**REGULAR COUNCIL MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**June 26, 2018**

The Regular Workshop Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:02PM.

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

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

 Councilman Anthony Costa

 Councilman John D’Amato

 Councilman Richard Dellaripa

 Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

Councilman Ray Yazdi

 Municipal Clerk, Breeanna Calabro

 Borough Attorney, Dawn Sullivan

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on December 27, 2017.

**PRESENTATIONS:** N/A

**EARLY EXECUTIVE SESSION:** N/A

**NON-AGENDA ITEMS:**

1. **Resolution No. 2018-6.35:** Hire Part Time Summer Help for Day Camp – Recreation
2. **Resolution No. 2018-6.36:** Authorizing the Purchase of Kubota Tractor Backhoe through ESCNJ
3. **Resolution No. 2018-6.37:** Authorization to Waive CCO Fee for 2111 Avalon Way
4. **Resolution No. 2018-6.38:** Amending Resolution 2018-6.17 Estimated Tax bills

**EARLY PUBLIC COMMENT:**

Motion was made by D’AMATO to open to meeting for public comment; seconded by HUDSON and carried per voice vote all voting AYE

 Jennifer Altfield- 17 Cedar Street, Bloomingdale

*Spoke in regards to her concerns related to the purchase of a backhoe out of the Utility capital account and the impact on the water customers. If anyone in town benefits from the machine – it’s not fair.*

*This topic became a discussion amongst the council including the usage of the machine by the DPW.*

Since there was no one else who wished to speak, D’AMATO made a motion to close early public comment; seconded by DELLARIPA and carried per voice vote all voting AYE

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

**Breeanna Calabro, Municipal Clerk:**Reminder to council to watch stormwater videos as part of NJDEP’s requirement for our stormwater permit

**John D’Amato, Councilman:**

Noted the success of the 100th anniversary ‘summer’ celebration & the events that took place

**Jonathan Dunleavy, Mayor:**

* Sloan Park construction will resume 7/2/2018

 **RESOLUTION NO. 2018-6.22 CONSENT AGENDA**

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

**RESOLUTION NO. 2018-6.22**

**OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

***Accepting, Approving and/or Adopting the Consent Agenda of the***

***June 26, 2018 Regular Council Meeting***

**WHEREAS**, the Mayor and Council of the Borough of Bloomingdale has determined that to increase efficiency, the Consent Agenda shall be adopted with one resolution,

**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 Mayor and Council of the Borough of Bloomingdale.

* 1. **Approval of Minutes:**

May 15, 2018 – Executive Session & Regular Session

* 1. Motion to Remove Elizabeth Crevar from Bloomingdale Environmental Commission by recommendation of Chairperson
	2. **Resolution No. 2018-6.23:** Authorizing Amendment to Employee Handbook
	3. **Resolution No. 2018-6.24:** Appointment to Passaic County Senior Advisory Board
	4. **Resolution No. 2018-6.25:** Resolution Urging the Legislature to Amend S-716, S-477 and S-1766
	5. **Resolution No. 2018-6.26:** Appointment of Municipal Humane Law Enforcement Officer
	6. **Resolution No. 2018-6.27:** Authorizing Sale by Online Auction of Borough Property
	7. **Resolution No. 2018-6.28**: Granting Paid Sick Leave to Employee
	8. **Resolution No. 2018-6.29:** Amending Resolution No. 2018-1.64 Authorizing the CFO to Reinstate & Maintain Various Change Funds
	9. **Resolution No. 2018-6.30:** Authorizing Interlocal Agreement with the Borough of Kinnelon for Mechanical Services for the Police Department

The motion was seconded by D’AMATO and carried per the following roll call vote: COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMEYER & YAZDI (all YES)

Consent Agenda Resolutions:

**RESOLUTION NO. 2018-6.23
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO THE EMPLOYEE HANDBOOK**

 **WHEREAS**, the Borough Council, on a regular basis, reviews the Borough’s Employee Handbook; and

 **WHEREAS**, it is advisable that certain, additional provisions should be included in the Employee Handbook in order to maintain a high standard of employment conduct; and

 **WHEREAS**, an amendment to the Employee Handbook incorporating these provisions has been reviewed by the Borough Attorney who hereby recommends that the amendment be adopted by the governing body and incorporated as part of the Borough’s Employee Handbook.

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

1. The Borough Anti-Discrimination Policy shall be amended the include ‘breastfeeding’ as a basis on which the Borough shall discriminate, and to incorporate the language found in Subpart #1;
2. The Borough Policy concerning workplace conduct for Borough employees shall be amended to contain a ‘Communication Media Policy/Social Media Policy’ section that incorporates the language found in Subpart #2;
3. The Borough Policy concerning use of internet for the Borough employees shall be amended to contain the language found in Subpart #3;
4. The Borough Policy concerning overtime compensation for Borough employees shall be amended to contain the language found in Subpart #4;

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized to take the necessary steps to incorporate these amendments as part of the Employee Handbook effective immediately.

**RESOLUTION NO. 2018-6.24**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Appointment to the Passaic County Senior Advisory Council***

**BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale hereby appoints the following member as Bloomingdale’s representative to the Passaic County Senior Advisory Council for a one year term; expiring December 31, 2018:

Passaic County Senior Citizen
Advisory Council
*Bloomingdale Representative* 1 year Patricia Yannacci

**RESOLUTION NO. 2018-6.25
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A Resolution Urging the Legislature to Amend S-716, S-477 and S-1766**

**Whereas:** While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

**Whereas:** While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

**Whereas:** Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

**Whereas**: Without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

Now therefore be it resolved by the Borough of Bloomingdale that:

* S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evident establishes that Firefighters develop at a higher rate than the general public, and
* S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
* S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
* S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
* S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the 39th district, the Governor, the Senate President and the Speaker of the Assembly.

**RESOLUTION No. 2018-6.26**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey, Rescinding Resolution No. 2018-6.16 and Appointing Two***

***Municipal Humane Law Enforcement Officers***

**WHEREAS**, on June 12, 2018 the Governing Body of the Borough of Bloomingdale appointed Lisa Perry as the Borough’s Municipal Humane Law Enforcement Officer for a one-year term expiring December 31, 2018; and

**WHEREAS**, the Passaic County Prosecutor’s Office thereafter advised all Passaic County Police Chiefs that it would be issuing a directive requiring the appointment of an active police officer to the position.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale hereby rescinds Resolution 2018-6.16 and appoints Detective Steven Smith and Detective Daniel Greenwood as the Borough’s Municipal Humane Law Enforcement Officers for a one year term; expiring December 31, 2018:

Municipal Humane Law Detective Steven Smith

Enforcement Officer 1 year term Detective Daniel Greenwood

**RESOLUTION NO. 2018-6.27**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***authorizing sale BY ONLINE AUCTION of borough vehicleS***

 **WHEREAS**, the Borough of Bloomingdale has title to the following vehicles:

* 1998 International 2654 160,829 miles VIN#1HTGHADTXWH524562
* 2001 Dodge Ram 2500 75,607 miles VIN#3B7KF26271M544227
* 1998 Ford Expedition 72,718 miles VIN#1FMRU18WXWLB68399
* 2008 Ford Crown Victoria 80,479 miles VIN#2FAFP71V08X164070
* 2008 Ford Crown Victoria 111,877 miles VIN#2FAFP71V28X178648
* 1995 Ford Super Duty/Utility VIN#1FDLF47F0SEA77188

 **WHEREAS**, the vehicles are of no useful life based upon their condition and the repairs needed and are no longer needed for public use; and

 **WHEREAS**, the Borough wishes to dispose of the vehicles, which is municipal public property; and

**Whereas**, the Borough of Bloomingdale desires to list the vehicles for sale at on an online auction hosted by GovDeals.com which sale is going to be conducted pursuant to Local Finance Notice 2008-9; and

**WHEREAS**, the terms and conditions of the agreement that will be entered into with the vendor are available on the vendor’s website and available in the Borough Clerk’s office.

 **NOW THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to sell the above listed vehicles described above in an online auction hosted by GovDeals.com.

**RESOLUTION NO. 2018-6.28**

**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 Robert Grabowski (“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 June 20, 2018 and

**WHEREAS,** the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Robert Grabowski, during the period of June 20, 2018 through September 30, 2018; and

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

**RESOLUTION NO. 2018-6.29**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

AMENDING RESOLUTION NO. 2018-1.64 AUthorizing the CHIEF FINANCIAL OFFICER to Reinstate and Maintain Various Change Funds

**WHEREAS,** N.J.S.A 40A: 5-21 authorizes the establishment of change funds; and

**WHEREAS,** it is necessary from time to time to allow the availability of change funds as follows:

1. Municipal Court Administrator (for Municipal Court) $200.00
2. Secretary to Board of Health Department/Registrar

 Of Vital Statistics $ 50.00

1. Construction Code Official (Construction Department) $100.00
2. Water/Sewer Department $100.00
3. Municipal Clerk $50.00
4. Tax Collector (for Tax Department) $200.00
5. *Councilman John D’Amato (100th Anniversary Committee) $600.00*

 **NOW THERFORE, BE IT RESOLVED,** by the Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds be re-established for 2018; and

**RESOLUTION NO. 2018-6.30
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY approving and AUTHORIZING THE SHARED SERVICES agreement between the BOROUGH OF BLOOMINGDALE and BOROUGH OF KINNELON FOR MECHANICAL SERVICES FOR THE POLICE DEPARTMENT**

 **WHEREAS,** the Borough of Kinnelon has the need for Mechanical Services for Police Department vehicles; and

**WHEREAS,** the Borough of Bloomingdale has the ability to provide these mechanical services; and

**WHEREAS**, accordingly, the Borough of Bloomingdale and the Borough of Kinnelon desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which the Borough of Bloomingdale shall provide mechanical services for the Borough of Kinnelon.

**WHEREAS,** execution of said agreement is authorized pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seg.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Borough of Kinnelon for mechanical services; and

**BE IT FURTHER RESOLVED** that the Interlocal Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement. Said agreement is on file in the Office of the Clerk for inspection by the public.

This Resolution shall take effect immediately.

**PENDING ITEMS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 16-2018: Ch. 2-80 (100th Anniversary Journal & Shirts)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 2 “Administration”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” of the Code of the Borough of Bloomingdale** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman DELLARIPA moved that the Ordinance be read by title; seconded by COSTA and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 16-2018**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 2 “Administration”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain fees for municipal services; and

 **WHEREAS**, the Borough Council and the Board of Health adopted an Ordinance in 2017, Section 4-17, which regulates all retail electronic smoking device establishments; and

 **WHEREAS**, the Borough Council and the Borough Ordinance Committee have reviewed the current Code and determined that it is necessary to amend the Code to establish the appropriate licensing fee in accordance with Section 4-17; and

 **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.** Chapter 2 “Administration”, Article VIII “Policies and Procedures”, Section 2-80 “Fees Charged for Municipal Services” shall be amended as follows:

 a. Copies of documents available to the public pursuant to the Open Public Records Act, N.J.S.A. 1A-1 et seq. are to be charged at the following rates: (1) $0.05 per page for letter sized pages and smaller; (2) $0.07 per page for legal sized pages and larger; (3) electronic records are to be provided free of charge via e-mail and fax; (4) $2.70 for recording manufacturer's recommended compact disk or $.60 for standard quality compact disc; and (5) the actual cost to provide records in another medium (i.e. computer disc, CD-ROM, DVD)

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| b. Black and White Street and/or Zoning Map | $5.00 |
| c. Color Street and/or Zoning Map | $8.00 |
| 1. 8-1/2 x 11 Color Street and/or Zoning Map | $0.50 |
| d. Zoning Ordinance Package | $10.00 |
| e. Site Plan Ordinance Package | $10.00 |
| f. Master Plan | $50.00 |
| g. Assessment Search | $10.00 |
| h. Tax Search | $10.00 |
| i. Municipal Lien Search | $10.00 for each property |
|  | $2.00 for each continuation |
|  | year (maximum of $8.00) |
| j. Search for Delinquent Properties | $10.00 |
| k. Search for Miscellaneous Tax Information | $5.00 |
| l. List of Property Owners within 200 feet | $10.00 or $.25 per name |
|  | (whichever is greater) |
| m. Duplicate Tax Sale Certificate | $100.00 |
| n. Duplicate Tax Bill | $5.00 for first duplicate copy |
|  | $25.00 for duplicate copy thereafter |
| o. Mailing of Notice of Tax Sale | $25.00 |
| p. Off-Duty Traffic Control Activities by Police Officers | $65.00/hr. |
| Plus Administration Fee | 25% of total fee |
| q. Photocopy of Tax Map | $0.75 |
| r. Returned Check Fee | $28.00 |
| s. Tire Pickup and Disposal | $5.00 per tire |
| t. Leaf Bags | 3 for $1.00 |
| u. Garage Sales | $10.00 |
| v. Permit to purchase a handgun | $2.00 |
| w. Permit to carry a handgun | $5.00 |
| x. Firearm Identification Card | $5.00 |
| y. Summer Junior Police Academy | $25.00 to $50.00 |
| z. Clothing Bins | $10.00 |
| aa. Online payment fees for credit cards | Up to 5% of costs |
| bb. Delivery of Topsoil/Mulch | $50.00. Limit of 2 deliveries |
|  | per resident annum |
| cc. Overnight Parking Permit | $120.00 per annum |
| dd. Livestock Permit Fee | $30 per annum |
| ee. License for retail electronic smoking device establishments | $250 per annum |
| ff. Anniversary Journals | $20.00 |
| dd. Anniversary Shirts | $15.00-$18.00 |

All other portions of this Section remain unchanged.

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

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

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

At this time D’AMATO 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 comment HUDSON made a motion to close the Public Hearing; seconded by COSTA and carried on a voice vote all voting AYE.

Councilman COSTA moved for the adoption of this Ordinance; seconded by DELLARIPA and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES)

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 17-2018: Amend Ch. 3-3.3 (Litter Fees)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 3 “POLICE REGULATIONS”, Section 3-3 “LITTERING” of the Code of the Borough of Bloomingdale** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman D’AMATO moved that the Ordinance be read by title; seconded by DELLARIPA and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 17-2018**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 3 “POLICE REGULATIONS”, Section 3-3 “LITTERING” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code contains a section regulating littering activities and sets forth certain penalties associated with violation of the Section; and

 **WHEREAS**, the Chief of Police of the Bloomindale Borough Police Department, the Borough Council and the Borough Ordinance Committee have reviewed the current Code and determined that it is necessary to amend the Code section to adjust the current violation penalties; and

 **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.** Chapter 3 “Police Regulations”, Section 3-3.3 shall be amended to read as follows:

**3-3.3 Prohibited Acts and Regulated Activities.**

 It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this section, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this section. Nothing in this section shall prohibit the deposit of any such material in any public or private receptacles approved by the Borough Council for such purpose. Nothing in this section shall be construed to prohibit construction, repair of maintenance equipment, materials or machinery from being utilized temporarily on a street, public place, parking lot or public building. This section shall not apply to municipal activities by Borough employees.

 a. *Enforcement.* This subsection shall be enforced by the Property Maintenance Officer of the Borough of Bloomingdale.

 b. *Penalties.* Any person(s) who is found to be in violation of the provisions of this subsection shall be subject to a fine not to exceed two thousand five hundred ($2,500.00) dollars.

 All other portions of this Section of the Code remain unchanged.

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

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

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

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

Since there was no one who wished to comment DELLARIPA made a motion to close the Public Hearing; seconded by YAZDI and carried on a voice vote all voting AYE.

**Discussion:***Purpose is to increase our fine from $500 to $2,500. New signage will be put up and paid for by clean communities grant.*

Councilman COSTA moved for the adoption of this Ordinance; seconded by SONDERMEYER and carried per the following roll call vote: DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES)

1. **Second/Final Reading and Public Hearing**

*Bond Ordinance No. 18-2018: 2018 Sloan Park Improvements*

**BOND ORDINANCE PROVIDING FOR SLOAN PARK BRIDGE AND STREAM IMPROVEMENTS IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $190,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF** was given second and final reading and considered for adoption.

The Municipal Clerk, Breeanna Calabro, read the Public Notice statement.

Councilman COSTA moved that the Ordinance be read by title; seconded by DELLARIPA and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**BOROUGH OF BLOOMINGDALE**

**Ordinance No. 18-2018**

**BOND ORDINANCE PROVIDING FOR SLOAN PARK BRIDGE AND STREAM IMPROVEMENTS IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $190,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

 BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

 **SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of $200,000, said sum being inclusive of a down payment for said improvements in the amount of $10,000 as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”) and is now available by virtue of moneys in the Open Space Trust Fund.

 **SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said $200,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $190,000 pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding $190,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

 **SECTION 3.** The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for Sloan Park bridge and stream improvements. Said improvements shall also include, as applicable, all engineering and design work, removal of dirt and screening, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration and all work, materials, equipment, labor and appurtenances necessary therefor and incidental thereto.

 (a) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is $190,000.

 (b) The estimated cost of said improvements or purposes is $200,000.

 **SECTION 4.** If in the event the United States of America, the State of New Jersey, and/or the County of Passaic make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount if so received from the United States of America, the State of New Jersey, and/or the County of Passaic. If in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

 **SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer or the Treasurer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer or the Treasurer. The Chief Financial Officer or the Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer or the Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer or the Treasurer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer or the Treasurer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

 **SECTION 6.** The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

 **SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

 (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

 (b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

 (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $190,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

 (d) An aggregate amount not exceeding $40,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements and purposes hereinbefore described.

 **SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

 **SECTION 9**. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed $190,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three years after the expenditure is paid.

 **SECTION 10**. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

 **SECTION 11**. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Since there was no one who wished to comment YAZDI made a motion to close the Public Hearing; seconded by DELLARIPA and carried on a voice vote all voting AYE.

**Discussion:***This ordinance is to remedy metal & rubber that was found in the park. It needs to be removed. There is also a failing wall.*

Councilwoman HUDSON moved for the adoption of this Ordinance; seconded by D’AMATO and carried per the following roll call vote: HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES), DELLARIPA (YES)

**NEW BUSINESS:**

1. Councilman DELLARIPA offered the following Resolution and moved for its adoption:

**RESOLUTION NO. 2018-6.31**

**OF THE GOVERNING BODY**

 **OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Payment of Municipal Obligations***

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

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

BILLS LIST PREPAID LIST

CURRENT 1,862,792.71 CURRENT 760,834.47

UTILITY 69,181.96 UTILITY 49,892.61

CAPITAL 93,534.26 OPEN SPACE 10,000.00

UTILITY CAPITAL 28,062.31 TRUST ACCOUNT 3,138.50

TRUST 31,905.38 RECYCLING 997.93 DOG 3,766.86 DOG TRUST 000.00

RECREATION 26,304.50 UNEMPLOY 174.45 ROSE FUND 15,197.67 CAPITAL 3,575.00

RECYCLING 691.00 WATER CAPITAL 000,000.00

SEWER ASSESSMENT 93.67 RECREATION 245.16

AFFORDABLE HOUSING 820.42 CAPITAL ASSESSMENT 00,000.00

TOTAL 2,132,350.74 TOTAL 828,858.12

The motion was seconded by SONDERMEYER and carried per the following roll call vote: SONDERMEYER, YAZDI, COSTA, D’AMATO, DELLARIPA, HUDSON (all YES)

Recusals:

* D’AMATO – Vendor: 01463 items 1 through 5
* D’AMATO – Vendor: 01463 item 1
* SONDERMEYER – Vendor: 04291 all items
* HUDSON – P.O. 18-00863
1. Councilman COSTA made a motion for adoption of the following resolution:

**RESOLUTION NO. 2018-6.32
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF 2018 POLICE INTERCEPTOR SUV THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM #47-CPCPS, ITEM #2**

 **WHEREAS**, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Cranford Police Cooperative Pricing System, which has been approved by the Director of the Division of Local Government Services; and

 **WHEREAS**, the Borough of Bloomingdale desires to purchase a 2018 Police Interceptor SUV from the Cranford Police Cooperative Pricing System #47-CPCPS; and

 **WHEREAS,** Beyer Ford, has been awarded the contract for 2018 Police Interceptor SUV; and

 **WHEREAS,** the Full-time Mayor and Chief of Police recommends the utilization of this contract on the grounds as the best means available to obtain the police vehicle; and

 **WHEREAS**, the contract shall not exceed the amount of $34,061.75; and

 **WHEREAS**, funding for this resolution is available by appropriation in the budget of the Borough, as evidenced by the Certification of Funds, by the Chief Financial Officer, from account 8-01-25-240-001-051; and

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

1. The Borough of Bloomingdale hereby authorizes the purchase of 2018 Police Interceptor SUV from Beyer Ford of Morristown, NJ from the Cranford Police Cooperative Pricing System under Contract #47-CPCPS.

2. The total fee authorized for this contract shall not exceed $34,061.75 without the prior written approval of the Borough Council.

3. The Full-time Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.

4. A copy of this resolution shall be provided to the Borough Treasurer and Beyer Ford of Morristown, NJ for their information and guidance.

This Resolution shall take effect immediately.

The motion was seconded by DELLARIPA and carried per the following roll call vote: YAZDI, COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMYER ( all YES )

1. **Resolution No. 2018-6.33 Authorizing the Purchase of Backhoe Bucket through State Contract No. A85848**

Dellaripa made a motion for adoption, seconded by D’AMATO. Councilman YAZDI questioned as to which bucket this backhoe was for. Mayor informed the purchase of the ‘new’ backhoe is listed on non-agenda which action hasn’t yet been taking on. The bucket is for new backhoe but if the backhoe isn’t approved it will be used on the ‘old’ backhoe. This item is not dependent on how the council acts on item #2 listed on non-agenda. There was discussion amongst the members seeking clarification on which machine this bucket would be for. Mayor suggests a recess be taking to call the Utility Foreman to clarify.

 YAZDI made a motion to table this item, seconded by D’AMATO and carried on voice vote all in favor.

1. Councilwoman HUDSON offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-6.34**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Renewal of Alcoholic Beverage Licenses for 2018-2019 Term (Effective July 1, 2018)***

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

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

**WHEREAS,** the licensees have filed an application online with State Division of Alcoholic Beverage Control, together with the necessary $200.00 fee for said Division; and

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

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

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

**PLENARY RETAIL CONSUMPTION**

|  |  |  |  |
| --- | --- | --- | --- |
| Licensee: | Establishment: | Address: | License Number: |
| SALINA INC. | Lina’s Restaurant | 49 Main Street | 1601-33-012-006 |
| NLS MGMT LLC | River of Beer Saloon | 133 &135 Main Street | 1601-33-008-012 |
| SHREE SAI INC. | Turnpike Liquors | 139 Hamburg Tpke | 1601-33-001-005 |
| TIMMY KATE INC | Stumble Inn | 231 Hamburg Tpke | 1601-33-009-003 |
| TRES SOMBREROS LLC | Fajitas | 125Hamburg Tpke | 1601-33-002-008 |

**PLENARY RETAIL DISTRIBUTION**

|  |  |  |  |
| --- | --- | --- | --- |
| Licensee: | Establishment: | Address: | License Number: |
| GB KRISHNA LLC | Bloomingdale Discount Liquor | 82 Main Street | 1601-44-004-005 |
| HMT INC. | USA Wine Traders Club | 29 Main Street | 1601-44-005-008 |

**CLUB LICENSE**

|  |  |  |  |
| --- | --- | --- | --- |
| Licensee: | Establishment: | Address: | License Number: |
| BLOOMINGDALEFIRE DEPT INC. | BloomingdaleFire Department Inc. | 97 Hamburg Turnpike | 1601-31-013-001 |

The motion was seconded by DELLARIPA and carried per the following roll call vote: COSTA (YES), D’AMATO (RECUSE), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES)

**ACTION ON NON-AGENDA ITEMS:**

1.

**RESOLUTION NO. 2018-6.35**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorization for Summer Help for Recreation Department***

**WHEREAS**, there exists a need for temporary seasonal help within the Recreation Department during the summer months for day camp; and

**WHEREAS**, the Full-time Mayor recommends that the authorization be given to hire the following for part-time Summer Day Camp help as per the Salary Ordinance as follows:

**Counselors**

Colleen Cook

All counselors will be paid $8.60 per hour.

**NOW, THEREFORE, BE IT RESOLVED** that the persons named herein be hired as part-time Summer Recreation Camp as outlined in the Salary Ordinance.

Motion was adoption was made by SONDERMEYER, seconded by DELLARIPA and carried on voice vote, all in favor voting AYE.

1.

**RESOLUTION NO. 2018-6.36
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF kubota backhoe THROUGH THE educational services commission of new jersey co-op #65mcesccps**

 **WHEREAS**, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Educational Services Commission of New Jersey Co-op “ESCNJ”, which has been approved by the Director of the Division of Local Government Services; and

 **WHEREAS**, the Borough of Bloomingdale desires to purchase a 2017 Kubota L47TLB Tractor Loader Backhoe from the Educational Services Commission of New Jersey Co-op “ESCNJ #65MCESCCPS; and

 **WHEREAS,** Cherry Valley Tractor Sales of Marlton, NJ, has been awarded the contract for Kubota Tractor Loader Backhoes; and

 **WHEREAS,** the Full-time Mayor and DPW Foreman recommends the utilization of this contract on the grounds as the best means available to obtain the Kubota backhoe; and

 **WHEREAS**, the contract shall not exceed the amount of $46,209.66; and

 **WHEREAS**, funding for this resolution is available as evidenced by the Certification of Funds, by the Chief Financial Officer, from Bond Ordinance No. 15-2018; and

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

1. The Borough of Bloomingdale hereby authorizes the purchase of a 2017 Kubota L47TLB Tractor Loader Backhoe from Cherry Valley Tractor Sales of Marlton, NJ from the ESCNJ co-op under Contract #65MCESCCPS.

2. The total fee authorized for this contract shall not exceed $46,209.66 without the prior written approval of the Borough Council.

3. The Full-time Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.

4. A copy of this resolution shall be provided to the Borough Treasurer and Cherry Valley Tractor Sales of Marlton, NJ for their information and guidance.

This Resolution shall take effect immediately.

**Discussion:**
*YAZDI commented if it three months to order the machine, Red Twig Trail project will have to be put on hold. Feels a machine should not be rented in the mean time for the project, this would defeat the purpose. Mayor responded work on the curbs can be started, and other work can be done without putting the project as whole on hold & without renting machinery. HUDSON added her support for the purchase- the current old failing machine becomes a waste of time, is unreliable and needs to be replaced. Tony agreed with Dawn however, stated the purchase of the machine is not appropriated properly. D’AMATO added the departments are not sharing equipment properly nor using our resources effectively. He has been to the yard and has seen the machine start up.*

Motion for adoption was made by YAZDI, seconded by DELLARIPA roll call vote as follows: D’AMATO (NO), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (NO), YAZDI (YES), COSTA (NO) as result of a tie vote, Mayor Dunleavy was called in the roll call who voted YES.

1.

**RESOLUTION NO. 2018-6.37
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING THE WAIVING OF $100.00 CERTIFICATE OF OCCUPANY FEE FOR 2111 AVALON WAY, BLOOMINGDALE NJ**

**WHEREAS**, a resident has requested to have the certificate of occupancy fee of $100.00 waived due to unforeseen circumstances; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that authorization is given to the construction office to waive the one time certificate of occupancy fee of $100.00 for 2111 Avalon Way in Bloomingdale, New Jersey.

**Discussion:**
*Mayor: Three months ago this resident moved into Avalon Bay, paid CCO fee. Resident is having medical complications and needs to move to ground level unit. For this reason, would like the fee to be waived. This request is supported by the construction office.*

Motion was adoption was made by SONDERMEYER, seconded by HUDSON and carried on voice vote, all in favor voting AYE.

1.

**RESOLUTION NO. 2018-6.38**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Resolution amending 2018-6.17: Authorizing Issuance of Estimated Property Tax Bills***

***WHEREAS,*** the Governing Body has introduced and adopted a municipal budget for 2018 but said budget may not be approved by the State in advance of billing the third quarter taxes that are due on August 1, 2018 within the statutory guidelines; and

***WHEREAS,*** the Governing Body further finds and declares that Borough financial officials have determined that there could be insufficient cash flow to support operations in July and August 2017 unless third quarter revenue is received on time; and

***WHEREAS,*** the Governing Body further finds and declares that Tax Collector Barbara D. Neinstedt, Tax Collector and Chief Financial Officer Donna M. Mollineaux have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and are recommending authorization to issue property tax bills based upon this estimated tax levy;

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

1. That Bloomingdale Tax Collector Barbara D. Neinstedt be and is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Bloomingdale for the third quarter of 2018, in accordance with the provisions of N.J.S.A. 54:4-66.2, *et seq.*;

2. That the entire estimated tax levy for FY2018 be and is hereby set at $31,267,905.00; and

3. That Bloomingdale Tax Collector Barbara Neinstedt be and is hereby authorized to undertake any and all additional steps deemed necessary and appropriate to immediately implement the substance of this Resolution.

**Discussion:**
*The resolution done last meeting did not include ‘Open Space’ in the tax levy. The state budget has not yet passed. Estimated bills have to be sent out to generate funds.*

DELLARIPA made a motion for adoption, seconded by YAZDI and carried on voice vote, all in favor voting AYE.

**LATE PUBLIC COMMENT:**

COSTA opened the meeting to late public comment; seconded by SONDERMYER and carried on voice vote.

***Richard Boud – 16 Tice Street:***

Brought forth concerns with parking at ‘Kaspers’ Inn’ on Hamburg Turnpike. The lot is being used to store cars and has been a traffic issue.

Since there was no one else who wished to speak, COSTA moved that it be closed; seconded by HUDSON and carried on vice vote.

Recess 7:45PM
Resume 7:58PM

**ACTION ON TABLED ITEM OF BUSINESS:**

**RESOLUTION NO. 2018-6.33**

**OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

***A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING the purchase of A BACKHOE BUCKET for the UTILITY Department under State Contract No. A85848***

 **WHEREAS,** the Borough of Bloomingdale Utility Department is in need of a backhoe bucket; and

 **WHEREAS,** the purchase of goods and services, without advertising for bids, by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

 **WHEREAS**, JESCO Inc., 1275 Bloomfield Avenue, Fairfield, NJ 07004 has been awarded New Jersey State Contract No. A85848 for backhoe buckets; and

 **WHEREAS**, Utility Foreman of the Borough of Bloomingdale recommends the utilization of this contract on the grounds as the best means available to obtain a backhoe bucket for the Utility Department; and

 **WHEREAS**, the contract to JESCO Inc. shall not exceed the amount of $6,986.42; and

 **WHEREAS,** the Chief Financial Officer has certified the availability of funds from the Water Capital fund, Bond Ordinance No. 15-2018; and

 **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:

1. The Borough of Bloomingdale hereby authorizes the purchase of a backhoe bucket from JESCO Inc., 1275 Bloomfield Avenue, Fairfield, NJ 07004 under New Jersey State Contract No. A85848
2. The total fee authorized for this contract shall not exceed $6,986.42 without the prior written approval of the Borough Council.
3. The Full Time Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
4. A copy of this resolution shall be provided to the Borough Chief Financial Officer and JESCO, Inc. for their information and guidance.

This Resolution shall take effect immediately.

**Discussion:**

*Confirmed the new backhoe approved in resolution No. 2018-6.36 comes with a new bucket. Therefore there is no need to authorize the purchase of the bucket at this time. DELLARIPA inquired as to if there was a need in the future for the bucket, can this still be approved. Dawn, borough attorney, confirmed yes. The governing body is not ‘voting no’ on this item, the body is voting to remove/rescind from consideration.*

A motion was made by COSTA to **rescind and remove** Resolution No. 2018-6.33 from consideration, the motion was seconded by YAZDI and carried per the following roll call vote: DELLARIPA, HUDSON, SONDERMEYER, YAZDI, COSTA, D’AMATO (all YES)

**GOVERNING BODY SCHEDULE:**

1. Regular Meeting - July 17, 2018 7PM
2. Regular Meeting – August 21, 2018 7PM
3. Workshop Meeting – September 4, 2018 7PM

**ADJOURNMENT:**

Since there was no further business to be conducted, COSTA moved to adjourn at 7:59PM; seconded by DELLARIPA and carried on voice vote with all Council Members present voting YES.

Breeanna Calabro, RMC

Municipal Clerk