**ORDINANCE 6-2013**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, removing chapter ii, “administration,” Article II, “Borough Administrator,” section 2-8.9, “purchasing,” of the code of the borough of bloomingdale and adding new chapter ii, “administration,” article iv, “borough officers and employees,” section 2-15, “qualified purchasing agent” to create and appoint the position of “qualified purchasing agent” of the borough of bloomingdale**

**Whereas**, the Borough Administrator is currently responsible for purchasing done by the Borough of Bloomingdale (“Borough”) pursuant to Section 2-8.9 of the Borough Code; and

**Whereas**, the Borough has a need to create and appoint the position of Qualified Purchasing Agent to handle purchasing for the Borough; and

**Whereas**, D. Tim Roberts has agreed to accept such appointment; and

**Whereas**, D. Tim Roberts meets the statutory qualifications as set forth in N.J.S.A. 40A:11-9, to hold the position; and

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

**Section 1**. Chapter II, “Administration,” Article II, “Borough Administrators,” Section 2-8.9, “Purchasing” is hereby removed from the Code of the Borough of Bloomingdale.

**SECTION 2**. Chapter II, “Administration,” Article IV, “Borough Officers and Employees,” Section 2-15 is hereby added to the Code of the Borough of Bloomingdale to read as follows:

**2-15 Qualified Purchasing Agent.**

2-15.1. Position Established.

There is hereby created the position of Qualified Purchasing Agent (“QPA”) of the Borough of Bloomingdale. The QPA shall be appointed by the Mayor and Borough Council.

2-15.2. Qualifications.

The QPA shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

2-15.3. Powers and Duties.

The QPA shall have the responsibility and accountability for the purchasing activity pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) to prepare public advertising for and to receive bids for the provision or performance of goods or services on behalf of the Borough of Bloomingdale and to award contracts in the name of the Borough of Bloomingdale, and to conduct any activities as may be necessary or appropriate to the purchasing function of the Borough of Bloomingdale as its contracting agent.

**Section 3**. D. Tim Roberts shall serve as the Borough of Bloomingdale’s Qualified Purchasing Agent for the term February 1, 2013 through December 31, 2013 at the rate of $25,000 per year for his services as the Borough’s Interim Chief Financial Officer and Qualified Purchasing Agent.

**SECTION 4**. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 5**. 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 6**. This law shall take effect immediately upon final passage, approval and publication as required by law.

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on the 22nd day of January 2013, and the same shall come up for final passage at the regular meeting of the Mayor and Council to be held on the 5th day of February, at 7:00 P.M., at the Bloomingdale Municipal Building, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance.

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Jane McCarthy, Borough Clerk