**REGULAR MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**September 17, 2019**

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:00 PM.

Mayor Dunleavy led the **Salute to the Flag**

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

 Councilman Anthony Costa

 ~~Councilman John D’Amato~~ (Excused)

 Councilman Richard Dellaripa

 Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

Councilman Ray Yazdi

Municipal Clerk, Breeanna Calabro

Borough Attorney, Fred Semrau, Esq.

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was advertised in the Herald News on December 23, 2018; 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.

**NON-AGENDA ITEMS:**

* **Introduction of Ordinance No. 26-2019**: Amend Ch. 19 “Solid Waste”

**EARLY PUBLIC COMMENT:**

Motion was made by HUDSON to open the meeting for public comment; seconded by SONDERMEYER and carried per voice vote all members voting AYE.

Since there was no one who wished to speak, COSTA made a motion to close early public comment; seconded by DELLARIPA and carried per voice vote all voting AYE.

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS & MAYOR’S REPORT:**

**Fred Semrau, Borough Attorney:**

*Reported on Public Auction of 5066/8,9,10 & 24 held at 6:30PM prior the meeting authorized by the Governing Body via resolution. Gave background on the Borough foreclosing on certain properties which were auctioned. The auction is held to get the properties back on the tax rolls. There was a $65,000 bid for the properties, a 10% deposit was received. The remaining balance plus a 10% premium will total $71,500. A closing shall be scheduled within 60 days.*

**Dawn Hudson, Councilwoman:** *Happy birthday to Councilman Sondermeyer*

**RESOLUTION NO. 2019-9.8 CONSENT AGENDA**

Councilman COSTA offered the following Resolution and moved for its adoption:

**RESOLUTION NO. 2019-9.8**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Accepting, Approving and/or Adopting the Consent Agenda of the***

***September 17, 2019 Regular Meeting***

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

**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 Mayor and Council of the Borough of Bloomingdale.

* 1. Approval of Minutes: August 20, 2019 Regular Meeting
	2. **Resolution No. 2019-9.9**: Environmental Commission Appointment
	3. **Resolution No. 2019-9.10**: Authorization to Hire DPW Laborer
	4. **Resolution No. 2019-9.11**: Ch. 159 Drunk Driving Enforcement
	5. **Resolution No. 2019-9.12:** Release of Mortgage (92 Star Lake Road)
	6. **Resolution No. 2019-9.13**: Authorizing Municipal Court to Receive Uncashed Refunds

The motion was seconded by DELLARIPA and carried per the following roll call vote: COSTA (YES), DELLARIPA (YES), HUDSON (YES), SONDERMYER (YES), YAZDI (YES)

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2019-9.9**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Appointment to the Environmental Commission***

**BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomingdale that they do provide, advice and consent to the Mayor’s appointment of the following to the Environmental Commission:

1. Environmental Commission 3 years (unexpired) Patrick Cecala

 (12/31/20)

**RESOLUTION NO. 2019-9.10**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Hiring of full-time DPW Laborer***

**WHEREAS**, there exists a need for a full time Laborer within the Department of Public Works; and

**WHEREAS**, the Superintendent and the Assistant Superintendent of the Department of Public Works recommend the position be filled by Joseph P. Hulahan;

**NOW, THEREFORE BE IT RESOLVED,** by the Governing Body of the Borough of Bloomingdale, that Joseph P. Hulahan be hired as a full-time DPW Laborer, effective September 18, 2019 as per the terms of the CWA Local 1032 DPW contract.

**RESOLUTION NO. 2019-9.11
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**Authorizing the Insertion into the FY2019 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
*Drunk Driving Enforcement Fund 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 FY2019 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 FY2019 Municipal Budget of an item of revenue in the sum of $4,115.17, which item is now available as revenue in the form of a State of New Jersey Current Fund – ***Drunk Driving Enforcement Fund Grant***; and

**BE IT FURTHER RESOLVED** that a like sum of $4,115.17 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations****Drunk Driving Enforcement Fund 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. 2019-9.12**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF MORTGAGE ON PROPERTY LOCATED AT 92 STARLAKE ROAD, BLOCK 3036, LOT 7**

 **WHEREAS**, the Borough of Bloomingdale held a mortgage on property located at Block 3036, Lot 7, also known as 92 Starlake Road, in the amount of $17,710.00 as part of the Borough’s rehabilitation program; and

 **WHEREAS**, the rehabilitation mortgage was recorded on February 7, 2003 at Book M-2450, Page 133; and

 **WHEREAS**, the rehabilitation mortgage expired after six (6) years.

 **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 Mortgage is cancelled and Dawn M. Sullivan, Township Attorney, is hereby directed to file this cancellation of the rehabilitation mortgage recorded at Book M-2450, Page 133 for the property located at 92 Starlake Road, with the County of Passaic.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-9.13**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Municipal Court to Receive Uncashed Refunds***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has been advised by Municipal Court Administrator Phyllis Muter (“Court Administrator”) in a September 13, 2019 Memorandum to Full-Time Mayor Jonathan Dunleavy, that certain refunds issued by the Bloomingdale Municipal Court (“Court”) have remained uncashed for a period exceeding six months; and

**WHEREAS**, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the Court to implement the recommendation of the Court Administrator and the Mayor, that the Court should be authorized to receive these refunds so that they may be disbursed from the Court’s General Account and Bail Account;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale that the Bloomingdale Municipal court be and is hereby authorized to receive the refunds identified in the Municipal Court Administrator’s September 13, 2019 Memorandum to the Full-time Mayor so that they may be disbursed from the following Accounts:

**Municipal Court General Account:**

|  |  |  |  |
| --- | --- | --- | --- |
| Check #: | Date Issued: | Amount: | Payee: |
| 2846 | 03/13/2018 | $4.00 | Mekedo Ewes |
| 2868 | 06/08/2018 | $17.00 | Juan Mejia |
| 2869 | 06/08/2018 | $1.00 | Jennie Wright  |

**PENDING ITEMS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 24-2019: Amend 2-80 Municipal Fees (Accident Reports)* **AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE** was given second and final reading and considered for adoption.

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 24-2019**

**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”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain fees for municipal services; and

 **WHEREAS**, the Bloomingdale Police Department will be permitting access to accident reports via the Bloomingdale Police webpage; and

 **WHEREAS**, if copies of accident reports are requested other than in person, an additional fee of up to $5.00 may be added to cover the administrative costs of the reports; and

 **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”, Article VIII “Policies and Procedures”, Section 2-80 “Fees Charged for Municipal Services” shall be amended as follows:

 a. Copies of documents available to the public pursuant to the Open Public Records Act, N.J.S.A. 1A-1 et seq. are to be charged at the following rates: (1) $0.05 per page for letter sized pages and smaller; (2) $0.07 per page for legal sized pages and larger; (3) electronic records are to be provided free of charge via e-mail and fax; (4) $2.70 for recording manufacturer's recommended compact disk or $.60 for standard quality compact disc; and (5) the actual cost to provide records in another medium (i.e. computer disc, CD-ROM, DVD)

|  |  |
| --- | --- |
| b. Black and White Street and/or Zoning Map | $5.00 |
| c. Color Street and/or Zoning Map | $8.00 |
| 1. 8-1/2 x 11 Color Street and/or Zoning Map | $0.50 |
| d. Zoning Ordinance Package | $10.00 |
| e. Site Plan Ordinance Package | $10.00 |
| f. Master Plan | $50.00 |
| g. Assessment Search | $10.00 |
| h. Tax Search | $10.00 |
| i. Municipal Lien Search | $10.00 for each property |
|  | $2.00 for each continuation |
|  | year (maximum of $8.00) |
| j. Search for Delinquent Properties | $10.00 |
| k. Search for Miscellaneous Tax Information | $5.00 |
| l. List of Property Owners within 200 feet | $10.00 or $.25 per name |
|  | (whichever is greater) |
| m. Duplicate Tax Sale Certificate | $100.00 |
| n. Duplicate Tax Bill | $5.00 for first duplicate copy |
|  | $25.00 for duplicate copy thereafter |
| o. Mailing of Notice of Tax Sale | $25.00 |
| p. Extra Duty Rates Outside of the Police Department: |  |
| 1. Borough Non-Police Work
 | $65.00/hour |
| 1. Non-Municipal/Private Contractors
 | $80.00/hour |
|  Plus Administration Fee | 25%  |
| 1. County Plus Administration Fee for County
 | $50-$8515% |
| q. Photocopy of Tax Map | $0.75 |
| r. Returned Check Fee | $20.00 |
| s. Tire Pickup and Disposal | $5.00 per tire |
| t. Leaf Bags | 3 for $1.00 |
| u. Garage Sales | $10.00 |
| v. Permit to purchase a handgun | $2.00 |
| w. Permit to carry a handgun | $5.00 |
| x. Firearm Identification Card | $5.00 |
| y. Summer Junior Police Academy | $25.00 to $50.00 |
| z. Clothing Bins | $10.00 |
| aa. Online payment fees for credit cards | Up to 5% of costs |
| bb. Delivery of Topsoil/Mulch | $50.00. Limit of 2 deliveries |
|  | per resident annum |
| cc. Overnight Parking Permit | $120.00 per annum |
| dd. Livestock Permit Fee | $30 per annum |
| ee. Marriage ceremony by Mayor | $100 (all fees collected pursuant to this paragraph shall be dedicated exclusively to the Animal Control Budget) |
| ff. License for retail electronic smoking device establishments | $250 per annum |
| gg. Anniversary Journals | $20.00 |
| hh. Anniversary T-Shirts | $15-$18 |
| ii. Online credit card fees for Water & Sewer | $3.95 |
| jj. Accident Reports (other than in person) | $5.00 |

 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 SONDERMEYER made a motion to open the Public Hearing for comment; seconded by COSTA and carried on a voice vote all voting AYE. Since there was no one who wished to comment COSTA made a motion to close the Public Hearing; seconded by SONDERMEYER and carried on a voice vote all members present voting AYE.

Councilman COSTA moved for the adoption of this Ordinance; seconded by SONDERMEYER and carried per the following roll call vote: DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES)

**NEW BUSINESS:**

1. At this time DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO 2019-9.14**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

## Authorizing Payment of Municipal Obligations

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

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

BILLS LIST PREPAID LIST

CURRENT 1,600,786.50 CURRENT 562,836.04

UTILITY 495,039.56 UTILITY 82,807.67

CAPITAL 389,887.55 OPEN SPACE 35,153.97

UTILITY CAPITAL 18,739.68 TRUST ACCOUNT 560.00

TRUST 15,379.55 RECYCLING 00.00 DOG 373.20 DOG TRUST 00.00

RECREATION 14,611.87 UNEMPLOY 91.38 ROSE FUND 9,938.91 CAPITAL 845.00

RECYCLING 1,300.00 WATER CAPITAL 00.00

UNEMPLOYMENT 00.00 RECREATION 28,219.25

AFFORDABLE HOUSING 642.64 CAPITAL ASSESSMENT 00.00

**TOTAL 2,546,699.46 TOTAL 710,413.31**

The motion was seconded by SONDERMEYER and carried per the following roll call vote: HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), DELLARIPA (YES)

1. **Introduction of Ordinance No. 25-2019**: Amending Ch. 3 “Police Regulations”

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on October 8, 2019 at 7PM; the motion was seconded by COSTA and carried per on voice vote all members voting AYE.

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 III “POLICE REGULATIONS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**NON-AGENDA:**

1. **Introduction of Ordinance No. 26-2019**: Amend Ch. 19 “Solid Waste”

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on October 8, 2019 at 7PM; the motion was seconded by COSTA and carried per on voice vote all members voting AYE.

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 XIX “SOLID WASTE MANAGEMENT”, SECTION 19-2 “REFUSE CONTAINER/DUMPSTER REGULATION” AND CHAPTER II “ADMINISTRATION”, ARTICLE IV “ADMINISTRATION”, SECTION 2-17 “CODE ENFORCEMENT OFFICER” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**Discussion:** *This comes has a recommendation from the Property Maintenance Official and Ordinance Review Committee*

 **LATE PUBLIC COMMENT:**

HUDSON opened the meeting to late public comment; seconded by COSTA and carried on voice vote. Since there was no one who wished to speak, COSTA moved that it be closed; seconded by YAZDI and carried on voice vote.

**GOVERNING BODY SCHEDULE:**

1. Workshop Meeting – October 8, 2019 7PM
2. Regular Meeting – October 22, 2019 7PM
3. Workshop Meeting – November 1, 2019 8AM

**ADJOURNMENT:**

Since there was no further business to be conducted, YAZDI moved to adjourn at 7:08PM; seconded by SONDERMEYER and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC

Municipal Clerk