**REGULAR MEETING**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**March 20, 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 7:04PM.

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.

**PUBLIC HEARING** Passaic County Open Space Municipal Grant Application:
 Bogue Pond Basketball Courts

*Discussion:*
Last year this was included in the application but not awarded. The borough Engineer will submit a 2018 application for the renovation of Bogue Pond Basketballs Courts – if awarded this will be a 2019 project. This was previously authorized at a meeting but it is a requirement on the application to hold a public hearing for the residents.

At this time Councilman YAZDI made a motion to open the Public Hearing, the motion was seconded by Costa and carried on voice vote will all in favor voting AYE.

Since there was no one who wished to speak, Councilwoman HUDSON made a motion to close the Public Hearing, seconded by DELLARIPA and carried on voice vote with all in favor voting AYE.

**NON-AGENDA ITEMS:**

* Approval of Fire Department Boot Drive on April 28, 2018 (rain date: April 29, 2018)
* Resolution No. 2018-3.19: Appointment of Alternate Deputy Registrar – Mary O’Keefe
* Approval of Fire Police Member – Vincent DiGerolamo
* Resolution No. 2018-3.20: Authorizing a portion of the Annual Water Service Fee to be Dedicated to the Water Meter Improvement Project

**EARLY PUBLIC COMMENT:**

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

Since there was no who wished to speak, HUDSON 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:**

*Fred Semrau, Esq,:*Provided an update on pending ligation – Huntley vs. Finbar/Bloomingdale which challenged the rezoning of Bloomingdale properties and the compliance with its affordable housing plan. The Borough’s brief will be submitted by April 12th. The appellate division has authorized that this matter be expedited.

*Councilwoman Hudson:*
Community Garden will not be opened up to Facebook – plots are pretty much full. Two raised beds will be handed over to the seniors in April. Easter Egg Hunt, Saturday March 31st at Walter T Bergan at 12PM.

*Councilman Costa:*
Made mention of protecting public utility users – a motion was made to Amend Water Meter Fee Ordinance (Ordinance No. 5-2018) to include a trust account for the dedication of money from the increased quarterly rates to be put into.

At this time, the Mayor handed the members a revenue journal of the Utility Account for their review.

*(before the motion was seconded, Mayor suggested this item be listed as a non-agenda item being that the public did not have an opportunity to speak to)*

*Further Discussion:*If consensus this evening, an amending Ordinance can be drafted. A resolution can also be adopted this evening, and then again at reorg each year designating the fees to a specific account. This became a non-agenda item to discuss and open comment for the public.

Mayor Dunleavy:

* + Unity Through Community Event (promoting drug awareness) – March 28th
	+ Working on Capital Plan, possible Ordinance introduction in April for the General, late April for Utility
	+ Gave clarification on Capital Plan included in the budget packet – this plan is a requirement of the DCA but is not finalized
	+ 2018 Budget proposes $50,000 in snow removal OT – this has already been exceeded, transfer resolution on the agenda for snow removal OT

**RESOLUTION NO. 2018-3.7 CONSENT AGENDA**

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

**RESOLUTION NO. 2018-3.7**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

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

***March 20, 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:**
		1. **Executive Session – February 20, 2018**
		2. **Regular Meeting – March 6, 2018**
	2. **Resolution No. 2018-3.8:** Authorizing Passaic County Open Space Grant Application for Bogue Pond Basketball Courts

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

Consent Resolutions:

**RESOLUTION NO. 2018-3.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR THE BOGUE POND BASKETBALL COURT PROJECT BY THE BOROUGH OF BLOOMINGDALE**

 **WHEREAS**, the Passaic County Board of Chosen Freeholders (hereafter “Board”) provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund (hereafter “Trust Fund”); and

 **WHEREAS**, the Borough of Bloomingdale desires to further the public interest by obtaining funding in the amount of $135,907.50 from the Board for the County to fund the renovation of Bogue Pond basketball courts including new macadam, benches, poles, and backboards at a cost of $135,907.50; and

 **WHEREAS**, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent Resolutions passed by the Board governing the administration of the Trust Fund; and

 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE AS FOLLOWS:**

1. The Borough Engineer/Mayor is authorized to make application, provide all required information and documents as required, and correspond as necessary for a grant to the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund;

2. That the Borough Engineer/Mayor is hereby authorized to execute a grant agreement and any amendment there with the County of Passaic for the renovations of Bogue Pond Basketball Courts;

3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

4. That, the applicant agrees to comply with all applicable federal, State, County, and local laws, rules, and regulations in its performance of the project; and

5. That this Resolution shall take effect immediately.

**PENDING ITEMS:**

1. Second/Final Reading & Public Hearing:
*Ordinance No. 8-2018: Purchase of Garbage Truck*

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A GARBAGE TRUCK IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $285,000 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 D’AMATO moved that the Ordinance be read by title; seconded by YAZDI and carried on voice vote – all members voting AYE

The Municipal Clerk read the following Ordinance by title:

**BOROUGH OF BLOOMINGDALE**

**Ordinance No. 8-2018**

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A GARBAGE TRUCK IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $285,000 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 $300,000, said sum being inclusive of a down payment for said improvements in the amount of $15,000 as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

 **SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said $300,000 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 $285,000 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 $285,000 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 is for the purchase of a garbage truck for the Borough, including 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 $285,000.

 (b) The estimated cost of said improvements or purposes is $300,000.

 **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 $285,000 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 $5,000 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 $285,000. 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 DELLARIPA and carried on a voice vote all voting AYE.

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

Councilman DELLARIPA moved for the adoption of this Ordinance; seconded by HUDSON 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. 9-2018: Amend Ch 19 (Commercial Garbage)*

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending chapter 19 “SOLID WASTE MANAGEMENT” 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 YAZDI 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. 9-2018**

**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 19 “SOLID WASTE MANAGEMENT” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain definitions, standards and requirements as part of the ordinances governing solid waste management; and

 **WHEREAS**, the Borough has a long standing practice, consistent with the state statutes, whereby commercial properties are required to provide for the private collection of their garbage; and

 **WHEREAS**, the Borough Council has reviewed the current Code and determined that it is necessary to amend the Code to update and supplement the regulations relating to solid waste management to establish parameters for solid waste management for commercial properties in order to formalize the Borough’s long-standing practice; 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 19 “Solid Waste Management” shall be amended to add a new section, 19-3 “Commercial Garbage Collection” to read as follows:

 §19-3 **Commercial Garbage Collection**

 §19-3.1 **Definitions**

 For purposes of this Section, “Commercial property” shall mean all real property wherein such real property is used for other than exclusively residential purposes.

 §19-3.2 **Commercial Garbage Collection**

 All commercial property, as defined above, within the Borough of Bloomingdale shall be responsible for entering into a contract with a private waste disposal company for the collection of all garbage and solid waste, including recyclable materials as defined in Section 19-1.5.

 All other portions of this Chapter 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 HUDSON made a motion to open the Public Hearing for comment; seconded by D’AMATO and carried on a voice vote all voting AYE.

Since there was no one who wished to comment COSTA made a motion to close the Public Hearing; seconded by YAZDI 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: DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES), COSTA (YES), D’AMATO (YES),

**NEW BUSINESS:**

* At the time D’AMATO offered the following resolution and moved for its adoption:

 **RESOLUTION NO. 2018-3.9**

**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 1,559,239.75 CURRENT 827,552.51

UTILITY 59,161.18 UTILITY 134,294.94

CAPITAL 8,750.00 OPEN SPACE 0,000.00

UTILITY CAPITAL 6,643.50 TRUST ACCOUNT 10,984.28

TRUST 17,772.21 RECYCLING 494.24 DOG 3,275.21 DOG TRUST 000.00

RECREATION 6,042.64 UNEMPLOY 451.68 ROSE FUND 367.35 CAPITAL 116,500.00

RECYCLING 0,000.00 WATER CAPITAL 147,871.00

UNEMPLOYMENT 420.00 RECREATION 0,000.00

AFFORDABLE HOUSING 000.00 CAPITAL ASSESSMENT 18,000.00

TOTAL 1,661,671.84 TOTAL 1,256,148.65

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

\*HUDSON – with the exception of #18-00321 listed on the March 2018 bills list

* Councilman DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.10
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 award of A contract for performance of the LEARY AVENUE MAIN, SANITARY SEWER AND ROAD IMPROVEMENTS TO JTG CONSTRUCTION, INC.**

**WHEREAS**, the Borough of Bloomingdale received sealed competitive bids for performance of the Leary Avenue Main, Sanitary Sewer and Road Improvements in accordance with the bid specifications on March 1, 2018 at 10:00 a.m.; and

**WHEREAS,** the Borough of Bloomingdale received ten (10) bids for this contract as follows:

1. JTG Construction, Inc. $393,260.00
2. Concrete Construction Corp. $490,940.00
3. Colonnelli Brothers, Inc. $509,650.00
4. Your Way Construction, Inc. $518,462.74
5. Mike Fitzpatrick & Son, Inc. $546,970.00
6. Vektor Corp. $548,628.00
7. John Garcia Construction Co., Inc. $559,964.24
8. Pacific Construction, LLC $570,294.87
9. Reggio Construction, Inc. $575,525.70
10. Reivax Contracting Corp. $593,811.00

; and

**WHEREAS,** said bids have been duly reviewed and analyzed by the Borough of Bloomingdale Attorney and Borough Engineer; and

**WHEREAS**, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

 **WHEREAS,** the bid received from the low bidder JTG Construction, Inc. in the amount of $393,260.00 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written; and

 **WHEREAS,** the Chief Financial Officer has certified that sufficient funds are available for this project.

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

1. The Borough Council hereby awards a contract to JTG Construction, Inc.. 188 Jefferson Street, Suite 387, Newark, New Jersey 07105 for the performance of the Leary Avenue Water Main, Sanitary Sewer and Road Improvements in accordance with the bid specifications in the total amount of $393,260.00.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with JTG Construction, Inc. in accordance with its bid for performance the Leary Avenue Water Main, Sanitary Sewer and Road Improvements.

3. The Borough’s Chief Financial Officer has certified the availability of funds for this contract.

4. This resolution and contract shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

*Discussion:
Preconstruction meeting will be schedule soon. Informative notice to residents will also be mailed out.*

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

* Councilman YAZDI offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.11
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 JANUARY 24, 2017 Professional Services Agreement Between the borough of bloomingdale and cme associates**

 **WHEREAS,** there exists a need for professional planning services and litigation support services for the Borough of Bloomingdale in connection with the ongoing affordable housing litigation; and

 **WHEREAS,** the Borough of Bloomingdale and CME Associates previously entered into a Professional Services Agreement, dated January 24, 2017, for CME Associates to perform such services in accordance with its December 23, 2016 proposal; and

 **WHEREAS**, thereafter, it was determined that additional professional planning services were required in connection with certain properties within the Borough which are included in the affordable housing obligation which is being litigated currently; and

 **WHEREAS**, these additional services exhausted the budget set forth in the Professional Services Agreement of January 24, 2017; and

 **WHEREAS**, CME Associates issued a second proposal to amend the budget for its services, dated March 15, 2018, for additional services; and

 **WHEREAS**, the Borough of Bloomingdale and CME Associates wish to amend the Professional Services Agreement to include the increased budget for the additional services; and

 **WHEREAS,** funds are available for this purpose; and

 **WHEREAS,** the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

 **NOW, THEREFORE, BE IT RESOLVED** that 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 awards and authorizes the Mayor and Borough Clerk to execute an Addendum with CME Associates for professional planning services and litigation support services for an addition to the budget of a fee not to exceed $7,500 as per its proposal dated March 15, 2018.
2. This contract is awarded and amended without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed $27,500 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough’s official newspaper as required by law.
5. A copy of this Resolution shall be provided to the Borough Chief Financial Officer and CME Associates, 1460 Route 9 South, Howell, New Jersey 07403, for their information and guidance.

This Resolution shall take effect immediately.

*Discussion:
CME planner hired to assist with affordable housing obligation, to study Meer Tract to declare an area in need of redevelopment, of which has been accepted by the planning board and governing body. They have previously been authorized to generate a redevelopment study of Main Street, of which a draft has been documented – this resolution is to amend the contract to include an additional four block and lots which are on Union Ave at the intersection of Van Dam Ave. This service is paid out of escrow, by MT Realty of which the Borough has a pre-development agreement with.*

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

* Councilman D’AMATO offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.12**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing review by Planning Board of the Redevelopment Study of Main Street and by CME Associates***

***WHEREAS,*** the Governing Body of the Borough of Bloomingdale have authorized the Planning Board of the Borough of Bloomingdale to conduct a preliminary investigation to make a recommendation as to whether the following properties collectively known as “Main Street Properties” are areas within the Borough that are Areas in Need of Redevelopment pursuant to N.J.S.A. 40:12A-1 et seq.

**STUDY AREA/MAIN STREET**

|  |  |
| --- | --- |
| Block 3032 | Lot 1 |
| Block 3032 | Lot 2 |
| Block 5060 | Lot 1 |
| Block 5060 | Lot 2 |
| Block 5060 | Lot 3 |
| Block 5060 | Lot 4 |
| Block 5060 | Lot 5 |
| Block 5060 | Lot 6 |
| Block 5060 | Lot 7 |
| Block 5060 | Lot 8 |
| Block 5060 | Lot 9 |
| Block 5060 | Lot 10 |
| Block 5060 | Lot 11 |
| Block 5060 | Lot 12 |
| Block 5060 | Lot 13 |
| Block 5060 | Lot 14 |
| Block 5060 | Lot 15 |
| Block 5060 | Lot 16 |
| Block 5060 | Lot 17 |
| Block 5060 | Lot 18 |
| Block 5060 | Lot 19 |
| Block 5060 | Lot 20 |
| Block 5060 | Lot 21 |
| Block 5060 | Lot 22 |
| Block 5060 | Lot 23 |
| Block 5060 | Lot 24 |
| Block 5060 | Lot 25 |
| Block 5060 | Lot 26 |
| Block 5060 | Lot 27 |
| Block 5060 | Lot 28 |
| Block 5060 | Lot 29 |
| Block 5060 | Lot 30 |
| Block 5060 | Lot 31 |
| Block 5060 | Lot 32 |
| Block 5060 | Lot 33 |
| Block 5060 | Lot 34 |
| Block 5060 | Lot 35 |
| Block 5060 | Lot 36 |
| Block 5060 | Lot 37 |
| Block 5060 | Lot 38 |
| Block 5059 | Lot 1 |
| Block 5059 | Lot 2 |
| Block 5059 | Lot 3 |
| Block 5059 | Lot 4 |
| Block 5059 | Lot 5 |
| Block 5059 | Lot 6 |
| Block 5059 | Lot 7 |
| Block 5059 | Lot 8 |
| Block 5059 | Lot 9 |
| Block 5059 | Lot 10 |
| Block 5059 | Lot 11 |
| Block 5059 | Lot 12 |
| Block 5059 | Lot 13 |
| Block 5059 | Lot 14 |
| Block 5059 | Lot 15 |
| Block 5059 | Lot 16 |
| Block 5059 | Lot 28 |
| Block 5061 | Lot 1 |
| Block 5062 | Lot 1 |
| Block 5062 | Lot 2 |
| Block 5062 | Lot 3 |
| Block 5062 | Lot 17 |
| Block 5063 | Lot 1 |
| Block 5063 | Lot 2 |
| Block 5063 | Lot 3  |
| Block 5063.01 | Lot 1 |
| Block 5063.01 | Lot 2 |
| Block 5063.01 | Lot 3 |
| Block 5063.01 | Lot 4 |
| Block 5063.01 | Lot 5 |
| Block 5063.01 | Lot 6 |
| Block 5063.01 | Lot 7 |
| Block 5063.01 | Lot 8 |
| Block 5064 | Lot 1 |
| Block 5064 | Lot 2 |
| Block 5064 | Lot 3 |
| Block 5064 | Lot 4 |
| Block 5064 | Lot 5 |
| Block 5088 | Lot 1 |
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| Block 5088 | Lot 3 |
| Block 5088 | Lot 4 |
| Block 5088 | Lot 5 |
| Block 5088 | Lot 6 |
| Block 5088 | Lot 7 |
| Block 5088 | Lot 8 |
| Block 5088 | Lot 9 |
| Block 5088 | Lot 10 |
| Block 5088 | Lot 11 |
| Block 5088 | Lot 12 |
| Block 5088 | Lot 13 |
| Block 5089 | Lot 1 |
| Block 5089 | Lot 2 |
| Block 5089 | Lot 3 |
| Block 5089 | Lot 4 |
| Block 5089 | Lot 5 |
| Block 5089 | Lot 6 |
| Block 5089 | Lot 7 |
| Block 5089 | Lot 8 |
| Block 5089 | Lot 9 |
| Block 5089 | Lot 10 |
| Block 5089 | Lot 11 |
| Block 5089 | Lot 12 |
| Block 5089 | Lot 13 |
| Block 5104 | Lot 7 |
| Block 5104 | Lot 8 |
| Block 5104 | Lot 9 |
| Block 5104 | Lot 10 |
| Block 5104 | Lot 11 |
| Block 5105 | Lot 6 |
| Block 5105 | Lot 46 |

***WHEREAS***, the Governing Body authorized CME Associates, 1460 Route 9 South, Howell, New Jersey 07731, to prepare the study; and

***NOW, THEREFORE, BE IT RESOLVED*** that the Governing Body of the Borough of Bloomingdale request that the Planning Board to undertake a preliminary investigation to determine whether the following areas meet the statutory criteria to be designated a “**Condemnation”** Area in Need of Redevelopment pursuant to the LRHL:

***BE IT FURTHER RESOLVED*** that before proceeding to a public hearing on the matter, the Planning Board shall prepare a map showing the boundaries the proposed redevelopment area and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis for the investigation.

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

* Councilman D’AMATO offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.13**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***RESOLUTION RE: Authorizing the Transfer of 2017 Appropriations***

 WHEREAS, Title 40A:4-58 provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess of those appropriations deemed to be insufficient; and

 WHEREAS, the Governing Body further finds and declares that the Treasurer has determined that the following transfers are both necessary and appropriate; and

 NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer is hereby authorized to make the following transfers in the FY2017 Budget.

|  |  |  |  |
| --- | --- | --- | --- |
| **To:** |  |  |  |
| Roads S/W |  | 7-01-26-290-001-013 | $ 85,700.00 |
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| **TOTAL** |  |  | **$ 85,700.00** |
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| **From:** |  |  |  |
| Other Insurance O/E |  | 7-01-23-220-001-100 | $ 50,000.00 |
| Animal Control O/E |  | 7-01-27-340-001-054 | $ 9,000.00 |
| Animal Control O/E |  | 7-01-27-340-001-074 | $ 5,000.00 |
| Celebration of Public O/E |  | 7-01-30-420-001-100 | $ 5,000.00 |
| Shade Tree O/E |  | 7-01-26-300-001-100 | $ 3,600.00 |
| Aid to Volunteer O/E |  | 7-01-25-260-001-100 | $ 2,000.00 |
| Legal O/E |  | 7-01-20-155-001-028 | $ 4,400.00 |
| Tax Assessor |  | 7-01-20-150-001-028 | $ 3,700.00 |
| Electricity O/E |  | 7-01-31-430-001-100 | $ 3,000.00 |
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| **TOTAL** |  |  | **$ 85,700.00** |
| **UTILITY** |  |  |  |
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| **To:** |  |  |  |
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*Discussion:
This money is being transferred to roads/salary and wages to cover overtime due to snow removal.*

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

* Councilman YAZDI offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.14
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 award of a contract TO WITTKE SANITATION EQUIPMENT CORP. for 1 NEW LEACH MODEL 2RIII 25 CUBIC YARD HIGH COMPACTION (ROUND BODY) REAR LOADER TRUCK BODY**

 **WHEREAS**, the Mayor and Borough Council of the Borough of Bloomingdale wish to purchase a new Leach Model 2RIII 25 cubic yard high compaction (round body) rear loader truck body; and
 **WHEREAS**, said equipment may be purchased from Wittke Sanitation Equipment Corp. through ESCNJ Bid No. 1617-16; and
 **WHEREAS,** the maximum amount of the contract is $72,441.25, and the Chief Financial Officer has certified that funds will be available for this purpose upon the adoption of Bond Ordinance No. 8-2018 and
 **WHEREAS,** public bids are not required when the purchase is made through a cooperative pricing system in accordance with N.J.S.A. 40A:11-11(6) of the Local Public Contracts Law.
 **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 a contract for the purchase of a new Leach Model 2RIII 25 cubic yard high compaction (round body) rear loader truck body is hereby awarded to Wittke Sanitation Equipment Corp. in accordance with the terms and conditions contained in ESCNJ Bid No. 1617-16, subject to the adoption of Bond Ordinance No. 8-2018 and the passage of the statutory twenty (20) day period in which said Ordinance may be challenged, and the Mayor and Borough Clerk are hereby authorized to execute same.

*Discussion:
Clarification was given that this amount is for the ‘body’ of the truck, another component of the truck will be purchased separately under a different Co-op.*
The motion was seconded by D’AMATO and carried per the following roll call vote: DELLARIPA, HUDSON, SONDERMEYER, YAZDI, COSTA, D’AMATO (all YES)

* Councilman DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.15
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 AN ADDENDUM to the March 1, 2018 GENERAL Services Agreement Between the BOROUGH OF BLOOMINGDALE AND CODE 96 MANAGED SERVICES/SPARTECH SOLUTIONS DATTO MIGRATION**

 **WHEREAS,** there exists a need for professional computer and data management services for the Borough of Bloomingdale at the Municipal Building; and

 **WHEREAS,** the Borough of Bloomingdale and Code 96 Managed Services/Spartech Solutions Datto Migration (hereinafter “Spartech”) previously entered into a General Services Agreement, dated March 1, 2018, for Spartech to perform such services in accordance with its proposal; and

 **WHEREAS**, thereafter, it was determined that further professional computer and data management services were required at the Borough Municipal Building; and

 **WHEREAS**, Spartech issued a second proposal and Customer Quote, dated February 8, 2018, for such services; and

 **WHEREAS**, the Borough Council wish to amend the General Services Agreement to include the additional services; and

 **WHEREAS,** funds are available for this purpose.

 **NOW, THEREFORE, BE IT RESOLVED** that 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 awards and authorizes the Mayor and Borough Clerk to execute an Addendum with Spartech for professional computer and data management services for a fee not to exceed a total of $9,500 with a monthly fee not to exceed $350 as per its proposal and Customer Quote dated February 8, 2018.
2. The total fee authorized for this contract shall not exceed $9,500 with a monthly fee not to exceed $350 without the prior written approval of the Borough Council.
3. Notice of this action shall be published once in the Borough’s official newspaper as required by law.
4. A copy of this resolution shall be provided to the Borough Chief Financial Officer and Code 96 Managed Services/Spartech Solutions Datto Migration, 85 Franklin Road, Victory Gardens, New Jersey 07801, for their information and guidance.

This Resolution shall take effect immediately.

*Discussion:*
*Webmaster who currently provides email services to the borough will no longer be providing those services as of May. Current IT company, SparTech/Code96, will now be providing those services and cloud based data migration. Additionally, our JIF has a cyber risk management plan that helps reduce the boroughs deductible from $10,000 to $2,500 if certain criteria is met. These services will assist in meeting that criteria. Thanks was given to Councilman Costa in helping to achieve these services at low cost.*

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

* Councilman YAZDI offered the following resolution and moved for it adoption:

**RESOLUTION NO. 2018 – 3.16
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 EXECUTION OF AN EMPLOYMENT agreement between the BOROUGH OF BLOOMINGDALE and SAMANTHA FOREST**

**WHEREAS**, the Borough of Bloomingdale had the need for a full-time Shelter Manager for the Borough’s animal shelter; and

**WHEREAS**, current part-time employee, Samantha Forest, is willing, able and qualified to serve as the full-time Shelter Manager; and

**WHEREAS**, Samantha Forest will receive annual compensation in the amount of $30,000 for performance of her duties as the full-time Shelter Manager; and

**WHEREAS**, the Borough Council has determined that it is in the Borough’s best interests to enter into an Employment Agreement with Samantha Forest to serve as the Borough’s Shelter Manager.

**NOW, THEREFORE, BE IT RESOLVED** that 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 Employment Agreement with Samantha Forest for the position of full-time Shelter Manager.

This Resolution shall take effect immediately.

*Discussion:*

*The position is too help ACO with the operations of the shelter. The borough has been operating the shelter since 2011 and never staffed the shelter accordingly. No impact on budget as shared service contracts offset the cost.*

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

* **Introduction of Ordinance No. 10-2018: Amend Salary Ordinance

Discussion:**

*This is to add the position of Shelter Manager.*

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on April 3, 2018 at 7PM; the motion was seconded by DELLARIPA and carried by voice vote, all in favor.

The Municipal Clerk read by Title:

**AN ORDINANCE AMENDING THE SALARY ORDINANCE FOR THE BOROUGH OF BLOOMINGDALE**

* **2018 MUNICIPAL BUDGET**
* **Introduction of Ordinance No. 11-2018: 2018 Index Rate CAP BANK**A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/public hearing will be on May 1, 2018 at 7PM along with the adoption of the budget; the motion was seconded by D’AMATO and carried by the following roll call vote: YAZDI, COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMEYER (all YES)

The Municipal Clerk read by title:

**CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**
* **Introduction of Resolution No. 3.17:

Councilman DELLARIPA offered the following resolution and moved for adoption:**

**RESOLUTION NO. 2018-3.17**

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

***Introduction of FY2018 Municipal Budget***

***Municipal Budget of the Borough of Bloomingdale, County of Passaic for***

 ***the Fiscal Year 2018***

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018; and

**BE IT FURTHER RESOLVED** that said Budget will be published in the Herald News in the issue of March 23, 2018; and

The Governing Body of the Borough of Bloomingdale does hereby approve the following as the Budget for the year 2018; and

**NOTICE IS HEREBY GIVEN** that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Bloomingdale, County of Passaic, on March 20, 2018 and

**BE IT FURTHER RESOLVED** that a hearing on the Budget and Tax Resolution will be held at the Borough Hall on May 1, 2018 at 7:00 o’clock p.m. at which time and place discussions to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons; and

**BE IT FURTHER RESOLVED** that the budget is available for inspection in the office of the Municipal Clerk, posted on the municipal website and published accordance with the law.

 ***Discussion:***
*The proposed budget suggests a $25 increase per the average assessed home. Councilman Costa requested the budget packets be delivered to the Governing Body sooner. Amendments/changes can be made before the adoption. Comments/concerns should be forwarded to Councilman Dellaripa, as chairman of the budget committee.*
The motion was seconded by HUDSON and carried per the following roll call vote: COSTA, D’AMATO, DELLARIPA, HUDSON, SONDERMEYER, YAZDI (all YES)

* + Adoption of Resolution No. 2018-3.18:

Councilman DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2018-3.18
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**SELF-EXAMINATION OF 2018 BUDGET RESOLUTION**

***[as required by DCA]***

 WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

 WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

 WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Bloomingdale has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

 NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Bloomingdale that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

 a. Payment of interest and debt redemption charges

 b. Deferred charges and statutory expenditures

 c. Cash deficit of preceding year

 d. Reserve for uncollected taxes

 e. Other reserves and non-disbursement items

 f. Any inclusions of amounts required for school

 purposes.

 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

 4. That pursuant to the Local Budget Law:

a. All estimates of revenue are reasonable, accurate and correctly stated,

 b. Items of appropriation are properly set forth

 c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

 6. That all other applicable statutory requirements have been fulfilled.

 BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: March 20, 2018

*Discussion:*

*The borough no longer holds accelerated tax sales to increase the collection rate. Now that the Borough holds a regular tax sale, we are now able to do a self-examination of the municipal budget.*

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

**NON AGENDA ITEMS**:

* + Motion was made by YAZDI to approve an application for Fire Department’s Boot Drive on April 28, 2018. The motion was seconded by SONDERMEYER and carried on voice vote, all members in favor.
	+ Adoption of Resolution No. 2018-3.19:

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

**RESOLUTION NO. 2018-3.19
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION APPOINTING AN ALTERNATE DEPUTY REGISTRAR**

**WHEREAS**, in accordance with the provisions of N.J.S.A. 26:8-17, the Registrar of Vital Statistics may appoint one or two Alternate Deputy Registrars if the local registrar deems such an appointment to be necessary for the office to function efficiently and to provide quality service to the public and

**WHEREAS**, Mary O’Keefe, Municipal Clerk of the Borough of Butler, is qualified and has agreed to serve as the Alternate Deputy Registrar in the absence of the Registrar or at the discretion of the Registrar and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Bloomingdale do hereby confirm the appointment of Mary O’Keefe as Alternate Deputy Registrar of Vital Statistics.

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

* A Motion was made by D’AMATO to approve Vincent DiGerolamo as a Fire Police Member; seconded by SONDERMEYER and carried voice vote, all members in favor voting AYE.
* **WATER METER FEE DISCUSSION***As requested by Councilman Costa, discussion on the dedication of water meter fees began. The mayor explained the recently adopted Ordinance No. 5-2018. It was a suggestion that a dedicated trust account be put in place to secure funding of the water meters.*

*At this time D’AMATO made a motion to open the meeting for public comment; seconded by SONDERMEYER and carried on voice vote with all in favor voting AYE.*

 PUBLIC COMMENT:

***Jennifer Altfield – 17 Cedar Street:****Suggested a dedicated line needed to be put in place so that the funds are used appropriately in the future.*

 ***Bernie Vroom – 183 Vreeland Ave:***

*Expressed thoughts on utility/meter project as a whole.*

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

The governing body continued discussion. It was determined to do annual resolution at the reorganization meeting to dedicate the funds, rather than introducing an ordinance this evening. To ensure an instant protection, a resolution can be adopted. Ordinance Review committee can further discuss this topic and determine if an ordinance is necessary.

Councilman COSTA offered the following resolution and moved for its adoption:

**RESOLUTION No. 2018-3.20
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A PORTION OF THE ANNUAL WATER SERVICE FEE TO BE DEDICATED TO THE WATER METER IMPROVEMENT PROJECT**

**WHEREAS**, the Borough of Bloomingdale maintains a water and sewer utility; and

**WHEREAS**,the utility charges an annual water service fee for the usage of such utility; and

 **WHEREAS**, it has been requested that a portion of the annual water service fee specifically $28 would be dedicated to the water meter restoration bond pay down; and

 **WHEREAS**, the Governing Body wishes to take this action on an annual basis in order to ensure that a portion of the water service fee is specifically dedicated to the water meter project.

 **NOW, THEREFORE, BE IT RESOLVED by** the Mayor and Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey as follows: $28 of the annual water service fee collected by the Borough of Bloomingdale is hereby dedicated specifically to the water meter project bond pay down.

 **BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be listed on the reorganization meeting agenda for the Borough of Bloomingdale in 2019.

Adopted: March 20, 2018

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

Before entering Late Public Comment, Councilwoman Dawn Hudson gave appreciation to all those who assisted the community during the recent snow storm leaving many residents without power. A reminder was giving to residents to sign up for ‘Swift 911’ to receive updates. Facebook was also used as a medium of communication. Town Hall will remain open and will continue to keep residents informed. Councilman Dellaripa added that an effort be made to make residents aware of warming stations provided with the assistance of the newly installed generators.

**LATE PUBLIC COMMENT:**

At this time, Councilman D’AMATO made a motion to open late public comment; seconded by COSTA and carried on vote voice all members voting AYE.

Since there was no one who wished to speak, Councilwoman HUDSON made a motion to close late public comment; second by DELLARIPA and carried on voice vote all members voting AYE.

**GOVERNING BODY SCHEDULE:**

1. Council Meeting – April 3, 2018 7PM
2. Council Meeting – April 17, 2018 7PM
3. Council Meeting- May 1, 2018 7PM

**ADJOURNMENT:**

Since there was no further business to be conducted, HUDSON moved to adjourn at 8:02PM; seconded by SONDERMEYER and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC

Municipal Clerk