**December 15, 2015**

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 6:09 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Dawn Hudson

Michael Sondermeyer

Ray Yazdi

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Tracey Schnurr, Esq.

Police Chief: Joseph Borell

Treasurer: Sherry Gallagher

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on December 12, 2014 (and amended December 9, 2015).

**PRESENTATION BY TIME TRACKER**

Mayor Dunleavy stated that at the League of Municipalities, he and some members of the Council met representatives from Time Tracker which has a system whereby we can track employee hours, etc.

Bob Marbito of Time Tracker Systems, was in attendance and note that they have had a NJ State contract for over 20 years.

Mr. Marbito noted that the system can be programmed to fit our particular needs; spoke in regard to Bio Tech Clocks for punching in and stated that there are options to checking in, i.e. PC’s, smart phones, etc.

The system keeps track of employee time, vacation and sick time.

Mayor stated that the reason for this presentation is to see if we can more provide more efficiency for the Finance Department and Payroll; currently DPW has a hand system and entered manually for payroll.

Treasurer asked about tracking overtime, garnishments, and OPRA issues to which Mr. Marbito stated that the system can address all of these.

Police Chief stated that he already has a similar program minus the payroll.

Mr. Marbito stated that he could come again and give a live demonstration and they can interface with Action Data, our Payroll company who already are doing it for some of their clients.

Mr. Marbito stated the cost of the clocks and $3/active employee a month.

Mayor Dunleavy thanked Mr. Marbito for his presentation and will contact him as to a date for a demonstration.

(At this time, the Mayor and Council recessed until 7 p.m.)

**RECONVENED**

The Mayor and Council reconvened at 7 p.m.

**MOMENT OF SILENCE**

Mayor asked everyone for a brief moment of silence for the San Bernadino victims.

**EARLY PUBLIC COMMENT**

Councilman Sondermeyer opened the meeting to Early Public Comment; seconded by Councilwoman Hudson and carried on voice vote.

Linda Huntley, 86 Van Dam Avenue.

Mayor Dunleavy stated that before Ms. Huntley proceeds, he would like to clarify o the record that he misspoke at the last meeting when she asked him if he received health insurance benefits. He stated he did not but wanted to clarify that he does get opt-out money as everyone else who qualifies for not taking the insurance.

Ten employees get it and it used to be 50% of the premium but was changed to $5,000.

\*Borough Attorney Fred Semrau entered at this time, 7:06 p.m.

Mayor stated that he is entitled to this as he does not take health benefits as he gets them through his wife’s employment.

Ms. Huntley stated that he quoted at the last meeting that he does not take any medical benefits from the town and said it when he became the full-time Mayor. She spoke in regard to other Boroughs who have a full-time Mayor and they do not make what he makes, i.e. Linden, Plainfield, Rahway.

Mayor stated that he will research the other towns and noted that he is a full-time Mayor performing the functions of a Borough Administrator; he cannot be a full-time Mayor and Borough Administrator. You have to compare the population, etc. in the other towns.

Councilwoman Hudson stated that you need to compare apples to apples; we have no of comparing what Jon does compared to them.

Borough Attorney Semrau stated that the services offered Borough formerly were over $130, 00/year and then changed to $116,000/year. I think you need to look at the services. The amount of benefits you get done, it takes someone more than full time and staff as well to be party of that. There is a lot of stability here and it is nice being part of the progress.

Since there was no one else who wished to speak under Early Public Comment, Councilman D’Amato moved that it be closed; seconded by Councilman Costa and carried on voice vote.

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

**Municipal Clerk**

***Toys for Tots*** – Thank you everyone who participated; one again a successful campaign.

**Borough Attorney**

Borough Attorney stated that they are working on Affordable Housing Litigation and foreclosures are coming along.

They are also working on the Rehabilitation project.

**Board of Education**

Councilman Dellaripa stated that the TREPS has their marketplace last Friday and once again it was a wonderful event.

**Recreation**

Councilman Sondermeyer stated that our Holiday Event was outstanding and there were over 500 people.

Mayor spoke of our first Chanukah lighting this year and it was a wonderful event.

**Full-time Mayor**

Mayor wished everyone Happy Holidays.

***Reorganization Meeting*** – Mayor stated that the Reorganization Meeting will be January 5, 2016 whereby we will once again swear in Council Members: Dellaripa and Sondermeyer.

Mayor highlighted the following accomplishments this past year:

* Improvements to our infrastructure
* Invested in our utility y
* Leak study almost completed
* Flood mapping in FEMA’s hands
* Did our walk through with FEMA for our community rating study; we should have a

20-25% reduction in our insurance

* Thank you to all our staff for all their hard work
* Closed on sale of sewer capacity with Riverdale – sale of 45.5 gallons which will help with our investment for infrastructure and stabilize our rates
* Economic study on Meer/Tilcon plan – waiting for our final drafts and our plan; it is quite an extensive study and the community will meet and it will be brought before the entire Governing Body
* Met with Ken Nelson our Consultant for our Affordable Housing Study.

**APPROVAL OF CONSENT AGENDA**

Councilman Dellaripa moved to approve the following Consent Agenda:

1. Adoption of Minutes: Mayor and Council Regular Meeting November 24, 2015 and Special Meeting of December 1, 2015

Councilman Sondermeyer seconded the motion and it carried on voice vote with all members voting YES.

**PENDING ITEMS**

***Second and final reading and Public Hearing of Ordinance No. 23-2015: Amending Chapter 4, General Licensing, Section 4-2, Peddlers and Hawkers***

***AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 4, “GENERAL LICENSING,” section 4-2, “PEDDLERS AND HAWKERS” of the Code of the Borough of Bloomingdale***  was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice statement.

Councilman Dellaripa moved that the ordinance be read by title; Councilman Sondermeyer seconded the motion and it carried on voice vote.

The Municipal Clerk read the ordinance by title.

ORDINANCE 23-2015

OF THE GOVERNING BODY

OF THE BOROUGH OF BLOOMINGALE

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 4, “GENERAL LICENSING,” section 4-2, “PEDDLERS AND HAWKERS” of the Code of the Borough of Bloomingdale

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

SECTION 1.   Chapter 4, “General Licensing,” Section 4-2, “Peddlers and Hawkers,” of the Code of the Borough of Bloomingdale is hereby amended to read in its entirety as follows:

4-2 PEDDLERS AND HAWKERS.

4-2.1 Definitions.

As used in this section:

*Peddler* shall mean and include any person, whether a resident of the Borough of Bloomingdale or not, traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, garden truck, farm products or provisions, flowers and wreaths, offering and exposing these same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a stand, cart, wagon, automotive vehicle, railroad car or other vehicle or conveyance, and further provided that one who solicits orders and, as a separate transaction, makes deliveries to purchasers as part of a scheme or design to evade the provisions of this ordinance shall be deemed a "peddler" subject to the provisions of this ordinance. The word "peddler" shall include the words "hawker" and "huckster" and "vendor."

*Holiday Sales* shall mean and include the sale of flowers, Christmas trees and/or wreaths during a holiday season, which shall include the thirty (30) days preceding a national holiday or Easter, by a peddler.

*Food Carts* shall mean and include the sale of meats, fish, vegetables, fruits, nonalcoholic beverages and/or prepared foods by a peddler.

4-2.2 Permit and License Required.

It shall be unlawful for any person to engage in the business of peddler as defined in subsection 4-2.1 within the corporate limits of the Borough without first obtaining a permit and license as provided herein.

A Holiday Sales peddler shall be limited to a maximum of two (2) permits and licenses per calendar year. Each permit and license shall be issued for a period of thirty (30) days maximum.

A Food Cart peddler shall be limited to one (1) permit and license per calendar year for a period of thirty (30) days maximum.

4-2.3 Application.

Applicants for permit and license under this section must file with, and on forms provided by the Municipal Clerk, a sworn application in writing (in duplicate) which shall give the following information:

a. Name and description of the applicant.

b. Address (legal and local).

c. A brief description of the nature of the business and the goods to be sold and in the case of products of farm or orchard, whether produced or grown by the applicant.

d. If employed, the name and address of the employer, together with credentials establishing the exact relationship.

e. The length of time for which the right to do business is desired.

f. If a vehicle is to be used, a description of the same, together with license number or other means of identification.

4-2.4 Investigation and Issuance.

a. Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good.

b. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application that it is disapproved and that no permit and license shall be issued.

c. If as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return the permit, along with the application to the Municipal Clerk, who shall, upon payment of the prescribed license fee, deliver to the applicant his permit and issue a license. Such license shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative as well as the license number and other identifying description of any vehicle used in such peddling. The Municipal Clerk shall keep a permanent record of all licenses issued.

d. A permit and license for Holidays Sales and Food Carts shall not be issued without approval of the Borough Council.

4-2.5 Fees.

a. The fee for a limited peddler's license, one hundred ($100.00) dollars per day, with an annual cap of two hundred ($200.00) dollars. Each peddler's license shall terminate on the 31st day of December of the year for which it was issued, and limited peddler's licenses shall be good only for the day or days specified thereon.

b. The licensing fee for the sale of flowers, Christmas trees and wreaths shall be five hundred ($500.00) dollars for each separate holiday or occasion of sale (i.e.: Christmas, Mother's Day, Easter, etc.) The license shall terminate after the specific sale set forth in the application and shall not be an annual license.

c. The fees as above set forth are for the purpose of raising revenues for the general protection of the public health, welfare and safety and to enforce the terms of this section.

4-2.6 Licenses and Badges.

The Municipal Clerk shall issue to each licensee a card bearing the words "Licensed Peddler," the period for which the license is issued and the number thereof. The card shall be carried with the licensee during the time in which he is engaged in the peddling and shall be exhibited to any person requesting to see the same.

4-2.7 Transfer.

No license or badge issued under the provisions of this section shall be used or worn at any time by any person other than the one to whom it was issued.

4-2.8 Loud Noises and Speaking Devices.

No peddler, nor any person in his behalf, shall shout, make any cry out, blow a horn, ring a bell or use any sound device, including any loud-speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of the Borough or upon any private premises in the Borough where sound of sufficient volume is emitted or produced to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell.

4-2.9 Use of Streets.

No peddler shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public.

Peddlers of Holidays Sales or Food Carts shall operate only within the business zones in the Borough.

For the purpose of this section, the judgment of a Police Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

4-2.10 Reserved.

4-2.11 Exhibition of License.

Peddlers are required to exhibit their licenses at the request of any citizen.

4-2.12 Duty of Police to Enforce.

It shall be the duty of any Police Officer of the Borough to require any person seen peddling, and who is not known by such officer to be duly licensed, to produce his peddler's license and to enforce the provisions of this section against any person found to be violating the same.

4-2.13 Records.

The Chief of Police shall report to the Municipal Clerk all convictions for violation of this section and the Municipal Clerk shall maintain a record for each license issued and record the reports of violation therein.

4-2.14 Revocation of License.

a. Permits and licenses issued under the provisions of this section may be revoked by the Mayor and Council after notice and hearing, for any of the following causes:

1. Fraud, misrepresentation or false statement contained in the application for license.

2. Fraud, misrepresentation or false statement made in the course of carrying on his business as peddler.

3. Any violation of this section.

4. Conviction of any crime or misdemeanor involving moral turpitude.

5. Conducting the business of peddling in an unlawful manner or in such manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

b. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five (5) days prior to the date set for hearing.

4-2.15 Appeal.

Any person aggrieved by the action of the Chief of Police or the Municipal Clerk in the denial of an application for permit or license as provided in subsection 4-2.4, or in the decision with reference to the revocation of a license as provided in subsection 4-2.14, shall have the right to appeal to the Council. Such appeal shall be taken by filing with the Council, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in subsection 4-2.14 for notice of hearing on revocation. The decision and order of the Council on such appeal shall be final and conclusive.

4-2.16 Expiration of License.

All annual licenses issued under the provisions of this section shall expire on December 31 in the year when issued. Other than annual licenses shall expire on the date specified in the license.

4-2.17 Penalty.

Any person violating any of the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5.

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.

Councilman Yazdi moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman Costa and carried on voice mail.

Scott Maloney of Tastefully British, 42 Village Road, Pompton Plains, NJ, noted that he is the owner of Tastefully British on Union Avenue, expressed his displeasure of this ordinance and fact that he will not be able to sell his fish and chips from the trucks on his property.

Mayor Dunleavy stated that the area is not zoned for this use and as stated before to him, he must go the Planning Board for a change of use on that site. What he is doing know circumvents zoning entirely. You need to get a use change.

Mr. Maloney stated that this ordinance will only allow him two 30-day peddlers’ permits and Mayor stated that is correct; therefore, he needs to go to the Planning Board for a use change.

Mayor noted that this has been referred to the Ordinance Committee for further review.

Since there was no one else who wished to speak, Councilman Yazdi moved that the Public Hearing be closed; seconded by Councilman D’Amato and carried on voice vote.

Councilwoman Hudson moved for the adoption of this ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council members: Costa; D’Amato; Dellaripa; Hudson; Sondermeyer and Yazdi all YES.

**NEW BUSIENSS**

***Adoption of Resolution No. 2015-12.2: Payment of bills***

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

**RESOLUTION - #2015 –12.2**

**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 1,490,972.88 CURRENT 361,613.03

UTILITY 75,604.93 UTILITY 71,312.54

CAPITAL 35,269.00 OPEN SPACE 00,000.00

UTILITY CAPITAL 5,280.00 TRUST ACCOUNT 8,927.50

TRUST 5,773.88 RECYCLING 0,000.00 DOG 2,632.20 DOG TRUST 000.00

RECREATION 510.49 UNEMPLOY 50.13

ROSE FUND 4,526.67 CAPITAL 0,000.00

RECYCLING 608.48 WATER CAPITAL 000.00

UNEMPLOYMENT 0,000.00 RECREATION 00.00

SEWER ASSESSMENT 00.00

TOTAL 1,621,178.53 TOTAL 441,903.20

Councilman D’Amato seconded the motion and it carried as per the following roll call: Council Members: D’Amato, YES; Dellaripa, YES; Hudson, Yes with the exception of P.O. 1501542; Sondermeyer, YES; Yazdi, YES and Costa, YES.

***Adoption of Tax Office Resolutions No. 2015-12.3 through 2015-12.5***

Councilwoman Hudson offered the following Resolutions and moved for their adoption:

**RESOLUTION #2015 –12.3**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Overpayments in Tax Office***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Corelogic, and property owner, James Hoffman duplicated payment on 123 Reeve Avenue , Bloomingdale, NJ for the 4th quarter of 2015 on Block 53 Lot 106;

A refund of overpayment in the amount of $3,780.59 is being returned to property owner, James Hoffman.

**NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following:

James Hoffman

Address: 123 Reeve Avenue

Bloomingdale, NJ 07403

Refund Amount: $3,780.59

**RESOLUTION NO. 2015-12.4**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing State Tax Court Refund***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on November 25, 2015 the Municipality was notified of a State Tax Court judgment, and

**WHEREAS,** the Governing Body further finds and declares that this judgment is on Block 60.01(aka 4081) Lot 16, known as 49 Main Street, owned by Salvatore & Carmel Pagiarulo

**WHEREAS,** the Governing Body further finds and declares that since this judgment is against

the 2014 tax assessment for taxes, and that the 2014 taxes have already been paid by the owner, and

**WHEREAS**, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiffs’ attorney Daniel G Keough, Trustee

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a check in the amount of $937.20 payable to Daniel G Keough, Trustee, 783 Springfield Avenue, Summit, NJ 07901.

**RESOLUTION NO. 2015-12.5**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing State Tax Court Refund***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that on November 20, 2015 the Municipality was notified of a State Tax Court judgment, and

**WHEREAS,** the Governing Body further finds and declares that this judgment is on Block 67.01

Lot 17, known as 194 Reeve Avenue, owned by Jozef & Agnieska Mastej

**WHEREAS,** the Governing Body further finds and declares that since this judgment is against

the 2012, 2013 & 2014 tax assessment for taxes, and that the 2012 (780.37), 2013 ($816.20) & 2014 ($827.86) taxes have already been paid by the owner, and

**WHEREAS**, per the directives of the STIPULATION OF SETTLEMENT filed with the STATE TAX COURT any refund of monies is to be paid to the plaintiffs, Jozef & Agnieszka Mastej

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue a check in the amount of $2,424.43 payable to Jozef & Agnieszka Mastej, 194 Reeve Avenue, Bloomingdale, NJ 07403

Councilman Dellaripa seconded the motion and they carried as per the following roll call: Council Members: Dellaripa; Hudson; Sondermeyer; Yazdi; Costa and D’Amato all YES.

***Adoption of Resolution No. 2015-12.6: Chapter 159 Livingston District Board of Education***

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

**RESOLUTION #2015-12.6**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing the Insertion into the FY2015 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***

***Interlocal Service Agreement Livingston School District Construction Services***

**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 FY2015 Municipal Budget of an item of revenue based upon an Interlocal Agreement 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 FY2015 Municipal Budget of an item of revenue in the sum of $2,355.00, which item is now available as revenue in the form of a State of New Jersey Current Fund – Interlocal Services Agreement Livingston School District Construction Services; and

**BE IT FURTHER RESOLVED** that a like sum of $2,355.00 be and the same is hereby appropriated under the caption:

*Interlocal Municipal Service Agreements*

*Livingston District Construction Services*

**AND BE IT FURTHER RESOLVED** that three (3) certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services, within the State of New Jersey Department of Community Affairs, for this purpose.

Councilman Dellaripa seconded the motion and it carried as per the following roll call; Council Members: Hudson; Sondermeyer; Yazdi; Costa; D’Amato and Dellaripa all YES.

***Adoption of Resolution NO. 2015-12.7: Authorization for sick leave for Water/Sewer employee***

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

**RESOLUTION #2015-12.7**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

# ***Granting Paid Sick Leave to Bloomingdale Water/Sewer Supt. Rocco DiGregorio***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Rocco DiGregorio (“Employee”) employee of the Borough’s Water/Sewer Department; and

***WHEREAS,*** the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of December 4, 2015; 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 Rocco DiGregorio during the period of December 4, 2015 until no later than December 14, 2015; and

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

**Councilman Yazdi seconded the motion and it carried on voice vote.**

***Discussion in regard to implementation of Safety Zones in the Borough***

At this time, Mayor Dunleavy spoke in regard to establishing internet safety zones in the Borough which is an area the public can meet in regard to their internet exchanges.

The area would be by the Police Station; Borough Attorney stated that we do not need an ordinance or resolution for this.

Mayor stated that with the concurrence of the Council, the signs would cost $200 and he would like permission to move forward; to which they agreed.

In regard to the Fire Department parking lot, Chapter 159 gives us protection to do this.

***Discussion in regard to CDBG Grant/Reeve Avenue Utility Reconstruction Project***

Mayor stated that this is a grant ($119,406) for the lower portion from Oak to Main Street for the utilities.

***Discussion of TV screen Ad Community Network***

Mayor stated that he has been approached by a company to install a TV in the Borough at no cost which will display Borough information along with advertisements; ten minute loop with six minutes of Borough advertising and four minutes of local businesses advertising. Consensus to go ahead and we will have the Borough Attorney review the contract.

***Renewal of Liquor Licenses for Peter Kasperwicz; One Elite One***

Councilman Yazdi offered the following resolutions and moved for their adoption:

**RESOLUTION #2015-12.8**

**OF THE GOVERNING BODY**

# OF THE BOROUGH OF BLOOMINGDALE

***Renewal Of Alcoholic Beverage License For 2014-2015***

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

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

**WHEREAS,** the applicant has filed with the State of NJ ABC a copy of the application and forwarded to the State Division of Alcoholic Beverage Control, together with the necessary $200.00 fee for said Division; and

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

**WHEREAS**, the Licensee has received a special ruling from the Director of the ABC pursuant to NJSA 33:1-12.18 to issue a new license for license term 2014-2015; and

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

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

**PLENARY RETAIL CONSUMPTION**

One Elite One #1601-33-007-008

42-22 Hamburg Turnpike

Bloomingdale, NJ 07403

t/a Kaspers Inn

**RESOLUTION #2015-12.9**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Renewal Of Alcoholic Beverage License For 2015-2016***

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

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

**WHEREAS,** the applicant has filed on line with the State of NJ ABC a copy of the application and forwarded to the State Division of Alcoholic Beverage Control, together with the necessary $200.00 fee for said Division; and

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

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

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

**PLENARY RETAIL CONSUMPTION**

One Elite One #1601-33-007-008

42-22 Hamburg Turnpike

Bloomingdale, NJ 07403

t/a Kaspers Inn

Councilman Costa seconded the motion and it carried as per the following roll call: Council Members: Sondermeyer; Yazdi; Costa; D’Amato; Dellaripa and Hudson all YES.

**LATE PUBLIC COMMENT**

Councilwoman Hudson opened the meeting up to Late Public Comment; seconded by Councilman Dellaripa and carried on voice vote.

Matt Zaccone congratulated Council Members Dellaripa and Sondermeyer on their recent win in the Election.

Mr. Zaccone stated that he felt that there was a negative campaign towards him in comments that he never attended a recreation meeting as a member. He felt someone should have picked up the phone and contacted him as to when they meeting, etc.

Mr. Zaccone stated he reached out to the Flood Commission and Environmental Commission and received no response. Spoke of bi-partisanship.

Mayor Dunleavy stated that 90 percent of the Recreation Commission were appointed before this Governing Body was in office; Flood Commission was appointed by the Republicans.

Mayor stated that the President of the Recreation Commission stated he reached out several times to Mr. Zaccone as to attending the meetings; he will call him again as to the circumstances.

Mayor stated that Mr. Zaccone was not appointed to the Environmental or Flood commissions; Mr. Zaccone stated he just wants to be involved in the town.

Mr. Zaccone also referred to no curb cut on the corner of Oakwood. Mayor stated that curb cuts are only if there is a cross to another curb; they are done according to ADA compliance.

Richard Boud, 16 Tice Street, noted that there is an odor again in the “flats” area. Mayor stated that the recent rains didn’t help; the total volume will be down by next week.

In regard to the mud in the area, Mayor will take a look at it.

Since there was no one else who wished to speak, Councilman Yazdi moved that it be closed; seconded by Councilman Dellaripa and carried on voice vote.

**ADJOURNMENT**

Since there was no further business to be conducted, Councilman Dellaripa moved that the meeting be adjourned at 8:05 p.m.; seconded by Councilman Sondermeyer and carried on voice vote.

Jane McCarthy, RMC

Municipal Clerk