAS, the Governing Body has recognized that it is in the best interests of the Citizenry of the Borough of Bloomingdale to hire a new Police Officer; and

WHEREAS, upon completion of interviews and background investigations, the Bloomingdale Chief of Police, Joseph Borell, has recommended the hiring of Michael J. Moore; and

WHEREAS, Michael J. Moore is highly qualified and meets the standards that represent the Bloomingdale Police Department; and

WHEREAS, the Borough has determined that it is in its best interests to hire Michael J. Moore as a patrol officer for the Borough of Bloomingdale; and

NOW IT IS HEREBY RESOLVED that the Mayor and Council of the Borough of Bloomingdale does hereby authorize the hire of Michael J. Moore as a Patrol Officer for the Bloomingdale Police Department with a starting salary of forty-seven thousand eight-hundred and nine dollars (\$47,809.00); and

BE IT FURTHER RESOLVED that Michael J. Moore's first day of employment shall be September 21, 2021.

D. Adoption of Resolution No. 2021-8.18

Motion: Ray Yazdi

Second: Dawn Hudson

Roll Call: YAZDI (YES), D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)

**RESOLUTION NO. 2021-8.18
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE HIRE OF PATROL OFFICER FOR THE BLOOMINGDALE
POLICE DEPARTMENT**

WHEREAS, the Governing Body has recognized that it is in the best interests of the Citizenry of the Borough of Bloomingdale to hire a new Police Officer; and

WHEREAS, upon completion of interviews and background investigations, the Bloomingdale Chief of Police, Joseph Borell, has recommended the hiring of Alexandra Morse; and

WHEREAS, Alexandra Morse is highly qualified and meets the standards that represent the Bloomingdale Police Department; and

WHEREAS, the Borough has determined that it is in its best interests to hire Alexandra Morse as a patrol officer for the Borough of Bloomingdale; and

NOW IT IS HEREBY RESOLVED that the Acting Mayor and Council of the Borough of Bloomingdale does hereby authorize the hire of Alexandra Morse as a Patrol Officer for the Bloomingdale Police Department with a starting salary of forty-seven thousand eight-hundred and nine dollars (\$47,809.00); and

BE IT FURTHER RESOLVED that Alexandra Morse's first day of employment shall be September 21, 2021.

(BRIEF RECESS FOR THE OPTION TO EXIT)

A. Adoption of Resolution No. 2021-8.15

Motion: Dawn Hudson

Second: Ray Yazdi

Roll Call: D'AMATO (YES*), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES)

*Recusal (D'Amato): for all items listed under vendor 01463 – Darmofalski Engineering

**RESOLUTION NO. 2021-8.15
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Payment of Municipal Obligations

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with

the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts:

<u>BILLS LIST</u>		<u>PREPAID LIST</u>	
CURRENT	1,796,487.20	CURRENT	1,826,138.88
UTILITY	64,868.20	UTILITY	502,922.91
CAPITAL	35,150.00	OPEN SPACE	00.00
UTILITY CAPITAL	185,266.43	TRUST ACCOUNT	1,920.00
TRUST	6,065.33	RECYCLING	00.00
DOG	3,207.50	DOG TRUST	00.00
RECREATION	5,449.66	UNEMPLOYMENT	103.60 ROSE
FUND	4,448.61	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	00.00	RECREATION	18,683.14
AFFORDABLE HOUSING	94.50	CAPITAL ASSESSMENT	00.00
TOTAL	2,101,037.43	TOTAL	2,349,768.53

B. Adoption of Resolution No. 2021-8.16

Motion: Rich Dellaripa

Second: John Graziano

Discussion: The Pompton Lakes Board of Education approached the Borough; requested the service as the Borough supplies the same to the Pompton Lakes Borough. The BOE has approximately 5 vehicles that are 2015 or newer. The BOE will cover all of their own expenses (parts/materials) – the Borough will only charge for labor.

Roll Call: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES), D'AMATO (YES)

**RESOLUTION NO. 2021-8.16
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE SHARED SERVICES AGREEMENT
FOR MECHANICAL SERVICES OF SCHOOL VEHICLES BETWEEN
THE BOROUGH OF POMPTON LAKES BOARD OF EDUCATION AND
THE BOROUGH OF BLOOMINGDALE**

WHEREAS, the Borough of Pompton Lakes Board of Education has the need for Mechanical Services for school vehicles; and

WHEREAS, the Borough of Bloomingdale has the ability to provide these mechanical services for the school vehicles; and

WHEREAS, accordingly, the Borough of Bloomingdale and the Borough of Pompton Lakes Board of Education desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which the Borough of Bloomingdale shall provide mechanical services for the Board of Education; and

WHEREAS, said agreement shall be effective for a period of two (2) years, commencing on September 1, 2021 and terminating December 31, 2023.; and

WHEREAS, execution of said agreement is authorized pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seg.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that the Acting Mayor and Borough Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Pompton Lakes Board of Education for mechanical services; and

BE IT FURTHER RESOLVED that the Interlocal 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. Said agreement is on file in the Office of the Clerk for inspection by the public.

E. Introduction of Bond Ordinance No. 18-2021: Various Capital Improvements

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on September 7, 2021 at 7PM; the motion was seconded by GRAZIANO and carried on the following voice vote: all members present voting AYE, in favor; none were opposed. (Juhlin – ABSENT)

The Municipal Clerk read by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$1,970,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,429,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

F. Introduction of Ordinance No. 19-2021: Establishing Ch. 37 Article I (100% Disabled Veterans)

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on September 7, 2021 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. (Juhlin – ABSENT)

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, ESTABLISHING CHAPTER 37 OF THE BOROUGH CODE TO ESTABLISH ARTICLE I, “100% DISABLED VETERAN TAX REFUNDS”

G. Introduction of Ordinance No. 20-2021: Amend Ch. 92 Zoning (BCD – Building Façade Standards & Guidelines)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on September 21, 2021 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. (Juhlin – ABSENT)

This ordinance will be referred to the Planning Board.

Councilwoman Hudson requested discussion – discussion will be held at the scheduled adoption of this ordinance.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 “ZONING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

PUBLIC COMMENT:

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

Linda Huntley – 86 Van Dam Avenue, Bloomingdale

Inquired as to potential odor of cannabis & a proposed ordinance to control it as well as an ordinance to control the odor of mulch.

(Councilman Graziano & Borough Attorney commented – research is being done to propose an ordinance to control and regulate odor emitted from the process of cultivating cannabis)

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

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 7:39PM; seconded by GRAZIANO and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk