

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

**August 15, 2023**

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. Mayor John D'Amato called the meeting to order at 6:07 PM.

Mayor led the **Salute to the Flag**.

**Official Roll Call:** (taken by the Administrative Assistant)

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

Administrative Assistant, Aimee Greenspan  
Business Administrator, Michael Sondermeyer  
Borough Attorney, Jonathan Testa

*Excused:* Councilwoman Evelyn Schubert

**PUBLIC NOTICE STATEMENT**

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

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

**Mayor Request for Motion:**

*Authorizing the Administrative Assistant, Aimee Greenspan, to temporarily serve as Municipal Clerk for this council meeting*

Motion: Dawn Hudson

Second: Dominic Catalano

Voice Vote: motion carried on a voice vote, all members voting AYE in favor; none were opposed

**EARLY EXECUTIVE SESSION:**

**Adoption of Resolution No. 2023-8.A:** Motion for Early Executive Session

One matter: Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege. Attorney/Client [Litigation]

**Motion to enter Executive Session:** Dawn Hudson

**Second:** Dominic Catalano

**Voice Vote:** all members present voting AYE; none were opposed.

**RESUME REGULAR SESSION 6:49 p.m.:**

Motion: Dawn Hudson

Second: Dominic Catalano

Voice Vote: motion carried on a voice vote, all members voting AYE in favor; none were opposed

## **PRESENTATION**

New Jersey State Association of Chiefs of Police presented a certificate of re-accreditation.

A short break was announced and Regular Session resumed at 7:01 p.m.:

Motion: Richard Dellaripa

Second: Dominic Catalano

Voice Vote: motion carried on a voice vote, all members voting AYE in favor; none were opposed

## **NON-AGENDA ITEMS**

1. **Resolution No. 2023-8.20:** TWA Application
2. **Resolution No. 2023-8.21:** Risk & Resilience Asmt Emerg Plan (H2M)

## **EARLY PUBLIC COMMENT**

Motion was made by HUDSON to open the meeting for public comment; seconded by CATALANO and carried on voice vote all voting AYE. Since there was no one from the public who wished to speak YAZDI made a motion to close the meeting for public comment, seconded by HUDSON carried on voice vote, all in favor voting AYE.

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

### **Councilwoman, Dawn Hudson (BOH Liaison)**

- Public Events
  - *Sloan Park Festival Sept. 8<sup>th</sup> 5 pm-8:30 pm*
  - *9/11 Ceremony and Walk – Sept. 11<sup>th</sup> – 8 pm*
  - *Bloomingtondale Celebration Day Bob Kochka 5 K Run/Walk on Sept. 23<sup>rd</sup>*
- Misc.
  - *Any Hawaii support questions or donation questions, reach out to her. Thoughts and prayers are with them.*

### **Council President, John Graziano (EDC Chairman)**

- *Cookies w/ community leaders at Magpie Bakery was well attended/received. Thanks given to those who attended*

### **Councilman, Dominic Catalano (Planning Board Member, Recreation Liaison)**

- *The Environmental Commission is asking the council to not spray chemicals and to mow instead.*
- *Complement given to the dedication of the gazebo for Elias*

### **Business Administrator, Michael Sondermeyer:**

- *Provided the following updates:*
  - *Orchard St. utility portion has been started*
  - *Tennis courts surfacing starts tomorrow, should be done by the end of the week and there will be a program to schedule use*
    - *Councilman Yazdi questioned when they'd be open and the mayor responses that he's like to wait until a scheduling and lock system is in place before doing the ribbon cutting.*
  - *Hilltop curbs and sidewalks started and will be done in about 4 weeks*
  - *Bloomingtondale Coronet/Jazz Band at Sloan Park from 7pm-9pm on 8/16*
  - *Driver and equipment operator – plan to list offers of promotion within and post*

- *Street sweeper will cost about \$1,200 for the remainder of the year.*

**Mayor, John D'Amato:**

- *The park bench at Marth B. Day School has been dedicated to Elias*
- *Bob Kochka 5 K Run/Walk sign ups are open. Contact the mayor for info.*
- *Police, fire & mayor ice cream social 8/17 at 1 p.m.*
- *4 Pickleball courts will be available and Rec. wants to start a league.*

**Administrative Assistant, Aimee Greenspan:**

- *Tickets for the bus trip to see Wicked on Broadway on 10/6 are available*

**CONSENT AGENDA**

*(Adoption of Resolutions No. 2023-8.1 – 2023-8.15)*

**Motion:** Ray Yazdi

**Second:** Dominic Catalano

**Roll Call Vote:** CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES)

**RESOLUTION NO. 2023-8.1**  
**OF THE GOVERNING BODY OF**  
**THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the  
August 15, 2023, 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. Motion to approve minutes:**

- June 20, 2023 – Special Meeting / Budget Adoption

**B. Motion to approve the following events:**

- Boot Drive (coin toss) October 21, 2023 [rain date Oct 22]
- Block Party – Hamilton Street (Sept 2) [Application #4-2023]

**C. Resolution No. 2023-8.2:** Ch. 159 AAA Northeast Grant- Pedestrian Safety (\$1,120)

**D. Resolution No. 2023-8.3:** Ch. 159 National Police Grant (\$1,000)

**E. Resolution No. 2023-8.4:** Ch. 159 2023 Drive Sober or Get Pulled Over (\$7,000)

**F. Resolution No. 2023-8.5:** Supporting the 2023 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown

**G. Resolution No. 2023-8.6:** Lead Line Service Replacement Plan (NJDEP) – H2M Associates

**H. Resolution No. 2023-8.7:** Hiring of DPW Laborer (S. Ciccone)

**I. Resolution No. 2023-8.8:** Confirming Date Change of Fireworks (Sept 30)

**J. Resolution No. 2023-8.9:** Authorizing Cancellation of Taxes for Unknown/Borough Owned Properties

**K. Resolution No. 2023-8.10:** Hire Summer Rec Day Camp Counselor (W. Maxwell)

**L. Resolution No. 2023-8.11:** Acknowledging Audit FY2022

**M. Resolution No. 2023-8.12:** Authorizing the Cancellation of Grant Balances

**N. Resolution No. 2023-8.13:** Grant Paid Sick Leave (M. Redfield)

**O. Resolution No. 2023-8.14:** Appointing Verifying Official for Bingo/Raffle Licenses (A. Greenspan)

**P. Resolution No. 2023-8.15: Accept Resignation of Full Time DPW Laborer (D. Gardner)**

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**PENDING ITEMS**

**A. Second/Final Reading & Public Hearing:**

*Ordinance No. 35-2023: Authorize Conveyance of Snow Plow*

Administrative Assistant, Aimee Greenspan, 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 Administrative Assistant read the following Ordinance by title:

**ORDINANCE NO. 35-2023  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF THE BOROUGH'S ONE (1) SNOW PLOW TO THE BOROUGH OF OAKLAND FOR TOTAL CONSIDERATION OF \$5,000**

**WHEREAS**, the Borough of Bloomingdale ("Borough") is the fee simple owner of one (1) Western Plow Pro Plus snow plow, previously utilized by the Borough Department of Public Works and currently not in use ("Property"); and

**WHEREAS**, the Borough Council of the Borough of Bloomingdale has, after careful consideration, made a determination that the Property is not now needed for the Borough's public purposes and should be conveyed to the Borough of Oakland for public purposes; and

**WHEREAS**, the Borough is authorized to convey the Property to the Borough of Oakland pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 et seq.; and

**WHEREAS**, the Borough negotiated with the Borough of Oakland to convey the Property for public purposes ("Agreement"), which Agreement is subject to the approval of the Borough Council; and

**WHEREAS**, the Agreement sets forth the terms and conditions of the conveyance of the Property by the Borough to the Borough of Oakland, and calls for a total sale price of five thousand dollars (\$5,000), to be paid to the Borough of Bloomingdale; and

**WHEREAS**, the Borough Council desires hereby to authorize and approve the execution of the Agreement by the Borough of Bloomingdale Mayor and Clerk, and further desires to authorize the Borough Administrator and Borough Attorney to take all required actions to arrange to close this transaction on behalf of the Borough at the earliest possible time; and

**WHEREAS**, the Borough Council has determined that such a conveyance of the Property to the Borough of Bloomingdale shall serve the general health and welfare of the residents of the Borough of Bloomingdale.

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

SECTION 1. The Borough Council hereby declares that the Borough’s one (1) Western Plow Pro Plus snow plow is neither used presently nor needed in the future for the Borough’s public purposes.

SECTION 2. The Borough Council does hereby, pursuant to N.J.S.A. 40A:12-13(b)(1), authorize a private sale of the Property, for the total consideration of \$5,000, to the Borough of Oakland.

SECTION 3. The Mayor, Borough Administrator, Borough Attorney, Borough Clerk, and/or such other Borough Officials as the law may provide, are hereby authorized to prepare and execute such documents as may be required to effectuate the private sale authorized by this Ordinance and the transfer of title to the Property to the Borough of Oakland, which documents shall be subject to the review and approval by the Borough of Bloomingdale Attorney.

SECTION 4. The conveyance of the Property is strictly “as is”. No representation is made by the Borough of Bloomingdale as to the utility, usability or, generally, the condition of the Property.

SECTION 5. If any article, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, and they shall remain in full force and effect.

SECTION 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Bloomingdale, the provisions hereof shall be determined to govern.

SECTION 7. This Ordinance shall take effect immediately upon final passage and publication according to law.

BOROUGH OF BLOOMINGDALE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

\_\_\_\_\_  
Breeanna Smith, Municipal Clerk

By: \_\_\_\_\_  
John D’Amato, Mayor

**PUBLIC NOTICE**

**ORDINANCE NO. 35-2023  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF THE BOROUGH’S ONE (1) SNOW PLOW TO THE BOROUGH OF OAKLAND FOR TOTAL CONSIDERATION OF \$5,000**

**NOTICE IS HEREBY GIVEN**, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on July 18, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on August 15, 2023 at 7PM, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk’s Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

**Purpose/Summary of Ordinance No. 35-2023:**

WHEREAS, the Borough of Bloomingdale is the fee simple owner of one (1) Western Plow Pro Plus snow plow, previously utilized by the Borough Department of Public Works and currently not in use. The Borough Council of the Borough of Bloomingdale has, after careful consideration, made a determination that the Property is not now needed for the Borough’s public purposes and should be conveyed to the Borough of Oakland for public purposes pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 et seq. The total sale price of \$5,000 to be paid to the Borough.

\_\_\_\_\_  
Breeanna Smith, Municipal Clerk

**Public Hearing:**

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

Since there was no one else who wished to speak YAZDI made a motion to close the public hearing; motion was seconded by CATALANO and carried on voice vote all members voting AYE; none were opposed.

**Adoption:**

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

**B. Second/Final Reading & Public Hearing:**

*Ordinance No. 36-2023: Amend Ch. 15 Property Maintenance (Lead-Based Paint Inspections for Rental Properties)*

Administrative Assistant, Aimee Greenspan, read the Public Notice statement.

Councilwoman Hudson moved that the Ordinance be read by title; seconded by Yazdi and carried on voice vote – all members present voting AYE

The Administrative Assistant read the following Ordinance by title:

**ORDINANCE NO. 36-2023  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY  
OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE BOROUGH  
CODE TO ESTABLISH REGULATIONS FOR STATE-MANDATED  
LEAD-BASED PAINT TESTING FOR RENTAL PROPERTIES**

**WHEREAS**, N.J.S.A. 52:27D-437.1 established the Lead Hazard Control Assistance Act lead-based testing program for residential rental properties; and

**WHEREAS**, N.J.S.A. 52:27D-437.16, and its implementing regulations at N.J.A.C. 5:28A-1.1 et seq., now require all municipalities to inspect every single-family, two-family and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to amend the Borough Code to require such inspections to conform with State law.

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

**SECTION 1.** Chapter 15, Property Maintenance, of the Borough of Bloomingdale Code is hereby amended to establish § 15-9, Lead-Based Paint Inspection of Rental Properties, to read as follows:

**§ 15-9 Lead-Based Paint Inspection of Rental Properties**

**§ 15-9.1 Definitions.**

The following terms shall have the meanings indicated below pursuant to N.J.S.A. 52:27D-437.16, as may be amended and which is incorporated by reference. Additional definitions as may be established by N.J.A.C. 5:28A-1.1 et seq. are incorporated by reference.

**DUST WIPE SAMPLING**

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

**TENANT TURNOVER**

the time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

**VISUAL ASSESSMENT**

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

**§ 15-9.2 Inspections by Borough.**

The Construction Code Official, a designee, or a certified lead evaluation contractor hired by the Borough shall inspect every single-family, two-family, and multiple rental dwelling located within the Borough at tenant turnover for lead-based paint hazards or by July 22, 2024, whichever is earlier. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification. The owner of any such rental dwelling shall not permit any tenant turnover without first complying with this section. The Borough shall charge the dwelling owner or landlord, and the dwelling owner or landlord shall pay the Borough in advance of any inspection, a fee sufficient to cover the cost to the Borough of the inspection, which shall be dedicated to meeting the costs of implementing and enforcing this section.

**§ 15-9.3 Option for Owner/Landlord to Hire Lead Evaluation Contractor.**

The dwelling owner or landlord may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the New Jersey Department of Community Affairs to satisfy the requirements of § 15-9.2 instead of the Borough conducting the inspection. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term “Construction Code Official” shall also mean and include such lead evaluation contractor for purposes of this section (except for the purposes of § 15-9.13).

**§ 15-9.4 Consultation with Local Health Board.**

The Construction Code Official, designee, or certified lead evaluation contractor responsible for inspecting single-family, two-family, and multiple rental dwellings pursuant to this section may consult with the local health board, the State of New Jersey Department of Health, and/or the State of New Jersey Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

**§ 15-9.5 Exceptions for Inspections.**

Notwithstanding any language in § 15-9.2 to the contrary, a dwelling unit in a single-family, two-family, or multiple-rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

- a. has been certified to be free of lead-based paint;
- b. was constructed during or after 1978;

- c. is in a multiple dwelling that has been registered with the State of New Jersey Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1, et seq.);
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with this section.

**§ 15-9.6 Remediation.**

If the Construction Code Official, designee, or certified lead evaluation contractor finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to § 15-9.2, then the owner of the dwelling unit shall remediate the lead-based paint hazard by using abatement or lead-based paint hazard control methods approved in accordance with the provisions of the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D-437.1 et al.). Upon the remediation of the lead-based paint hazard, the Construction Code Official, designee, or certified lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists. The Construction Code Official shall charge an additional fee sufficient to cover the cost to the Borough for such additional inspection.

**§ 15-9.7 Lead-Safe Certification.**

If the Construction Code Official, designee, or certified lead evaluation contractor finds that no lead-based paint hazards exist in a dwelling unit upon conducting an inspection pursuant to § 15-9.2 or following remediation of a lead-based paint hazard pursuant to § 15-9.6, then the Construction Code Official, designee, or certified lead evaluation contractor shall certify the dwelling unit as lead-safe on a form prescribed by the New Jersey Department of Community Affairs as provided for in regulations or guidance promulgated pursuant to N.J.S.A. 52:27D-437.20. The lead-safe certification provided to the property owner by Construction Code Official, designee, or certified lead evaluation contractor shall be valid for two years.

**§ 15-9.8 Production of Lead-Safe Certification.**

Beginning on July 22, 2024, property owners shall:

- a. Provide evidence of a valid lead-safe certification obtained pursuant to this section as well as evidence of the most recent tenant turnover at the time of the cyclical inspection carried out under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A1, et seq.), unless not required to have had an inspection by the Construction Code Official, designee, or certified lead evaluation contractor pursuant to paragraph a, b, or c of § 15-9.5;
- b. Provide evidence of a valid lead-safe certification obtained pursuant to this section to new tenants of the property at the time of tenant turnover unless not required to have had an inspection by the Construction Code Official, designee, or certified lead evaluation contractor pursuant to paragraphs a, b, c, and d of § 15-9.5, and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease; and
- c. Maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants, if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by the Construction Code



Official, designee, or certified lead evaluation contractor pursuant to paragraphs a, b, c, and d of § 15-9.5.

**§ 15-9.9 Notification to Commissioner of Community Affairs.**

If the Construction Code Official, designee, or certified lead evaluation finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this section, then the inspector shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D- 437.8).

**§ 15-9.10 Inspection of Two- or Three-Dwelling Units.**

If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three-dwelling units, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The inspector may charge an additional fee sufficient to cover the cost to the Borough of the inspection.

**§ 15-9.11 Fees.**

In addition to the fees charged for inspection of rental housing as set forth in this ordinance, the Borough shall assess an additional fee of \$20.00 per unit inspected for the purposes of the Lead Hazard Control Assistance Act (N.J.S.A.52:27D437.1, et seq.) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs already has assessed an additional inspection fee of \$20.00 pursuant to the provisions of N.J.S.A. 52:27D-437.10. In a common interest community, any inspection fee charged pursuant to this section shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this section shall be deposited into the "Lead Hazard Control Assistance Fund" established pursuant to N.J.S.A. 52:27D-437.4.

**§ 15-9.12 Inspections as a Result of Testing of Children of Six Years of Age or Younger.**

- a. If less than three percent (3%) of children tested in the Borough, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the State of New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D-437.16), then the Construction Code Official, designee, or certified lead evaluation contractor may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- b. If at least three percent (3%) of children tested, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the State of new Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (C.26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect a dwelling located therein through dust wipe sampling.
- c. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three- dwelling units, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The inspector may charge fees in accordance with this section for such additional inspections

§ 15-9.13 **Penalties.**

The Borough and the Construction Code Official, designee, or certified lead evaluation contractor shall be authorized to conduct investigations and issue penalties to enforce a property owner's failure to comply with N.J.S.A. 52:27D-437.16 or this section. If the Borough or the inspector determines that a property owner has failed to comply with a provision of N.J.S.A. 52:27D-437.16, et seq. or this section regarding a rental dwelling unit owned by the property owner, the property owner shall first be given thirty (30) days to cure any violation by conducting the required inspection or initiate any required remediation efforts. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

**SECTION 2.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**SECTION 4.** This Ordinance shall take effect in accordance with the law.

ATTEST:

BOROUGH OF BLOOMINGDALE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
Breeanna Smith, Clerk

By: \_\_\_\_\_  
John D'Amato, Mayor

**PUBLIC NOTICE**

**ORDINANCE NO. 36-2023  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO ESTABLISH REGULATIONS FOR STATE-MANDATED LEAD-BASED PAINT TESTING FOR RENTAL PROPERTIES**

**NOTICE IS HEREBY GIVEN**, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on July 18, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on August 15, 2023 at 7PM, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk's Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

**Purpose/Summary of Ordinance No. 36-2023:**

WHEREAS, N.J.S.A. 52:27D-437.1 established the Lead Hazard Control Assistance Act lead-based testing program for residential rental properties. N.J.S.A. 52:27D-437.16, and its implementing regulations at N.J.A.C. 5:28A-1.1 et seq., now require all municipalities to inspect every single-family, two-family and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards. The Borough Council has determined that it is in the best interest of the Borough to amend the Borough Code to require such inspections to conform with State law. This ordinance amends Chapter 15, Property Maintenance to establish 'lead-based paint inspection of rental properties'.

\_\_\_\_\_  
Breeanna Smith Municipal Clerk

**Public Hearing:**

At this time GRAZIANO made a motion to open the Public Hearing for comment; seconded by DELLARIPA and carried on a voice vote all voting AYE. Since there was no one who wished to speak HUDSON made a motion to close the public hearing; motion was seconded by CATALANO and carried on voice vote all members voting AYE; none were opposed.

**Adoption:**

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

**NEW BUSINESS**

**A. Adoption of Resolution No. 2023-8.16: Payment of Municipal Obligations**

**Motion:** Ray Yazdi

**Second:** Richard Dellaripa

**Roll Call Vote:** HUDSON (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES)

**B. Adoption of Resolution No. 2023-8.17: Appointment of Lt. Daniel Greenwood as Officer in Charge of the Bloomingdale Police Department**

**Motion:** Dawn Hudson

**Second:** Ray Yazdi

**Roll Call Vote:** YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)

**C. Adoption of Resolution No. 2023-8.18: Award of Contract to Mike Fitzpatrick Contractors (DPW Salt Storage Shed)**

**Motion:** Richard Dellaripa

**Second:** Dawn Hudson

**Roll Call Vote:** CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES)

**D. Adoption of Resolution No. 2023-8.19: Authorizing Addendum to RER Contract**

**Motion:** John Graziano

**Second:** Richard Dellaripa

**Roll Call Vote:** DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), YAZDI (YES), CATALANO (YES)

**NON-AGENDA ITEMS:**

**1. Resolution No. 2023-8.20: TWA Application**

**Motion:** John Graziano

**Second:** Dominic Catalano

**Roll Call Vote:** GRAZIANO (YES), HUDSON (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES)

**2. Resolution No. 2023-8.21: Risk & Resilience Asmt Emerg Plan (H2M)**

**Motion:** Ray Yazdi

**Second:** Dominic Catalano

**Roll Call Vote:** YAZDI (YES), CATALANO (YES), DELLARIPA (YES), HUDSON (YES), SCHUBERT (YES)

**LATE PUBLIC COMMENT:**

HUDSON opened the meeting to late public comment; seconded by CATALANO and carried on voice vote, all in favor voting AYE. Since there was no one who wished to speak YAZDI moved that it be closed; second by CATALANO and carried on voice vote all members voting (AYE), none were opposed.

## **GOVERNING BODY SCHEDULE**

- A. Workshop Meeting – September 5, 2023 7PM**
- B. Regular Meeting – September 19, 2023 7PM**
- C. Workshop Meeting – October 3, 2023 7PM**
- D. Regular Meeting – October 17, 2023 7PM**

## **ADJOURNMENT:**

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

Draft by: Aimee Greenspan  
Review by: Breeanna Smith

## **August 15, 2023 RESOLUTIONS**

### **RESOLUTION NO. 2023-8.2 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE**

#### **Resolution Requesting Approval of Items of Revenue and Appropriations Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) *AAA Northeast – NJ Division of Highway Safety Pedestrian Safety Enforcement 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 when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; 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 2023 Municipal Budget an item of revenue based upon a grant secured by the Borough from the State of New Jersey [NJ Division of Highway Safety];

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale in the County of Passaic, New Jersey, hereby requests that the Director of the Division of Local Government Services, approve the insertion of an item of revenue into the Borough’s 2023 Municipal Budget in the sum of \$1,1200.00, which item is now available from the State of New Jersey Grant Funding; and

**BE IT FURTHER RESOLVED** that a like sum of \$1,120.00 be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations  
AAA Northeast – NJ Highway Safety  
Pedestrian Safety Enforcement 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.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.3  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE INSERTION INTO THE FY2023 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 NATIONAL POLICE ASSOCIATION 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 FY2023 Municipal Budget of an item of revenue based upon a grant secured by the Borough from the County of Passaic;

**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 FY2023 Municipal Budget of an item of revenue in the sum of **\$1,000.00**, which item is now available as revenue in the form of a National Police Association Grant; and

**BE IT FURTHER RESOLVED** that a like sum of **\$1,000.00** be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations  
National Police Association 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.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.4  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**Resolution Requesting Approval of Items of Revenue and Appropriations  
Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)  
*2023 Drive Sober or Get Pulled Over - Labor Day Crackdown***

**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 when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; 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 2023 Municipal Budget 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 in the County of Passaic, New Jersey, hereby requests that the Director of the Division of Local Government Services, approve the insertion of an item of revenue into the Borough’s 2023 Municipal Budget in the sum of **\$7,000.00**, which item is now available from the State of New Jersey Grant Funding; and

**BE IT FURTHER RESOLVED** that a like sum of **\$7,000.00** be and the same is hereby appropriated under the caption:

*Public and Private Revenues Offset with Appropriations  
2023 Drive Sober or Get Pulled Over  
Labor Day Crackdown*

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

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.5  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Supporting the 2023 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown***

**WHEREAS**, approximately one-third of all fatal traffic crashes in the United States involve impairs drivers; and

**WHEREAS**, impaired driving crashes killed 10,874 people in the United States in 2017; and

**WHEREAS**, impaired driving crashes cost the United States almost \$44 billion a year; and

**WHEREAS**, over the five year period 2016-2020 New Jersey's roadways experienced 33,798 crashes and 662 fatalities involving impaired drivers; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which often include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *2023 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from August 18 through September 4, 2023; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Bloomingdale declares its support for the *2023 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown* from August 18 through September 4, 2023 and pledges to increase awareness of the dangers of drinking and driving.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.6  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO H2M ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE BOROUGH

**WHEREAS**, there exists a need for professional engineering services that are needed to assist the Borough in compliance with New Jersey Department of Environmental Protection (NJDEP) requirements to prepare an Lead Service Line Replacement Plan and Mapping for the Borough of Bloomingdale; and

**WHEREAS**, the Borough wishes to retain H2M Associates, Inc. to perform such services; and

**WHEREAS**, the maximum amount for services under this contract shall not exceed \$5,000.00 as per H2M Proposal No.: LP230891; and

**WHEREAS**, the Chief Financial Officer [or their designee] has certified the available of funds as evidenced in the annex certification; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself be available for public inspection.

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

**Section 1.** The contract with H2M Associates, Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

**Section 2.** H2M Associates, Inc. shall provide professional engineering services to the Borough as set forth in its proposal No. LP230891 of July 18, 2023.

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

**Section 4.** A copy of this Resolution shall be provided to the Finance Department, and to H2M Associates, Inc., of 1250 Route 23 North, Butler, New Jersey 07405, for their information and guidance.

This Resolution shall take effect immediately.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.7  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING THE HIRING OF FULL-TIME DPW LABORER**

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

**WHEREAS**, this position was publicized and interviews were held for prospective candidates; and

**WHEREAS**, based on these interviews, the Borough Administrator, Superintendent, and the Assistant Superintendent of the Department of Public Works, recommend the position be filled by Salvatore Ciccone; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale, that Salvatore Ciccone be hired on a one-year probationary period as a full-time DPW Laborer, effective August 14, 2023, as per the terms of the CWA Local 1032 DPW contract.



***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.8  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING CHANGE OF DATE FOR FIREWORKS DISPLAY CONTRACT  
PREVIOUSLY AWARDED TO SERPICO PYROTECHNICS, LLC/STARFIRE  
CORPORATION**

**WHEREAS**, the Governing Body previously awarded a contract for the display of fireworks to Serpico Pyrotechnics, LLC/Starfire Corporation (Resolution No. 2023-4.9); and

**WHEREAS**, due to weather on the date and rain date, the Borough celebration was cancelled; and

**WHEREAS**, the Borough of Bloomingdale Council and Public Events committee is desirous of rescheduling the public event to September 30, 2023; and

**NOW THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Bloomingdale as follows:

1. The Borough does hereby authorize a revised contract for Fireworks Display to Serpico Pyrotechnics, LLC/Starfire Corporation, to be held on Saturday, September 30<sup>th</sup>, 2023.
2. The contract is hereby awarded in an amount not to exceed \$10,350.00, and the Chief Financial Officer has certified the availability of funds as evidenced in Resolution No. 2023-4.9 and in the certification attached.
3. The Mayor and/or Business Administrator are hereby authorized to execute the revised display contract agreement.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.9  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Cancellation of Taxes for Unknown/Borough Owned Properties***

**WHEREAS**, N.J.S.A 54:4-91.2 requires the Tax Collector to submit to the governing body a list of cancellation of taxes for unknown/Borough owned properties; and

**WHEREAS**, the Tax Collector of the Borough of Bloomingdale recommends the cancellation of taxes on several properties shown on the Tax Map of the Borough of Bloomingdale and in the records of the Tax Assessor which are as follows:

Block 2003 Lot 20	Unknown	\$21.04
Block 3015 Lot 5	Unknown	\$21.04
Block 3025 Lot 19	Owned by Borough	\$21.04
Block 3031 Lot 9.01	Unknown	\$ 4.05
Block 4084 Lot 7	Unknown	\$21.04
Block 5066 Lot 25	Unknown	\$21.04
Block 5066 Lot 30	Unknown	\$21.04

**WHEREAS**, the Borough Administration and the Collector hereby deem the aforementioned amounts due as uncollectible.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Bloomingdale hereby authorize the Tax Collector to cancel the aforementioned list of taxes for unknown and Borough owned properties.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.10  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Authorization to Hire Additional Seasonal Summer Help for Recreation [Day Camp]*

**WHEREAS**, there exists a need for seasonal help within the Recreation Department for the remaining 2023 day camp program; and

**WHEREAS**, the Recreation Director & Borough Administrator recommend that the authorization be given to hire the following individual for Bloomingdale’s 2023 Summer Day Camp program, as per the Salary Ordinance for \$13.00 per hour:

**Counselors:**

Wyatt Maxwell

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that Wyatt Maxwell be hired as Summer Recreation Staff retroactively effective August 9, 2023 for \$13.00 per hour.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			

Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC

**RESOLUTION NO. 2023-8.11  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Governing Body Certification, Receipt and Review of FY2022 Audit Report***

**WHEREAS**, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the fiscal year ended December 31, 2022 has been filed by a Registered Municipal Account with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body of the Borough of Bloomingdale; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board (“Board”) of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

**WHEREAS**, the members of the Governing Body of the Borough have personally reviewed as a minimum the Annual Report of Audit for FY2022, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of said governing body to the following penalty provisions of R.S. 52:27BB-52:

*R.S. 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.*

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Bloomingdale, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**Record of Council Vote on Passage**

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
 Breeanna Smith, RMC  
 Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.12  
 OF THE GOVERNING BODY OF  
 THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION TO CANCEL UNEXPENDED RECEIVE & RESERVE BALANCES**

**WHEREAS**, an unexpended balance remains in the Municipal Alliance Grant from 2021; and

**WHEREAS** , the Borough Auditor recommends the necessity to formally cancel the appropriation reserve balance; and

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the following grant appropriation receivable and reserve balances be cancelled:

<u>Title</u>	<u>Grant Receivable</u>	<u>Reserve Balance</u>
Municipal Alliance Grant 2021	\$ 3,158.11	\$ 1,671.27

**Record of Council Vote on Passage**

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
 Breeanna Smith, RMC  
 Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.13  
 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 Mark Redfield (“Employee”) is an employee of the Borough of Bloomingdale; and

**WHEREAS**, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of August 15, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Mark Redfield, during the period of August 15, 2023 through August 25, 2023; and

**BE IT FURTHER RESOLVED** that the Pension Certification Officer be and is hereby directed to formally notify the Division of Pension and Benefits of said status, if applicable, and to cause the same to be included in the records maintained for said employee.

Adopted: August 15, 2023

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.14  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION TO APPOINT AN ALTERNATE VERIFYING OFFICIAL FOR  
LEGALIZED GAMES OF CHANCE APPLICANTS & PERMITS**

**WHEREAS**, per Chapter 4, Section 1.2 of the Borough Code, the Municipal Clerk is delegated the authority to approve the granting of raffle and bingo licenses and of social affairs permits within the Borough of Bloomingdale; and

**WHEREAS**, the Municipal Clerk, Breeanna Smith, recommends appointing an alternate verifying official to approve raffle and bingo licenses and social affairs permits received in the Clerk’s office as necessary; and

**WHEREAS**, Administrative Assistant, Aimee Greenspan, is able to act as a verifying official; and

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that Aimee Greenspan be authorized to act as a verifying official as it relates to raffle and bingo licenses and social affairs permits received by the Borough of Bloomingdale.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.15  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION FORMALLY ACCEPTING NOTIFICATION OF RESIGNATION  
FROM DUSTIN GARDNER, FULL TIME DPW LABORER FOR THE BOROUGH OF  
BLOOMINGDALE**

**WHEREAS**, Dustin Gardner has been employed by the Borough as a Full Time DPW Laborer since March 27, 2023; and

**WHEREAS** Mr. Gardner has giving formal notification of his intent to resign on August 11, 2023; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey formally accepts notice of resignation from Dustin Gardner effective on August 11, 2023.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.16  
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 authroize 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</u>	
<u>LIST</u>			
CURRENT		CURRENT	
UTILITY	\$1,784,471.47	UTILITY	
CAPITAL	\$59,819.05	OPEN SPACE	\$1,910,131.54
CAPITAL UTILITY	\$27,056.75	TRUST ACCOUNT	\$34,758.19
TRUST	\$130,656.52	RECYCLING	
DOG TRUST	\$13,305.49	DOG TRUST	\$14,620.00
RECREATION	\$191.20	UNEMPLOYMENT	\$525.80
ROSE FUND	\$7,947.17	CAPITAL	
RECYCLING	\$16,879.26	WATER CAPITAL	\$214.05
UNEMPLOYMENT	\$0.00	RECREATION	
AFFORDABLE HOUSING	\$0.00	CAPITAL ASSESSMENT	
<b>TOTAL</b>	<b>\$0.00</b>	<b>TOTAL</b>	<b>\$17,167.91</b>
	\$2,040,326.91		\$23,000.16

*Record of Council Vote on Passage* \$2,000,417.65

COUNCILMAN	AYE	NAY	Abstain	Absent	COUNCILMAN	AYE	NAY	Abstain	Absent
Hudson					Catalano				
Schubert					Graziano				

Dellaripa					Yazdi				
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*\*recusals are listed in the official minutes\**

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on Tuesday, August 15, 2023.

\_\_\_\_\_  
Breeanna Smith  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.17  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION FOR THE APPOINTMENT OF LIEUTENANT DANIEL GREENWOOD TO SERVE AS OFFICER IN CHARGE OF THE BLOOMINGDALE POLICE DEPARTMENT**

**WHEREAS**, the current Chief of Police, Josph Borell, will retire from the Bloomingdale Police Department effective September 30, 2023;

**WHEREAS**, there is a need to appoint an ‘Officer in Chage’ [OIC] of the Bloomingdale Police Department; and

**WHEREAS**, the public safety committee recommends Lt. Daniel Greenwood serve in the capacity of Officer in Charge of the Bloomingdale Police Department; and

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

1. Lieutenant Daniel Greenwood shall serve as Officer in Charge of the Bloomingdale Police Department.
2. This appointment shall be retroactively effective as of August 1, 2023 at 4:00PM.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.18  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT TO MIKE FITZPATRICK CONTRACTORS IN CONNECTION WITH THE BID FOR A NEW SALT STORAGE SHED AT THE BLOOMINGDALE DPW YARD**

**WHEREAS**, the Borough of Bloomingdale solicited bids for a new salt storage shed at the Borough DPW yard; and

**WHEREAS**, four sealed bids were received and opened on July 13, 2023, in accordance with the advertised date for acceptance of bids; and

**WHEREAS**, the lowest apparent bid was from Mike Fitzpatrick Contractors (“Fitzpatrick”) in the amount of \$689,000.00 for the Base Bid and \$85,000.00 for the Alternate Bid; and

**WHEREAS**, the Borough Engineer has reviewed the bid from Fitzpatrick and determined that it complies with the specifications; and

**WHEREAS**, in accordance with Section A of the Information to Bidders, the Borough has determined to award only the Base Bid at this time; and

**WHEREAS**, the Borough Attorney has reviewed the bid and determined that it is substantially in proper form and in compliance with the provisions of the Local Public Contracts Law (N.J.S.A. 4A:11-1 et seq.) rendering Fitzpatrick the lowest responsive, responsible bidder; and

**WHEREAS**, the Borough’s CFO, or their designee, has certified that sufficient funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey, as follows:

1. The Borough Council hereby awards a contract to Mike Fitzpatrick Contractors for the new Salt Storage Shed at the Bloomingdale DPW Yard bid in an amount not to exceed \$689,000.00 for the Base Bid, in accordance with its bid proposal.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute said contract.
3. The Mayor and Borough Clerk, and other appropriate Borough Officials, are authorized to take any actions necessary to effectuate this Resolution.
4. This Resolution and contract shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.19  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE ADDENDUM TO THE JANUARY 1, 2022 COMPOST RECYCLING AND MARKETING AGREEMENT BETWEEN THE BOROUGH OF BLOOMINGDALE AND RER SUPPLY LLC**



**WHEREAS**, the Borough of Bloomingdale and RER Supply LLC (“Contractor”) entered into an Agreement dated January 1, 2022 for Contractor to provide compost recycling and marketing services; and

**WHEREAS**, the Borough Administrator and Contractor have conferred and agreed that the Contract should be amended to extend the term and ensure compliance with updated New Jersey Department of Environmental Protection Stormwater Regulations; and

**WHEREAS**, in accordance with same, the parties have negotiated an acceptable amendment to the original agreement.

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

**Section 1.** The Mayor and Borough Clerk, or other Borough personnel as appropriate, are hereby authorized to execute the Addendum to the January 1, 2022 Compost Recycling and Marketing Agreement between the parties.

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

**Section 3.** A copy of this Resolution shall be provided to Contractor’s counsel for their information and guidance.

This Resolution shall take effect immediately.

*Record of Council Vote on Passage*

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.20  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**GOVERNING BODY CERTIFICATION PER N.J.A.C 7:14A-22.6(A)5 AND 22.8(A)3,  
AUTHORIZING TREATMENT WORKS APPROVAL (TWA) APPLICATION**

**WHEREAS**, the Glen Wild Lake Association, Inc./ Peter Taback, of Bloomingdale, NJ, has submitted a Treatment Works Approval (TWA) application to the New Jersey Department of Environmental protection (NJDEP) for 62 Leach Drive, Block 4049; Lot 114, in Bloomingdale, NJ, for the alteration of a septic system; and

**WHEREAS**, consistent with N.J.A.C. 7:14A-22.6(A) 5 and 22.8(a)3, consent from the affected municipality regarding the project must accompany all TWA applications; and

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

1. Consent is hereby given for the TWA Application of 62 Leach Drive for the alteration of a septic system.

2. Tim Zachok, Senior R.E.H.S (Health Inspector), is hereby designated as the authorized representative for the Borough to provide the necessary certifying information.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.21  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO H2M ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE BOROUGH

**WHEREAS**, there exists a need for professional engineering services for performing a Risk and Resilience Assessment (RRA) of the Borough's water facilities and Emergency Response Plan (ERP) pursuant to America's Water Infrastructure Act (AWIA) and EPA Administrative Order dated August 8, 2023; and

**WHEREAS**, the Borough wishes to retain H2M Associates, Inc. to perform such services; and

**WHEREAS**, the maximum amount for services under this contract shall not exceed \$8,500.00 as per H2M Proposal No.: LP230976; and

**WHEREAS**, the Chief Financial Officer [or their designee] has certified the available of funds as evidenced in the annex certification; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself be available for public inspection.

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

**Section 1.** The contract with H2M Associates, Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

**Section 2.** H2M Associates, Inc. shall provide professional engineering services to the Borough as set forth in its proposal No. LP230976 of August 11, 2023.

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

**Section 4.** A copy of this Resolution shall be provided to the Finance Department, and to H2M Associates, Inc., of 1250 Route 23 North, Butler, New Jersey 07405, for their information and guidance.

This Resolution shall take effect immediately.

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-8.A  
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 15<sup>th</sup> day of August, 2023 that:

❖ Prior to the conclusion of this Council 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 - Attorney/Client [Litigation]**
- ( ) 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).

Adopted: August 15, 2023

***Record of Council Vote on Passage***

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	X			
Graziano	X				Schubert				X
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on August 15, 2023.

\_\_\_\_\_  
Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale