

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

**September 17, 2024**

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 7:00 PM.

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

**Official Roll Call:** (taken by the Municipal Clerk)

*In Attendance:* Mayor John D'Amato  
Councilman Dominic Catalano (entered at 7:30PM)  
Councilman Richard Dellaripa  
Councilman John Graziano  
Councilwoman Dawn Hudson  
Councilwoman Evelyn Schubert  
~~Councilman Ray Yazdi~~ *excused*

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

**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 12, 2024; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.*

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

**EARLY PUBLIC COMMENT**

Motion was made by HUDSON to open the meeting for public comment; seconded by DELLARIPA and carried on voice vote all voting AYE. Since there was no one who wished to speak HUDSON 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, BBYC & Tri-Boro First Aid Liaison):**

- Library Board of Trustees
  - Library Card sign up month
  - Paint & Sip – November 3<sup>rd</sup> in Firemen's Hall
  - Kids Programs:
    - 'Read to a Dog' 4<sup>th</sup> Tuesday of every month
  - Adult Programs:
    - ABC Murder Book Club
    - Stephen Kind Book Club
    - Cook book Club

- Reinforced library rules that minors under the age of 12 must be accompanied by an adult
- \*\*\*\*\*Details for all programs are available on the Library website
- Tri-Boro First Aid Squad
  - CPR Class
  - 40 Bloomingdale calls / 1176 TD
  - Medical equipment available to the community
- BBYC:
  - Pink Out 10/26
  - Salute to Service Game 11/9
  - Dine to donate Bubbakoos 10/1
  - Paint & sip 10/17 at St. Anthony's for \$55
  - Clothing Drive 10/26
- Senior Advisory Committee/Center:
  - Walking club held every Wednesday at 9AM
  - E-Z Pass discount available for Seniors
  - Passaic County Nutrition available for \$1.25
  - Center open daily from 9AM-1PM
  - Turtle Back Zoo & McLoone's Boathouse September 27<sup>th</sup>
  - Octoberfest at Black Forest Inn October 4<sup>th</sup>
  - Monthly calendar and nutrition menu available on website

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

- Hydrant Flushing September 16<sup>th</sup> – October 18<sup>th</sup>
- Public/Borough Events:
  - Grand opening of Museum September 19 at 6PM
  - September 21<sup>st</sup> – Bloomingdale Celebration Day & Bob Kochka 5k
  - October 19<sup>th</sup> – Expedition Bloomingdale (scavenger hunt)
  - Pequannock Skin Cancer Screening 10/9
- Voting University – comprehensive voter education guide for college students
- Wreaths Across American – Wendy's dine to donate 9/24
- FD Ladies Auxiliary is selling shirts, donations support the fire department
- Rave & Recycle Coach sign up available on Borough Website

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

- EDC
  - September 21<sup>st</sup> – Bloomingdale Celebration Day 11AM-4PM
  - Ribbon Cutting for Krios (restaurant that replaced Café Chameleon)

**Councilman, Richard Dellaripa (ROSE Fund Member, Budget Committee) *no report***

**Business Administrator, Michael Sondermeyer**

- Hilltop Terrace – hydroseed
- Noted sinkhole near Wallace Ave
- Construction in the Police Department of old locker room area

**Municipal Clerk, Breeanna Smith: *no report***

**Borough Attorney, Dawn Sullivan: *no report***

**Mayor, John D'Amato:**

- Attended County's 'Celebrate Recovery' Event
- 10<sup>th</sup> Annual Bob Kochka 5K –September 21 to kick off Celebration Day, over 60 participants are signed up; thank you to all sponsors

**CONSENT AGENDA**

*(Adoption of Resolutions No. 2024-9.8 – 2024-9.9)*

**Motion:** Rich Dellaripa

**Second:** John Graziano

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

**RESOLUTION NO. 2024-9.8  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the  
September 17, 2024 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.

**A. Motion to approve minutes:**

- September 3, 2024 – Regular Meeting
- September 3, 2024 – Executive Session

**B. Resolution No. 2024-9.9: Cancel Unexpended Receive & Reserve Balances**

*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 September 17, 2024.

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

**PENDING ITEMS**

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

***Ordinance No. 16-2024: AMENDING CHAPTER 11 “BUILDING & HOUSING”***

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 16-2024  
OF THE GOVERNING BODY  
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 11 “BUILDING & HOUSING”, SECTION 11-1.2 “FEES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, the Borough Code currently sets forth fees relating to the uniform construction code; and

**WHEREAS**, the construction code official recommends the current fees be adjusted; and

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

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

**SECTION 1.** Amending Chapter 11 “Building & Housing”, Section 11-1.2 “Fees” as follows:

(Deleted material shown with ~~strikeouts~~, added material is underscored)

**§ 11-1.2. Fees.**

**In the Fee Schedule revise the fees as follows:**

**1B. RENOVATIONS, ALTERATIONS, REPAIR AND MINOR WORK FEES:**

B. Portion of cost over \$50,001            \$22 \$25 per \$1,000

**2. PLUMBING FEES:**

B. Total number of special devices            ~~\$80~~ \$85 per device\*\*

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

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

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

BOROUGH OF BLOOMINGDALE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

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

By: \_\_\_\_\_  
John D’Amato, Mayor

**Public Hearing:**

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

**Adoption:**

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

**NEW BUSINESS**

**A. Discussion:**

Council acknowledged receipt of Bloomingdale’s annual status/progress report of the Borough’s Floodplain Management Plan under Community Rating System  
*(report prepared by Borough Engineer & submitted to NJDEP)*

**B. Adoption of Resolution No. 2024-9.10: Municipal Obligations**

**Motion:** Dawn Hudson

**Second:** Rich Dellaripa

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

**C. Introduction of Ordinance No. 17-2024:** Accepting the Dedication of Holster Court

A motion was made by GRAZIANO to read and introduce the Ordinance by title; second and final reading/ public hearing will be on October 1, 2024 at 7PM; the motion was seconded by Dellaripa and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Municipal Clerk read by Title:

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING THE DEDICATION OF HOLSTER COURT**

**LATE PUBLIC COMMENT:**

HUDSON opened the meeting to late public comment; seconded by DELLARIPA and carried on voice vote, all in favor voting AYE.

**Linda Huntley– 87 Van Dam Avenue, Bloomingdale**

Made the following inquires:

- Will there be any communication with the NJDEP regarding the raised flood elevation which effects Main Street  
*(noted the flood plain elevation was raised 2 feet statewide; not just Bloomingdale)*

Since there was no one else who wished to speak, HUDSON moved that it be closed; second by DELLARIPA and carried on voice vote all members voting (AYE), none were opposed.

**GOVERNING BODY SCHEDULE**

- A. October 1, 2024 – Workshop Meeting**
- B. October 15, 2024 – Regular Meeting**
- C. November 4, 2024 – Workshop Meeting**

**\*\*\*\*DOMINIC CATALANO ENTERED THE MEETING AT 7:30PM; REGULAR BUSINESS WAS COMPLETED AT THIS TIME. HE JOINED THE EXECUTIVE SESSION\*\*\*\***

**EXECUTIVE SESSION**

**Adoption of Resolution No. 2024-9.11:** Motion for Executive Session

One matter: Special Counsel (Gallagher V. Bloomingdale)

One matter: Board of Education Discussion

One matter: Personnel (K. Niosi)

**Motion:** Dawn Hudson

**Second:** John Graziano

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

[entered at 7:30PM]

[resumed in open session at 8:19PM]

**ADJOURNMENT:**

Since there was no further business to be conducted, GRAZIANO moved to adjourn at 8:20PM; seconded by HUDSON and carried on voice vote with all Council Members voting AYE.

Breanna Smith, RMC  
Municipal Clerk

**September 17, 2024 RESOLUTIONS**

**RESOLUTION NO. 2024-9.9  
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 and the Stigma Free Grant; 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> |
|--------------------------|-------------------------|------------------------|
| Stigma Free Grant        | \$ 1,110.19             | \$ -                   |
| Municipal Alliance Grant | \$ 11,400.42            | \$ -                   |

***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 September 17, 2024.

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

**RESOLUTION NO. 2024-09.10  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

***Authorizing Payment of Municipal Obligations***

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

**WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts:

| <u>BILLS LIST</u> |                | <u>PREPAID</u> |              |
|-------------------|----------------|----------------|--------------|
| <u>LIST</u>       |                |                |              |
| CURRENT           | \$1,924,330.58 | CURRENT        | \$616,396.58 |

|                    |                       |                    |                     |
|--------------------|-----------------------|--------------------|---------------------|
| UTILITY            | \$597,800.46          | UTILITY            | \$57,868.39         |
| CAPITAL            | \$20,218.05           | OPEN SPACE         |                     |
| CAPITAL UTILITY    | \$0.00                | TRUST ACCOUNT      | \$1,350.00          |
| TRUST              | \$34,658.24           | RECYCLING          | \$641.72            |
| DOG TRUST          | \$1,696.41            | DOG TRUST          |                     |
| RECREATION         | \$15,295.49           | UNEMPLOYMENT       | \$178.49            |
| ROSE FUND          | \$6,327.88            | CAPITAL            |                     |
| RECYCLING          | \$0.00                | WATER CAPITAL      |                     |
| UNEMPLOYMENT       | \$1,427.40            | RECREATION         |                     |
| AFFORDABLE HOUSING | \$242.55              | CAPITAL ASSESSMENT |                     |
| <b>TOTAL</b>       | <b>\$2,601,997.06</b> | <b>TOTAL</b>       | <b>\$676,435.18</b> |

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

| COUNCILPERSON | AYE | NAY | Abstain | Absent | COUNCILPERSON | AYE | NAY | Abstain | Absent |
|---------------|-----|-----|---------|--------|---------------|-----|-----|---------|--------|
| Catalano      |     |     |         | X      | Dellaripa     | X   |     |         |        |
| Graziano      | X   |     |         |        | Schubert      | X   |     |         |        |
| Hudson        | X   |     |         |        | Yazdi         |     |     |         | X      |

*\*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, September 17, 2024.

\_\_\_\_\_  
Brecanna Smith, R.M.C.  
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2024-9.11  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**MOTION FOR 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 a closed session from which the public shall be excluded on September 17, 2024.
- 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) & (8). The matters:
  - (1) Special Counsel
  - (2) BOE
  - (3) Personnel Discussion (K. Niosi)

***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      |

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Breeanna Smith, RMC  
Municipal Clerk, Borough of Bloomingdale