

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

March 4, 2025

The Workshop 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 6:05 PM.

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

Official Roll Call: (taken by the Municipal Clerk)

In Attendance: Mayor John D'Amato
Councilman David Bronkhurst (exited at 7:11PM)
Councilman Dominic Catalano (entered at 6:11PM)
Councilman John Graziano (entered at 6:11PM)
Councilwoman Dawn Hudson
Councilwoman Evelyn Schubert
Councilman Ray Yazdi (joined via telephone, in person at 6:30PM)

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

Other Professionals: Borough Attorney, Fred Semrau
Beth McManus, KMA (Kyle+McManus Associates)
Edward Simoni, Planning Board Chairman

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 February 26, 2025; 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.

MOTION FOR EARLY EXECUTIVE SESSION

A. One Matter – Litigation / Atty/Client

B. One Matter – Contract Negotiations / Atty/Client

Motion to enter executive session: Dawn Hudson

Second: David Bronkhurst

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

[entered at 6:07PM]

[resumed in open session at 7:12PM]

PUBLIC HEARING

Passaic County Open Space Municipal Grant Application:

Delazier Field Improvements

Motion to open Public Hearing: Dawn Hudson

Second: Ray Yazdi

-There was no public present, no comments-

Motion to close Public Hearing: Dawn Hudson

Second: Ray Yazdi

EARLY PUBLIC COMMENT

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

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

Councilwoman Evelyn Schubert

(Senior Committee, Library Board, ROSE Fund & Tri-Boro First Aid Liaison):

- Library Board of Trustees
 - The ABC Murder Club March 18th
 - True Crime Chat (2nd Thursday of every month via zoom)
 - Storytime Thursday 10:30AM
 - Cookbook Club
 - Designer Handbag Bingo
 - Dueling Pianos TBD
 - *****Details for all programs are available on the Library website
- Tri-Boro First Aid Squad
 - 169 calls for February / 337 YTD
 - Pancake Breakfast (\$10) & Spring Craft Fair March 23rd (St. Anthony's Butler)
 - Beefsteak featuring 'High Strung Band' April 12th (Bdale Firemen Hall)
 - Seeking volunteers
 - Medical equipment available to the community
- Senior Advisory Committee/Center:
 - FREE Community Outreach (Substance use & misuse education) March 20th 9AM – 12PM
 - BHS Musical Performance of "The Wedding Singer" March 20th
 - 'Take the Lead' Paper Mill Playhouse April 10th
 - Center open daily from 9AM-1PM
 - Monthly calendar and nutrition menu available on website

Councilman, John Graziano (EDC Chairman, Budget Committee Member)

- Sloan Park Festival Committee – planning meeting March 12th
- EDC – Celebration Day planning has begun

Councilwoman, Dawn Hudson (BOH Liaison, Public Event Committee)

- April 3rd – Unity Through Community
- April 5th – Trout Fishing Contest
- April 12th – Little League Parade
- April 19th – Easter Egg Hunt
- Rave & Recycle Coach signup available on website
- Health Department
 - Open position on the Board of Health

Council President, Ray Yazdi (Budget Committee) *no report*

Councilman, Dominic Catalano *no report*

(BEC liaison, Recreation liaison, Planning Board member)

Business Administrator, Michael Sondermeyer

- Demolition of Bogue Pond Park playground to begin

Municipal Clerk, Breeanna Smith:

- Re-Introduction of Ordinance No. 2-2025 will be pulled from the agenda, the item is not ready for council action. Ordinance will be placed on a future agenda

Borough Attorney, Dawn Sullivan: *no report*

Mayor John D’Amato:

- NJDOT project – Catherine Street & Bailey Ave Road Improvements
Estimated to begin March 24th
- Passaic County to begin road work on Reeve Ave in April

CONSENT AGENDA

(Adoption of Resolutions No. 2025-3.2 – 2025-3.5)

Motion: Dawn Hudson

Second: Ray Yazdi

Roll Call Vote: BRONKHURST (ABSENT), CATALANO (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES)

**RESOLUTION NO. 2025-3.2
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
March 4, 2025 Council 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.

C. Motion to approve minutes:

- January 21, 2025 – Regular Meeting
- February 4, 2025 – Workshop Meeting
- February 18, 2025 – Regular Meeting

D. Resolutions for Grant Applications:

- **Resolution No. 2025-3.3:** 2025 CDBG Application [ADA Accessible Curb Ramps]
- **Resolution No. 2025-3.4:** Fair Share Housing (CDBG)
- **Resolution No. 2025-3.5:** 2025 Park Development Application (Passaic County Open Space)

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Bronkhurst				X	Hudson	X			
Catalano	X				Schubert	X			
Graziano	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 March 4, 2025.

Brecanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

NEW BUSINESS

A. Adoption of Resolution No. 2025-3.6: Professional Planning Services (KMA)

Motion: Dawn Hudson

Second: Ray Yazdi

Roll Call Vote: GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES), BRONKHURST (ABSENT), CATALANO (YES)

B. Adoption of Resolution No. 2025-3.7: Authorize Settlement Agreement (S. Gallagher v. Bloomingdale)

Motion: Ray Yazdi

Second: John Graziano

Roll Call Vote: HUDSON (YES), SCHUBERT (YES), YAZDI (YES), BRONKHURST (ABSENT), CATALANO (NO), GRAZIANO (YES)

LATE PUBLIC COMMENT:

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

GOVERNING BODY SCHEDULE

- A. March 18, 2025 7PM – Regular Meeting
- B. April 1, 2025 7PM – Workshop Meeting
- C. April 15, 2025 6PM – Regular Meeting

ADJOURNMENT:

Since there was no further business to be conducted, HUDSON moved to adjourn at 7:28PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC
Municipal Clerk

March 4, 2025 RESOLUTIONS

**RESOLUTION NO. 2025-3.1
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

MOTION FOR EARLY EXECUTIVE SESSION

WHEREAS, 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.
2. A matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
4. A collective bargaining agreement including negotiations.
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.
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.
7. Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
8. Personnel matters.
9. Deliberations occurring 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).*

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, pursuant to the Open Public Meetings of the State of New Jersey, as follows:

- 1) The Borough Council shall hold an early closed session from which the public shall be excluded on March 4, 2025.

- 2) The general nature of the subjects to be discussed at said closed session shall be related to N.J.S.A. 10:4-12(b): (7) Anticipated Ligation & Attorney/Client Privilege (Beth McManus KMA) & (7) Contract Negotiations (M&T)

Record of Council Vote on Passage

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

**RESOLUTION NO. 2025-3.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

AUTHORIZING APPLICATION TO PASSAIC COUNTY FOR AND USE OF FUNDS FROM THE FISCAL YEAR 2025 PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS FUNDED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has learned that Passaic County Community Development Block Grant Program is presently accepting grant applications for funding available; and

WHEREAS, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the County for the Governing Body to authorize the submission to the County of applications for grant funding from the Fund to finance:

ADA Accessible Curb Ramp Improvements

WHEREAS, if awarded CDBG funds, the Borough of Bloomingdale shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the Borough Engineer to proceed with the submission of the applications for Passaic County Community Development Block Grant Program to finance the foregoing project and does hereby further authorize the appropriate municipal officials to complete all tasks necessary to complete such applications.

Record of Council Vote on Passage

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

**RESOLUTION NO. 2025-3.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE
FAIR HOUSING RESOLUTION**

The Borough of Bloomingdale supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Borough of Bloomingdale to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income Source of Lawful Rent Payment (Section 8). The Borough of Bloomingdale further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of

1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Governing Body of the Borough of Bloomingdale does hereby approve the following resolution:

BE IT RESOLVED, that within available resources, the Borough of Bloomingdale will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Borough of Bloomingdale shall publicize this resolution and though this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not limited to: (1) the printing and publicizing of the resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Borough webpage and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Record of Council Vote on Passage

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

**RESOLUTION NO. 2025-3.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

AUTHORIZING SUBMISSION OF A 2025 PARK DEVELOPMENT GRANT APPLICATION PASSAIC COUNTY OPEN SPACE, FARMLAND & HISTORIC PRESERVATION TRUST FUND

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has learned that Passaic County (“County”) is presently accepting grant applications for recreational facility improvements and open space preservation activities to be financed through the Passaic County Open Space, Farmland & Historic Preservation Trust Fund (“Fund”); and

WHEREAS, the Governing Body finds and declares that it is in the best interests of the citizens of the Borough for the Governing Body to authorize the submission to the County of applications for grant funding to finance:

DELAZIER FIELD IMPROVEMENTS

The Borough of Bloomingdale proposes to remove and replace the backstop at the 60/90 baseball field. In addition, the Borough proposes to substantially renovate the existing restroom facilities which are past their useful life.

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Borough notified, by Certified Mail, the property owners within 200 feet of the site being considered for improvement of the scheduled hearing on March 4, 2025; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize the submission of a 2025 Park Development Grant Application to Passaic County and does hereby further authorize the appropriate municipal officials to complete any and all tasks necessary to perfect such applications.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Bronkhurst				X	Hudson	X			
Catalano	X				Schubert	X			

Graziano	X				Yazdi	X			
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**RESOLUTION NO. 2025-3.6
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 KYLE+MCMANUS ASSOCIATES TO PROVIDE PROFESSIONAL PLANNING SERVICES FOR THE BOROUGH

WHEREAS, there exists a need for professional affordable housing planning services for the preparation of a Fourth Round Housing Element and Fair Share Plan, covering Bloomingdale’s affordable housing obligations for the period of July 1, 2025 to June 30, 2035 in order to demonstrate compliance with P.L.2024, c.2 referred to as A4; and

WHEREAS, the Borough wishes to retain Kyle&McManus Associates (“KMA”) to perform such services; and

WHEREAS, the maximum amount for services under this contract shall not exceed \$17,500.00 as per KMA proposal dated February 16, 2025; 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 Kyle&McManus Associates (“KMA”) 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. Kyle&McManus Associates (“KMA”) shall provide professional planning services to the Borough as set forth in its proposal of February 16, 2025.

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 Kyle&McManus Associates (“KMA”) of 2 East Broad Street, 3rd Floor, in Hopewell New Jersey 08525, 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
Bronkhurst				X	Hudson	X			
Catalano	X				Schubert	X			
Graziano	X				Yazdi	X			

**RESOLUTION NO. 2025-3.7
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 A SETTLEMENT AGREEMENT AND GENERAL RELEASE TO RESOLVE LITIGATION INVOLVING THE BOROUGH OF BLOOMINGDALE

WHEREAS, Sherry Gallagher instituted litigation against the Borough of Bloomingdale on or about May 18, 2023; and

WHEREAS, the parties have negotiated an acceptable agreement resolving the matter.

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 are hereby authorized to execute the 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 and finalize the settlement.

Section 3. A copy of this Resolution shall be provided to Plaintiff'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
Bronkhurst				X	Hudson	X			
Catalano		X			Schubert	X			
Graziano	X				Yazdi	X			