

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

September 21, 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. After the early executive session council took a brief recess & continued the meeting at the Firemen's Hall (97 Hamburg Tpke). Council President, John D'Amato called the meeting to order at 6:04PM.

Official Roll Call: (taken by the Borough Clerk)

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

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

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 August 26, 2021 and September 19, 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 EXECUTIVE SESSION:

Motion to Enter Executive Session: Ray Yazdi

Second: Dawn Hudson

Voice Vote: all in favor voting 'AYE'

One Matter – Contract Negotiations

**RESOLUTION NO. 2021-9.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Council of the Borough of Bloomingdale on the 21st day of September, 2021 that:

- ❖ Prior to the conclusion of this Regular Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

- () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- () b. (4) A collective bargaining agreement including negotiations.
- () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (x) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - **One Matter – Contract Negotiations**
 - **Potential Developer**
- () b. (8) Personnel matters.
- () b. (9) Deliberations after a public hearing that may result in penalties.

- ❖ The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Entered back into open session 6:55PM

Motion for recess: Rich Dellaripa

Second: Dawn Hudson

(Council to resume session at the Firemen's Hall)

CALL TO ORDER:

Acting Mayor John D'Amato called the meeting to order at 7PM & began with the salute to the American 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 Drew Juhlin
Councilman Ray Yazdi

Municipal Clerk, Breeanna Smith
Business Administrator, Michael Sondermeyer
Borough Attorney, Fred Semrau
Chief of Police, Joseph Borell

EARLY PUBLIC COMMENT:

Motion was made by HUDSON to open the meeting for public comment; seconded by YAZDI and carried on voice vote all voting AYE. Since there was no one 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.

PENDING ITEMS:

A. Second/Final Reading & Public Hearing:

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

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

Councilwoman HUDSON 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. 20-2021
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” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code was recently amended to add a new zone called the Bloomingdale Center District (“BCD”); and

WHEREAS, the Borough Ordinance Review Committee has reviewed the requirements and standards established for the BCD and recommended additional changes be made in order to establish certain standards and requirements for building façades;

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

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

SECTION 1. Chapter 92 “Zoning”, Article XII “Regulations”, Section 92-55.2 “Bloomingdale Center District Zone” shall be amended to add a new subsection N to read as follows:

§92-55.2 Bloomingdale Center District Zone (BCD)

N. Building Façade Standards and Guidelines.

(1) **Purpose.** The purpose of this Section is to promote a desirable visual environment and to improve the appearance of buildings and structures in the Bloomingdale Center District, and it is to make the District a more attractive and inviting destination in which to shop, visit, dine and walk. An essential strategy in achieving the objective is to foster recognition that facades, buildings, and structures should have a visual and harmonious relationship with surrounding facades, buildings and structures. Integral to the strategy is recognition that visible side or rear elevations contribute significantly to a building or structure’s overall appearance.

(2) **Benefits.** Potential tangible benefits Bloomingdale will realize by adhering to these standards and guidelines include: the creation of a more desirable location for new business; the improvement of commerce for existing retail businesses; the improvement of commercial property values and the avoidance of adversely affecting the value of adjacent or nearby properties; the creation of a destination for shoppers; and, the improvement of the walking experience.

(3) **Reserved.**

(4) **Building Façade Prohibited Finish Materials.**

(a) Metal, plastic or vinyl siding with exposed fastenings.

- (b) Corrugated or reflective metal panels, steel buildings.
- (c) Modular buildings.
- (d) Exposed concrete block; Smooth, scored or rib-faced concrete block; Cinder block.
- (e) Any translucent material, other than glass.
- (e) Residentially scaled, horizontal vinyl or aluminum siding. Metal, plastic or vinyl siding that is used to such an extent that it is the dominant architectural feature.
- (f) Plywood and other compressed wood sheathing products, textured or non-textured.
- (g) Cement parging, shingles, shakes.
- (h) Exterior insulation finishing systems (EIFS).
- (i) Natural brick or stone in a rubble construction look.

(5) Building Façade Color Guidelines.

- (a) The color scheme should be compatible with adjacent buildings.
- (b) Buildings should not be painted to compete for attention with other buildings in the vicinity or to stand out boldly in their context.
- (c) All visible facades of the building should be used to contribute to the architectural and visual unity of the building.
- (d) Simple color schemes are encouraged. The building façades should not exhibit more than three (3) colors.
- (e) The field or body of a façade should be the lightest color. The trim should be a deeper shade of the field or body's color, or the trim alternatively should be white or black. The façade's accent elements should be a brighter complimentary or contrasting color.

(6) Building Façade Color Standards.

- (a) The field or body of the building facades shall be a solid color included in an earth tone palette. Trim and accent façade elements shall be solid colors with colors as suggested in Section N (5).
- (b) Garish or gaudy colors shall not be used on any portion of a façade.
- (c) Black or white shall not be used for the field or body of a façade. Neon or fluorescent colors shall not be used on any portion of a façade.

(7) Enforcement. No Building Permit shall be issued for exterior construction and/or exterior renovation or alteration for any building in the Bloomingdale Center District, used in whole or in part for non-residential purposes, without the review and approval of plans by the Planning Board, if applicable, or the Zoning Officer. Certificates of Occupancy, temporary or permanent, shall not be issued for any building that is in violation of the standards set forth in this Section, or for any building where the approved plans by the Planning Board or Zoning Officer have not been adhered to. Any building façade material changes and color changes after the date of adoption of Ordinance XX-2021 shall be subject to the standards and guidelines as set forth in this Section N. The Zoning Officer and the Code Enforcement Official have jurisdiction to cite violations of this Section and to levy fines of \$2,000 per day until the violation ceases.

All other portions of this Section shall remain unchanged.

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

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

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

Public Hearing:

At this time HUDSON 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 DELLARIPA and carried on voice vote all members voting AYE; none were opposed.

Adoption:

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

NEW BUSINESS:

A. Adoption of Resolution No. 2021-9.9

Motion: Rich Dellaripa

Second: Ray Yazdi

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

**RESOLUTION NO. 2021-9.9
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	1,818,283.74	CURRENT	756,999.20
UTILITY	512,248.53	UTILITY	73,388.78
CAPITAL	47,689.75	OPEN SPACE	00.00
UTILITY CAPITAL	165,970.73	TRUST ACCOUNT	20,080.00
TRUST	19,051.00	RECYCLING	00.00
DOG	2,689.70	DOG TRUST	00.00
RECREATION	8,355.36	UNEMPLOYMENT	82.86 ROSE
FUND	2,350.65	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	00.00	RECREATION	6,160.01
AFFORDABLE HOUSING	00.00	CAPITAL ASSESSMENT	00.00
TOTAL	2,576,639.46	TOTAL	856,710.85

B. Adoption of Resolution No. 2021-9.10

Motion: Rich Dellaripa

Second: Dawn Hudson

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

**RESOLUTION NO. 2021-9.10
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PROMOTION OF DETECTIVE DANIEL GREENWOOD TO SERGEANT IN THE BLOOMINGDALE POLICE DEPARTMENT

WHEREAS, the Borough of Bloomingdale Police Department, in accordance with the Borough Code, has conducted a test for the position of Police Sergeant; and

WHEREAS, the results of such testing have been completed; and

WHEREAS, the Borough Code provides in Section 2-38.15, that the Public Safety Committee shall present the promotional candidate to the Borough Council and that the Acting Mayor and Council shall approve the candidate to be promoted; and

WHEREAS, the Chief of Police and the Public Safety Committee hereby recommend that Detective Daniel Greenwood be promoted to Sergeant for the Borough of Bloomingdale Police Department; and

WHEREAS, the Acting Mayor and Council have considered the recommendation and wish to affirm same with the promotion of Detective Daniel Greenwood to the position of Sergeant; and

WHEREAS, funding for this position will be made available on or about September 21, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that Detective Daniel Greenwood is hereby promoted to the position of Sergeant in the Borough of Bloomingdale Police Department effective September 21, 2021.

BE IT FURTHER RESOLVED that the Acting Mayor, Chief of Police, and Borough Administration are hereby authorized to take all necessary steps to effectuate such promotion.

C. Adoption of Resolution No. 2021-9.11

Motion: Dawn Hudson

Second: Rich Dellaripa

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

**RESOLUTION NO. 2021-9.11
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PROMOTION OF PATOLMAN STEVEN SMITH TO SERGEANT IN THE BLOOMINGDALE POLICE DEPARTMENT

WHEREAS, the Borough of Bloomingdale Police Department, in accordance with the Borough Code, has conducted a test for the position of Police Sergeant; and

WHEREAS, the results of such testing have been completed; and

WHEREAS, the Borough Code provides in Section 2-38.15, that the Public Safety

Committee shall present the promotional candidate to the Borough Council and that the Acting Mayor and Council shall approve the candidate to be promoted; and

WHEREAS, the Chief of Police and the Public Safety Committee hereby recommend that Patrolman Steven Smith be promoted to Sergeant for the Borough of Bloomingdale Police Department; and

WHEREAS, the Acting Mayor and Council have considered the recommendation and wish to affirm same with the promotion of Patrolman Steven Smith to the position of Sergeant; and

WHEREAS, funding for this position will be made available on or about September 21, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that Patrolman Steven Smith is hereby promoted to the position of Sergeant in the Borough of Bloomingdale Police Department effective September 21, 2021.

BE IT FURTHER RESOLVED that the Acting Mayor, Chief of Police, and Borough Administration are hereby authorized to take all necessary steps to effectuate such promotion.

D. Adoption of Resolution No. 2021-9.12

Motion: Ray Yazdi

Second: Drew Juhlin

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

**RESOLUTION NO. 2021-9.12
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PROMOTION OF PATOLMAN CONRAD JIMENEZ TO SERGEANT IN THE BLOOMINGDALE POLICE DEPARTMENT

WHEREAS, the Borough of Bloomingdale Police Department, in accordance with the Borough Code, has conducted a test for the position of Police Sergeant; and

WHEREAS, the results of such testing have been completed; and

WHEREAS, the Borough Code provides in Section 2-38.15, that the Public Safety Committee shall present the promotional candidate to the Borough Council and that the Acting Mayor and Council shall approve the candidate to be promoted; and

WHEREAS, the Chief of Police and the Public Safety Committee hereby recommend that Patrolman Conrad Jimenez be promoted to Sergeant for the Borough of Bloomingdale Police Department; and

WHEREAS, the Acting Mayor and Council have considered the recommendation and wish to affirm same with the promotion of Patrolman Conrad Jimenez to the position of Sergeant; and

WHEREAS, funding for this position will be made available on or about September 21, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that Patrolman Conrad Jimenez is hereby promoted to the position of Sergeant in the Borough of Bloomingdale Police Department effective September 21, 2021.

BE IT FURTHER RESOLVED that the Acting Mayor, Chief of Police, and Borough Administration are hereby authorized to take all necessary steps to effectuate such promotion.

LATE PUBLIC COMMENT

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

PRESENTATION – Police Department Swearing in Ceremony

Chief Borell led the swearing in ceremony of two new patrol officers & three sergeant promotions. Many were in attendance for the ceremony. Oaths were given by Acting Mayor D’Amato for the following. Mayor, Council & the public safety committee were thanked for their efforts during the promotional & hiring process of:

1. *Alexandra Morse – Patrol Officer (noted Alex is the first female of the Bloomingdale PD)*
2. *Michael J. Moore – Patrol Officer*
3. *Daniel Greenwood – promoted to Detective/Sergeant*
4. *Steven Smith – promoted to Sergeant*
5. *Conrad Jimenez – promoted to Sergeant*

ADJOURNMENT:

As the ceremony concluded, there was no further business to be conducted, HUDSON moved to adjourn at 7:34PM; seconded by HUDSON and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk