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

#### April 4, 2023

The Workshop Meeting of the Governing Body of the Borough of Bloomingdale was held in the Council Chambers of the Municipal Building (101 Hamburg Tpke) on the above date. Mayor John D'Amato called the meeting to order at 7:00PM.

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

<b>Official Roll Call:</b>	(taken by the Deputy Clerk)
In Attendance:	Mayor John D'Amato
	Councilman Dominic Catalano
	Councilman Richard Dellaripa
	Councilman John Graziano
	Councilwoman Dawn Hudson
	Councilwoman Evelyn Schubert
	Councilman Ray Yazdi (entered at 7:06PM)
	Deputy Clerk, Terry Sauer

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

# **PUBLIC NOTICE STATEMENT**

**Mayor D'Amato stated**: This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 9, 2023; copies were provided to the local news media and posted continuously in the Municipal Building. A copy of this notice is available to the public and is on file in the office of the Municipal Clerk.

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

# EARLY PUBLIC COMMENT

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

# <u>REPORTS (PROFESSIONALS, DEPT HEADS, COMMITTEES, LIAISONS, MAYOR):</u>

# Councilwoman Schubert (Senior Committee, Library Board, BBYC & Tri-Boro First Aid Liaison):

- Library Events:
  - Designer Handbag Bingo 3/31
- BBYC:
  - Beefsteak Fundraiser was successful
  - Cheer & Football Registration is open
- Public Events:
  - Ramadan Crescent Lighting 4/6 @6:30PM
  - Easter Egg Hunt 4/8 @ 12PM
  - Trout Fishing Contest 4/15 @ 10AM

• Little League Opening day/Parade 4/22

#### Councilwoman, Dawn Hudson (BOH Liaison)

- Public Events
  - April 15<sup>th</sup> Townwide Shredding at 9AM
  - Anyone interested in 'river clean up' day can email dhudson@bloomingdalenj.net

#### Councilman, John Graziano (EDC Chairperson/Municipal Alliance Liaison)

- Municipal Alliance
  - Drug Alliance Unity Through Community Dodge Ball was a great success, much participation – TY to the school, Police Dept & Fire Dept

#### **Business Administrator, Michael Sondermeyer:**

- Provided the following updates:
  - Hilltop Terrace Road Improvement project has begun
  - Andrews Place to be paved within 2 weeks, weather permitting
  - Van Dam Brook (DMK) site work was authorized it's been determined by the Borough Engineer this project will start near summer

#### Mayor, John D'Amato:

 Thoughts and prayers to the family of James Ferris, a former 50+ year Fire Department member who recently passed

# **CONSENT AGENDA**

(Adoption of Resolutions No. 2023-4.1 – 2023-4.10) Motion: Dominic Catalano Second: Rich Dellaripa Roll Call Vote: CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES)

#### **CONSENT AGENDA RESOLUTION:**

#### RESOLUTION NO. 2023-4.1 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### Accepting, Approving and/or Adopting the Consent Agenda of the April 4, 2023, Workshop Meeting

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

**NOW THEREFORE BE IT RESOLVED** that the following resolutions, placed on this agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in their entirety by the Council of the Borough of Bloomingdale.

#### A. Motion to approve minutes:

- March 21, 2023 Regular Meeting
- March 21, 2023 Executive Session
- **B.** Motion to Accept Resignation: E. Alvarez, Tax Office Assistant (April 7, 2023)
- C. Resolution No. 2023-4.2: Supporting the 2023 uDrive uText uPay Distracted Driving Crackdown
- D. Resolution No. 2023-4.3: Authorizing Flexible Benefits (Amended April 2023)
- E. Resolution No. 2023-4.4: Waiver of Vendor Fee
- **F. Resolution No. 2023-4.5:** Waiver of Garage Sale Fee (Townwide)
- G. Resolution No. 2023-4.6: Adding J. Azcona to the Borough's Bank Accounts
- **H. Resolution No. 2023-4.7:** Authorizing the Cancellation of Water & Sewer Capital Ordinances

- I. Resolution No. 2023-4.8: Authorizing MRT Rental DBA Big Mark [ride vendor] for Borough Public events
- J. Resolution No. 2023-4.9: Fireworks Contract (Serpico Pyrotechnics)
- K. Resolution No. 2023-4.10: Authorizing LMS (Bogue & Oakwood)

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COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

#### Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

# PENDING ITEMS

#### A. <u>Second/Final Reading & Public Hearing</u>: Ordinance No. 12-2023: Amend Ch. 2-64.11 Recreation Fees (Tennis & Yoga)

The Deputy Clerk, Terry Sauer, read the Public Notice statement.

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

The Municipal Clerk read the following Ordinance by title:

#### ORDINANCE NO. 12-2023 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-64.11 FEES FOR RECREATION PROGRAMS, OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

**WHEREAS**, the Borough Code currently sets forth certain fees for programs sponsored and/or run by the Borough Recreation Department; and

**WHEREAS**, the purpose of this amendment is to add "Tennis" & "Yoga" under the fees for activities per the request of the Recreation Director; 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.** Section 2-64.11 Fees for Recreational Programs, Section A. 'Activity' shall be amended to *add* the aforementioned programs as follows:

§2-64.11 Fees for Recreational Programs.

#### 2-64.11 Fees for Recreational Programs.

a. With the advice and consent of the Mayor and Council, the Board shall have the ability to charge and collect fees ranging from \$0.00 to one hundred fifty (\$150.00) dollars from persons participating in the following Board sponsored recreational programs:

**Activity** Tennis Yoga

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.

ATTEST:

BOROUGH OF BLOOMINGDALE COUNTY OF PASSAIC STATE OF NEW JERSEY

Breeanna Smith, Clerk

John D'Amato, Mayor

#### **PUBLIC NOTICE**

By:\_

#### ORDINANCE NO. 12-2023 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-64.11 FEES FOR RECREATION PROGRAMS, OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

**NOTICE IS HEREBY GIVEN**, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey held in the Municipal Building on March 21, 2023, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on April 4, 2023 at 7PM, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk's Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

#### Purpose/Summary of Ordinance No. 12-2023:

WHEREAS, the Borough Code currently sets forth certain fees for programs sponsored and/or run by the Borough Recreation Department. The purpose of this amendment is to include "Tennis" & "Yoga" activities per the request of the Recreation Director with a range of \$0.00 to \$150.00 per person. The recommendation includes amending Chapter 2 "Administration", Section '2-64.11 'Fees for Recreational Programs'.

Breeanna Smith, RMC Municipal Clerk

#### **Public Hearing:**

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

#### Adoption:

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

## NEW BUSINESS

A. Adoption of Resolution No. 2023-4.11: Authorizing Temporary Appropriations per N.J.S.A. 40A:4-20

Motion: Rich Dellaripa Second: Dominic Catalano **Discussion**: confirmed temporary budget appropriations are necessary until the adoption of the budget

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

- B. Adoption of Resolution No. 2023-4.12: Approving Change Order #2 (exceeding 20%) to Mike Fitzpatrick Contractors (Andrew Place)
  Motion: Dawn Hudson
  Second: Ray Yazdi
  Discussion: Council discussed the change order
  Roll Call Vote: HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES)
- C. Adoption of Resolution No. 2023-4.13: Authorizing Payment to Mike Fitzpatrick Contractors (Andrew Place) for Invoice #6 Motion: Ray Yazdi Second: Dawn Hudson Roll Call Vote: SCHUBERT (YES), YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)
- D. Adoption of Resolution No. 2023-4.14: Authorizing Purchase of Garbage Truck Chassis from Gabrielli Kenworth (Sourcewell National Cooperative)
  Motion: Ray Yazdi
  Second: Rich Dellaripa
  Discussion: This is for the purchase of a new garbage trucks (truck comes in 2 parts body & chassis, both parts need council authorization)
  Roll Call Vote: YAZDI (YES), CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES)
- E. Introduction of Ordinance No. 13-2023: Special Emergency (Master Plan)

A motion was made by CATALANO to introduce the Ordinance by title; second and final reading/ public hearing will be on April 18, 2023 at 7PM; the motion was seconded by DELLARIPA and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Deputy Clerk read by Title:

#### AN ORDINANCE OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE PREPARATION OF A MASTER PLAN

F. Introduction of Ordinance No. 14-2023: Various Capital Improvements (Police Dept Recording System / Server & Computer Upgrades)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on April 18, 2023 at 7PM; the motion was seconded by YAZDI and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Deputy Clerk read by Title:

ORDINANCE APPROPRIATING \$90,000.00 AVAILABLE FROM THE GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR VARIOUS IMPROVEMENTS DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY

G. Introduction of Ordinance No. 15-2023: Amending Ch. 92 Zoning (BCD)

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/ public hearing will be on May 2, 2023 at 7PM; the motion was seconded by DELLARIPA and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Deputy Clerk read by Title:

#### AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING", ARTICLE XII "SCHEDULE OF REGULATIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

#### H. Introduction of Ordinance No. 16-2023: Amending Ch. 92 Zoning (Terms Defined)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on May 2, 2023 at 7PM; the motion was seconded by GRAZIANO and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Deputy Clerk read by Title:

#### AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING", ARTICLE XI "DEFINITIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

# **LATE PUBLIC COMMENT:**

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

## **EXECUTIVE SESSION:**

Adoption of Resolution No. 2023-4.15: Motion for Executive Session One matter – Contract Negotiations (M&T) One Matter - Personnel
Motion: Dawn Hudson
Second: Rich Dellaripa
Voice Vote: all members present voting AYE; none were opposed.

ENTER EXECUTIVE SESSION: 7:20PM ENDED EXECUTIVE SESSION: 8:00PM

## **GOVERNING BODY SCHEDULE**

- A. Regular Meeting April 18, 2023 7PM
- B. Workshop Meeting May 2, 2023 7PM
- C. Regular Meeting May 16, 2023 7PM
- D. Workshop Meeting June 13, 2023 7PM

## **ADJOURNMENT:**

Since there was no further business to be conducted, HUDSON moved to adjourn at 8:01PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC Municipal Clerk

# April 4, 2023 RESOLUTIONS

#### **RESOLUTION NO. 2023-4.2 OF THE GOVERNING BODY OF** THE BOROUGH OF BLOOMINGDALE

#### Supporting the 2023 UDrive. UText. UPay. **Distracted Driving Crackdown** April 1 - 30, 2023

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, from 2011-2020 distracted driving-related crashes resulted in 32,000 deaths on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in 50percent of all motor vehicle crashes from 2016-2020; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2023* Crackdown from April 1 - 30, 2023 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is <u>UDrive. UText. UPay</u>; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED that Governing Body of the Borough of Bloomingdale declares it's support for the Distracted Driving 2023 Crackdown both locally and nationally from April 1 - 30, 2023 and pledges to increase awareness of the dangers of distracted driving.

		Ke	cora of Col	uncii vote	on Passage				
COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

Percent of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### **RESOLUTION NO. 2023-4.3 OF THE GOVERNING BODY OF** THE BOROUGH OF BLOOMINGDALE

#### **RESOLUTION AUTHORIZING FLEXIBLE BENEFITS (AMENDED APRIL 2023)**

WHEREAS, as it applies to employee health care coverage, New Jersey P.L. 2011 c. 78 requires the Borough of Bloomingdale ('Borough') to establish a Premium Only Plan and a Flexible Spending Account for eligible employees pursuant to Section 125 of the Internal Revenue Code; and

WHEREAS, the Borough shall withhold from the participant's compensation an amount equal to the contributions required from the participant for the coverage of the 7 of 18 participant, as the source of premium payments; and

WHEREAS, the Finance Department has reviewed the requirements and recommends American Fidelity Assurance Company to be the Section 125 provider; and

WHEREAS, American Fidelity Assurance Company, as the provider, has agreed to administer the plan at no cost to the Borough; and

WHEREAS, participation by the eligible employees in the plan is voluntary.

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

- 1. The Mayor is hereby authorized, without further resolution, to execute the required agreement and any related documents which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable Federal, State and Local law.
- 2. The Flexible Benefits Plan, amended April 2023, will have an effective date of January 1, 2023.
- 3. The Flexible Benefits Plan shall include a Dependent Care Flexible Spending Account, as permitted by the law.
- 4. The maximum annual employee deduction for the medical expenses Flexible Spending Account shall be \$2,850.00 and the maximum amount for Dependent Care is \$5,000.00.

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COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2023-4.4 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

# RESOLUTION AUTHORIZING WAIVER OF VENDOR PARTICIPATION FEE FOR SALLY BASILE & ANGELO'S PIZZA FOR THE 2023 SLOAN PARK FESTIVAL EVENT(S)

**WHEREAS**, Section 2-80 'Fees Charged for Municipal Services' of the Code of the Borough of Bloomingdale lists a vendor participation fee (for Municipal Events) of \$0 to \$150.00; and

**WHEREAS**, the Borough Administration recommends waiving the vendor participation fee for the following vendors participating in the 2023 Sloan Park Festival Events on June 9<sup>th</sup> & September 8<sup>th</sup>: Sally Basile & Angelo's Pizza; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale that the Borough Administrator, Finance Department and other Borough Officials as appropriate, are hereby authorized to waive the vendor participation fee for Sally Basile & Angelo's Pizza for the 2023 aforementioned Sloan Park Festival events.

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			

#### Record of Council Vote on Passage

Hudson X Yazdi X	
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I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.5 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

# **RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, SETTING DATES & PERMITTING FEE WAIVER FOR THE ANNUAL TOWN WIDE GARAGE SALE**

**WHERERAS**, section 92-26.3 (Signs) and section 2-80 (Fees) of the Borough Code provides for garage sales within the Borough and regulations and fees; and

**WHEREAS**, the Town Wide Garage sale will be held on June 3, 2023 (rain date of Sunday June 4, 2023), and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Bloomingdale does hereby establish Saturday, June 3, 2023 (rain date Sunday 6/4/2023) as the date for the Town-wide Garage Sale; and

**BE IT FURTHER RESOLVED** the Borough Council does hereby authorize the Municipal Clerk to waive the licensing and sign fees for these dates.

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COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.6 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

# **RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING JASMIN AZCONA AS A SIGNATORY ON BOROUGH ACCOUNTS**

**WHEREAS**, the Borough Administrator, Michael Sondermeyer and Chief Financial Officer, Donna Mollineaux recommend adding the Assistant to the Chief Financial Officer as an authorized signatory on Borough accounts; and

**NOW THEREFORE BE IT RESOLVED** that Lakeland Bank is hereby authorized to add Jasmin Azcona to the bank accounts of the Borough of Bloomingdale and accept the manual or facsimile signatures of Jasmin Azcona on Borough checks.

Adopted: April 4, 2023

Jasmin Azcona Assistant to the Chief Financial Officer

#### Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.7 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### **RESOLUTION AUTHORIZING THE CANCELLATION OF WATER AND SEWER CAPITAL ORDINANCES**

**WHEREAS**, there appears open of record unexpended balances on certain ordinance appropriations in the Water and Sewer Capital Fund, and

WHEREAS, the capital projects have been completed, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Bloomingdale, County of Passaic, New Jersey, that the following ordinance appropriation balances in the Water and Sewer Capital Fund be cancelled of record:

Ordinance Number	Improvement Description	Cancelled
18-2000	Various Improvements	\$ 335.00
11-2004	Utility Upgrades	\$ 2,759.00
15-2005	Purchase of Utility Truck	\$ 17.50
20-2005	Various Improvements	\$ 583.53
21-2009	Water Tank Improvements	\$ 15,820.17
22-2012	Old Ridge Water Improvements	\$ 61,769.17
37-2013	Meter Upgrades	\$ 230.32
11-2014	Various Equipment	\$ 45.36
12-2014	Water Main Replacements	\$498,962.94
7-2015-7/2016	Various Improvements	\$176,253.53
15-2016	Various Improvements	\$ 6,671.75
11-2017	Various Improvements	\$278,147.48
15-2018	Various Improvements	\$ 35,919.92
12-2019	Various Improvements	\$111,885.57

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.8 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### **RESOLUTION AUTHORIZING VENDOR FOR BOROUGH'S PUBLIC EVENT(S) BLOOMINGDALE FIREWORKS JUNE 24, 2023 & 'BLOOMINGDALE CELEBRATION DAY' SEPTEMBER 23, 2023**

**WHEREAS,** the Borough of Bloomingdale will host the following public events during the 2023 calendar year, "Bloomingdale Fireworks" (June 24<sup>th</sup>) & "Bloomingdale Celebration Day" (September 23<sup>rd</sup>); and

**WHEREAS**, the Borough Administrator and Public Events Committee recommend the use of the following vendor(s):

#### MRT RENTAL DBA BIG MARK'S (rides)

WHEREAS, MRT Rental DBA Big Mark ("Vendor") has submitted estimates for provision of the requested services for Borough's public events; and

**WHEREAS,** pursuant to N.J.S.A. 40A:11-3, the estimated cost for each Vendor's services is below the bid threshold and contracts may be awarded without bidding; and

**WHEREAS,** the Borough wishes to enter into contracts with the Vendor to perform such services at the Bloomingdale Fireworks & Bloomingdale Celebration Day public events; and

**WHEREAS,** the Vendor has agreed to provide the requested services, at no cost to the Borough, during the aforementioned Borough public events pursuant to their proposals; and

**WHEREAS,** the Vendor has provided the Borough with a Certificate of Insurance evidencing coverage for the day of the event(s).

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

**Section 1.** A contract with MRT Rental DBA Big Mark's is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-3(a) of the Local Public Contracts Law because the contracts are for services to be performed for amounts below the bid threshold.

**Section 2.** The Vendor shall perform the respective services at 'Bloomingdale Fireworks' on June 24<sup>th</sup> and at 'Bloomingdale Celebration Day' on September 23<sup>rd</sup>.

**Section 3.** A notice of this action shall be printed once in the legal newspaper of the Borough of Bloomingdale as required by law.

**Section 4.** A copy of this Resolution shall be provided to Donna Mollineaux Chief Financial Officer, and to MRT Rental DBA Big Mike's of 256 Maxim Road in Howell, NJ 07731 for their information and guidance.

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AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Х				Dellaripa	Х			
Х				Schubert	Х			
Х				Yazdi	Х			
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#### Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.9 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### AUTHORIZING AN AWARD OF CONTRACT TO SERPICO PYROTECHNICS, LLC/STARFIRE CORPORATION FOR FIREWORKS DISPLAY ON JUNE 24, 2023

**WHEREAS,** the Borough of Bloomingdale Council and Public Events committee is desirous of holding the annual 'Fourth of July' firework display for the Bloomingdale residents at the Walter T. Bergen School on June 24, 2023; and

**WHEREAS**, the Borough has received a proposal from Serpico Pyrotechnics, LLC/Starfire Corporation of 133 Orchid Court, Toms River, NJ 08753; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds as evidenced in the annexed certification;

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

- The Borough does hereby award a contract for Fireworks Display to Serpico Pyrotechnics, LLC/Starfire Corporation, to be held on Saturday, June 24<sup>th</sup>, 2023 with a rain date of June 25<sup>th</sup>, 2023.
- 2. The contract is hereby awarded in an amount not to exceed \$10,000.00, and the Chief Financial Officer as certified the availability of funds.
- 3. The contract is below the bid threshold and accordingly is not awarded through the bidding process.
- 4. The Mayor and/or Business Administrator are hereby authorized to execute the display contract agreement.

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COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

#### Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.10 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### AUTHORIZING AWARD OF CONTRACT FOR AQUATIC VEGETATION CONTROL AND FOUNTAIN PROGRAM (POND MANAGEMENT PROGRAM FOR BOGUE POND & OAKWOOD LAKE) TO LAKE MANAGEMENT SCIENCES-LMS

**WHEREAS**, the Borough of Bloomingdale has a need for the management of aquatic vegetation control and fountain program(s) for Bogue Pond and Oakwood Lake; and

WHEREAS, the Borough of Bloomingdale has previously contracted with Lake Management Sciences LMS for this service in 2022 & wish to continue to retain LMS for 2023; and

**WHEREAS**, the Local Public Contracts law (N.J.S.A. 40A:11-1, et. seq) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be awarded for public inspection; and

WHEREAS, the Borough Department of Public Works has reviewed the submitted quote and recommends that said contract be awarded to Lake Management Sciences-LMS, of Branchville, NJ; and

**WHEREAS,** the award is subject to the deposition of the ROSE fund money and certification of funds (to be annex to this resolution); and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey that a contract for the management of aquatic vegetation control and fountain program(s) for Bogue Pond and Oakwood Lake be awarded as follows:

- 1. The Borough of Bloomingdale authorizes the Mayor and/or Business Administrator to execute an agreement with Lake Management Sciences-LMS, P. O. Box 2395, Branchville, NJ 07826, as per their proposal on file with the Municipal Clerk; and
- 2. This contract is not to exceed \$8,000.00 without prior authorization from the Borough Council.
- 3. Notice of this action shall be published once in the Borough's official newspaper as required by law; and
- 4. A copy of this resolution shall be provided to Lake Management Sciences-LMS for their information and guidance and be on file in the Borough Clerk's office for public inspection.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Record of Council Vole on Passage										
COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent	
Catalano	Х				Dellaripa	Х				
Graziano	Х				Schubert	Х				
Hudson	Х				Yazdi	Х				

Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.11 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### EMERGENCY RESOLUTION N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)

**WHEREAS**, pursuant to N.J.S.A. 40a:4-19 the Borough council of the Borough of Bloomingdale adopted Resolutions to provide temporary funds for the period from January 1, 2023 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

**WHEREAS**, additional appropriations will be required from April 4, 2023 until the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

# NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, NEW JERSEY, that:

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND \$3,500,000.00 WATER AND SEWER UTILITY FUND \$1,500,000.00

- 2. This action shall take effect April 4, 2023
- 3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Bloomingdale.

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

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

#### **RESOLUTION NO. 2023-4.12 OF THE GOVERNING BODY OF** THE BOROUGH OF BLOOMINGDALE

#### RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #2 TO THE CONTRACT FOR ANDREW PLACE, VALE ROAD AND GLEN ROAD IMPROVEMENT PROJECT BETWEEN THE BOROUGH OF BLOOMINGDALE AND MIKE FITZPATRICK CONTRACTORS, INC. AND AMENDING THE CONTRACT TO INCLUDE THE ADDITIONAL IMPROVEMENTS

WHEREAS, the Borough of Bloomingdale and Mike Fitzpatrick Contractors, Inc. have entered into a contract in the amount of \$929,215.50 for the Andrew Place, Vale Road and Glen Road Improvement Project by way of Resolution No. 2021-11.10; and,

WHEREAS, the Borough of Bloomingdale and Mike Fitzpatrick Contractors, Inc. previously entered into a change order by way of Resolution No. 2022-6.21 in the amount of \$155,656.10 for the repairs of stormwater drainage system that were unforeseen at the time of bidding, which modified Resolution No. 2021-11.10; and,

WHEREAS, it has since been further determined by the Borough Engineer, Thomas Boorady of Darmofalski Engineer Associates, Inc., that further changes to this contract are necessary and the conditions were unknown or unforeseen at the time of plan preparations. Change order #2 includes: improvements to the water system by eliminating asbestos piping, adding new copper services to the main and installation of valving system to limit future large-scale shut of service in the event of water disruption.

	•	Additional Cost
Change Order #1		\$155,656.10
Proposed Change Order #2		\$108,315.08
	Total Net Change Order:	\$263,971.18
	Percentage Increase:	28.41%
; and		

#### **Non-Contract Work Items**

WHEREAS, the original contract amount was \$929,215.50; the amended contract amount based upon Change Orders #1 and #2 is \$1,193,186.68 which is a 28.41% increase from the original contract amount; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change orders have caused the originally awarded contract price to be exceeded by more than 20 percent; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.9, all required procedures have been completed; and,

WHEREAS, the Borough Engineer has reviewed the change order and recommended to the Borough Council that it modify its agreement with Mike Fitzpatrick Contractors, Inc., subject to the certification of funds, as a result of the above-referenced changes of condition which have occurred on the project and as detailed in the Borough Engineer's Memorandum, dated March 13, 2023; and,

WHEREAS, Borough Chief Financial Officer has certified the funds as evidenced in the annexed certification of funds; 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, that Change Order #2 is hereby approved in the contract between the Borough of Bloomingdale and Mike Fitzpatrick Contractors, Inc. as follows:

Original Contract	\$929,215.50
Change Order #1	\$155,656.10
Change Order #2	<u>\$108,315.08</u>
New Contract Total:	\$ 1,193,186.68

#### Increase 28.41%

NOW, THEREFORE, BE IT FURTHER RESOLVED that the contract between the Borough of Bloomingdale and Mike Fitzpatrick Contractors, Inc. for the Andrew Place, Vale Road and Glen Road Improvement Project is hereby amended to include the additional necessary improvements.

This Resolution will take effect immediately upon approval and certification of funds.

Record of Council Vote on Passage										
COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent	
Catalano	Х				Dellaripa	Х				
Graziano	Х				Schubert	Х				
Hudson	Х				Yazdi	Х				

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

#### **RESOLUTION NO. 2023.-4.13 OF THE GOVERNING BODY OF** THE BOROUGH OF BLOOMINGDALE

RESOLUTION AUTHORIZING PAYMENT TO MIKE FITZPATRICK CONTRACTORS, INC. FOR WORK PERFORMED FOR IMPROVEMENTS TO ANDREW PLACE, VALE ROAD, AND GLEN ROAD

**WHEREAS,** the Borough Engineer, Thomas Boorady, has submitted Invoice #6 to the Finance Department for work performed in connection with the Improvements to Andrews Place, Vale Road, and Glen Road project; and

WHEREAS, the Borough Engineer, has determined the work is satisfactory and recommends the Borough of Bloomingdale processes a payment to the contractor in the amount of \$156,016.50; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds as evidenced in the annexed certification of funds; 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:

**Section 1.** A payment in the amount of \$156,016.50 may be released by the Finance Department to Mike Fitzpatrick Contractors, Inc. for the Improvements to Andrews Place, Vale Road, and Glen Road project

**Section 2.** A copy of this Resolution shall be provided to Donna Mollineaux CFO, Thomas Boorady, Engineer & Mike Fitzpatrick Contractors of 16 Cozy Lake Road, Oak Ridge, NJ 07438 for their information and guidance.

Record of Council Vote on Passage											
COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent		
Catalano	Х				Dellaripa	Х					
Graziano	Х				Schubert	Х					
Hudson	Х				Yazdi	Х					

#### Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.14 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### AWARD OF CONTRACT TO GABRIELLI KENWORTH OF NEW JERSEY FOR THE PURCHASE OF TWO 2024 CHASSIS THROUGH SOURCEWELL NATIONAL COOPERATIVE

**WHEREAS**, the Borough of Bloomingdale is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use alternative procurement methods by entering into nationally recognized cooperative purchasing agreements, provided certain requirements are met; and;

WHEREAS, the Bloomingdale Public Works Department & Borough Administrator have recommended the award of a contract to Gabrielli Kenworth of New Jersey for the purchase two (2) 2024 Kenworth T480 6X4 25 Yard Loader Cab & Chassis for the DPW fleet based on a quote ID# 20230206BBRL-2, which was submitted in accordance with a proposal submitted by Kenworth Truck Company to Sourcewell national cooperative; and,

**WHEREAS**, Sourcewell and the contract award by the Sourcewell to Kenworth Truck Company meets the requirements of NJ State law for awarding contracts through national cooperatives, including the following:

- The 'Class 5-8 Chassis with Related Equipment' contract #060290-KTC was awarded through a competitive bidding process that complies with the laws covering the issuing entity;
- Sourcewell is a contracting unit as defined by statute; and
- Sourcewell's proposal was advertised as a national cooperative contract;

**WHEREAS**, Kenworth Truck Company has submitted required documentation with its proposal, including the following:

- New Jersey Business Registration certificate;
- Non-Collusion Affidavit and Stockholder Disclosure statement; and
- Proof of EEO compliance;

**WHEREAS,** as required by State statute, the Mayor and Council are satisfied, based on the information and representations presented to them, that the use of the Sourcewell contract shall result in cost savings after all factors have been considered; and,

**WHEREAS**, as recommended by New Jersey Division of Local Government Services Local Finance Notice 2012-10, the Borough has published a Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement establishing a comment period for the award of the contract to Gabrielli Kenworth of New Jersey under the Sourcewell contract; and,

**WHEREAS**, the Chief Financial Officer has certified the available of funds which is annexed to this resolution; and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomingdale, County of Passaic and State of New Jersey that the contract described herein is hereby approved for the purchase of GPS Fleeting Tracking Software & Equipment and is hereby awarded to Gabrielli Kenworth of New Jersey, in an amount not to exceed \$305,080.00 in accordance with its proposal dated February 17, 2023; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be provided to Gabrielli Kenworth of New Jersey, the Department of Public Works Supervisor and the Finance Department for their guidance.

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	Х				Dellaripa	Х			
Graziano	Х				Schubert	Х			
Hudson	Х				Yazdi	Х			

Record of Council Vote on Passage

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

#### RESOLUTION NO. 2023-4.15 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

#### MOTION FOR EXECUTIVE SESSION

**BE IT RESOLVED** by the Council of the Borough of Bloomingdale on the 4<sup>th</sup> day of April, 2023 that:

- Prior to the conclusion of this Council Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.

() b. (4) A collective bargaining agreement including negotiations.

- () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
  - Contract Negotiations (One Matter M&T)

(X) b. (8) Personnel matters.

•

#### **One Matter**

- () b. (9) Deliberations after a public hearing that may result in penalties.
- The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: April 4, 2023

Record of Council Vote on Passage										
COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent	
Catalano	Х				Dellaripa	Х				
Graziano	Х				Schubert	Х				
Hudson	Х				Yazdi	Х				

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on April 4, 2023.

Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale