

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

November 4, 2022

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 8:02AM.

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

Official Roll Call: (taken by the Borough Clerk)

In Attendance:

Mayor John D'Amato
Councilman John Graziano
Councilman Drew Juhlin
Councilwoman Evelyn Schubert
Councilman Ray Yazdi

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

Excused:

*Councilman Dominic Catalano
Councilwoman Dawn Hudson*

PUBLIC NOTICE STATEMENT

Mayor D'Amato stated: *This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 12, 2022; 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 GRAZIANO to open the meeting for public comment; seconded by YAZDI and carried on voice vote all voting AYE. Since there was no public present GRAZIANO made a motion to close the meeting for public comment, seconded by YAZDI.

REPORTS (PROFESSIONALS, DEPT HEADS, COMMITTEES, LIAISONS, MAYOR):

Borough Administrator, Michael Sondermeyer:

- Received letter of resignation from Terry Sauer (Registrar / Deputy Clerk) she will retire June 30, 2023

Mayor, John D'Amato:

- Noted the success of Angelo's Pizza 'Dine-to-Donate' fundraiser for Elias Lewis on 10/27/22 sponsored by the Bloomingdale PTA
- BBCO Toy Drive to begin 11/16 – there will be a collection box at Borough Hall

CONSENT AGENDA

(Adoption of Resolutions No. 2022-11.1 – 2022-11.7)

Motion: John Graziano

Second: Ray Yazdi

Discussion: *Councilman Juhlin seeked clarification on the gabion waterway repair at Sloan Park. Councilman Graziano asked why authorization is being given twice for senior center HVAC repair*

Roll Call Vote: GRAZIANO (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES)

CONSENT AGENDA RESOLUTION:

RESOLUTION NO. 2022-11.1 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
November 4, 2022 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:

- October 4, 2022 – Workshop Meeting
- October 18, 2022 – Executive Session

B. Resolution No. 2022-11.2: 2022 Best Practices Inventory

C. Resolution No. 2022-11.3: Online Auction (*property of no useful life/public use*)

D. Resolution No. 2022-11.4: North Jersey Municipal Employee Benefits Fund
Renewal

E. Resolution No. 2022-11.5: Master Technology Policy & Cyber Incident
Response Plan for compliance with MEL Cyber Risk Management

F. Resolution No. 2022-11.6: Re-Authorizing Contract with A-Mar (Senior Center
HVAC)

G. Resolution No. 2022-11.7: Repair to Gabion Waterway at Sloan Park (DMK)

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Ordinance No. 25-2022: Add Ch. 27 'Business Insurance Registration'

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 25-2022
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 THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ADD A NEW CHAPTER 27 "BUSINESS INSURANCE REGISTRATION"

WHEREAS, on August 5, 2022, Governor Murphy signed into law Senate Bill 1368, which mandates that business owners, rental unit owners, and certain multi-family home owners maintain liability insurance for negligent acts and omissions in amounts set forth in N.J.S.A. 40A:10A-1; and

WHEREAS, Senate Bill 1368 additionally requires such business, rental unit and certain multi-family home owners to annually register a Certificate of Insurance with the municipality in which the business, rental unit, or multi-family home is located, in accordance with N.J.S.A. 40A:10A-2a, effective November 3, 2022; and

WHEREAS, N.J.S.A. 40A:10A-2b authorizes municipalities to, by ordinance, establish a reasonable administrative fee for administration of the registration program, and to enforce penalties pursuant to N.J.S.A. 2A:58-10 *et seq.* for failure to comply with the registration requirements; and

WHEREAS, in order to ensure compliance with this new law, business owners and owners of multi-family rental units are required to annually register a certificate of insurance with the municipality where the business or rental unit is located; and

WHEREAS, the Borough of Bloomingdale has reviewed this recent legislation and determined that the Code should be amended to establish a registration program and establish fees and penalties associated with same.

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. The Code shall be amended to add a new Chapter 27 entitled "Business Insurance Registration" to read as follows:

Chapter 27 Business Insurance Registration

§27-1. Insurance Coverage Required.

The owner of a business or the owner of a rental unit or units, other than a multifamily home as set forth in this Section below, shall be required to maintain liability insurance for all negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

§27-2. Annual Registration Requirement.

Any owner of a business or rental unit(s) required to maintain insurance as set forth in Section 27-1 above, is required to register the certificate of such insurance coverage with the Borough Clerk as follows:

- 1) Within 30 days of the date this Ordinance takes effect.
- 2) Within 30 days of the date of establishment of said business or rental unit(s) within the Borough.
- 3) On or before January 15 or each year following enactment of this Section.

A new certificate will be required annually for each calendar year. All certificates shall be renewed no later than January 15 of each year. It shall be the responsibility of any owner conducting, operating or engaging in any business covered by this requirement to apply for a certificate at the Office of the Clerk.

§27-3 Definitions.

The following words and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

BUSINESS

Any person offering and/or engaged in buying, selling, storing and/or transferring merchandise, goods, real property, personal property, moneys, services and/or other items who do so for a fee, price, retainer, commission, percentage and/or other means of compensation for the purpose, stated or otherwise, of realizing a profit or other gain.

MUNICIPAL INSURANCE REGISTRATION FORM

The registration form to be filed with the Municipal Clerk.

MUNICIPAL INSURANCE REGISTRATION CERTIFICATE

The certificate issued by the Municipal Clerk indicating compliance with the registration requirement.

CERTIFICATE OF INSURANCE

The certificate of insurance form.

MUNICIPALITY

The Borough of Bloomingdale.

§27-4 Municipal Insurance Registration Form; Required Information; Issuance of Certificate

A. Any business owner, rental unit owner, or owner of a multifamily home that is four or fewer units, one of which is owner occupied, located within the Borough shall file a completed municipal insurance registration form and certificate of insurance with the Clerk and shall pay the required fee.

B. The municipal insurance registration form shall contain the following information for each owner applying for a certificate:

- (1) The name of the owner.
- (2) The nature of and address of the business, rental unit(s) or multifamily home(s).
- (3) The business address of the owner.
- (4) The home address of the owner.
- (5) The business telephone number of the owner
- (6) The home telephone number and/or cell number of the owner.
- (8) The trade name or other business identification titles used by the owner.

C. The Clerk shall issue a municipal insurance registration certificate to any owner who files a completed municipal insurance registration form with certificate of insurance demonstrating the required coverage, and pays the required fee.

D. Upon receipt of the requirements of §109-4(C), the municipal insurance registration certificate shall be issued along with a copy of the completed municipal insurance registration form with an acknowledgment by the Clerk that it has been properly filed.

27-5 Licensing Two or More Businesses or Locations.

A. In the event that two (2) or more businesses occupy the same location, the owner shall be required to complete a separate municipal insurance registration form and obtain a separate certificate for each such business.

B. In the event that the same owner conducts businesses at two (2) or more locations, a separate business registration form and certificate shall be required for each location.

§27-6 Changes in Businesses or Locations or Owners.

Every owner having a municipal insurance registration certificate for a business or rental unit or multifamily home of four or few units, one of which is owner occupied, that ceases to operate, changes the principal activity in which it is engaged, changes its location and/or locations in the municipality, moves out of the municipality or changes owners and/or managers, must submit written notice to the Clerk within thirty (30) days of such change. In the event of cessation of

business or moving out of the municipality, the person having a certificate for a business must provide the name, address and home telephone number of the person or principal officer of the business to the Clerk within thirty (30) days of such event.

§27-7 Compliance with Applicable Laws and Ordinances.

Issuance of a municipal insurance registration certificate by the municipality does not evidence compliance with other applicable rules, regulations, ordinances and statutes of the municipality, county and State of New Jersey, or other regulatory agencies having jurisdiction over the activities of the certificate holder.

§27-8. Registration Fee.

The annual fee for registration of the certificate of insurance pursuant to this Section shall be \$20.00, due at the time the certificate of insurance is to be registered with the Borough Clerk.

§27-9. Violations.

If the owner of a business or rental unit(s) subject to the registration requirements of this Section is found to be in violation of these provisions, a fine of not less than \$500 but no more than \$5,000 may be assessed against same through a summary proceeding in accordance with the provisions of in N.J.S.A. 2A:58-10 et seq.

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

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

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

Public Hearing:

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

Adoption:

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

B. Second/Final Reading & Public Hearing:

Ordinance No. 26-2022: Amend Ch. 2-80 Fees (Business Insurance Administration Fee)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 26-2022
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 2 “ADMINISTRATION”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

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

WHEREAS, on August 5, 2022, Governor Murphy signed into law Senate Bill 1368, which mandates that business owners, rental unit owners, and certain multi-family homeowners maintain liability insurance for negligent acts and omissions in amounts set forth in N.J.S.A. 40A:10A-1; and

WHEREAS, in order to ensure compliance with this new law, business owners and owners of multi-family rental units are required to annually register a certificate of insurance with the municipality where the business or rental unit is located; and

WHEREAS, to remain consistent with the newly established Chapter 27 'Business Insurance Registration' program, the Borough will implement a fee for the administration of the registration program; and

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

SECTION 1. Chapter 2 "Administration", Article VIII "Policies and Procedures", Section 2-80 "Fees Charged for Municipal Services" shall be amended as follows:

§2-80 Fees Charged for Municipal Services.

oo. Annual fee for registration of the certificate of insurance per Chapter 27 [Business Insurance Registration] \$20.00

All other portions of this Section remain unchanged.

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

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

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

Public Hearing:

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

Adoption:

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

NEW BUSINESS

A. Adoption of Resolution No. 2022-11.8: Transfer of Appropriations

Motion: John Graziano

Second: Ray Yazdi

Roll Call Vote: YAZDI (YES), GRAZIANO (YES), JUHLIN (YES), SCHUBERT (YES)

B. Adoption of Resolution No. 2022-11.9: Authorizing an Award of Contract for the Hilltop Terrance Road Improvement Project to Your Way Construction, Inc.

Motion: John Graziano

Second: Ray Yazdi

Roll Call Vote: GRAZIANO (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES)

C. Introduction of Ordinance No. 27-2022: Amend Ch. 92-14 Zoning (Side lots/yards)

A motion was made by GRAZIANO to introduce the Ordinance by title; second and final reading/ public hearing will be on December 20, 2022 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 Municipal 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 IV “SUPPLEMENTARY LOT, HEIGHT AND YARD REGULATIONS”, SECTION 92-14 “YARDS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

LATE PUBLIC COMMENT:

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

GOVERNING BODY SCHEDULE

- A. Veteran’s Day Ceremony – November 11th – Sloan Park 11AM**
- B. Regular Meeting – November 22, 2022 7PM**
- C. Regular Meeting – December 20, 2022 7PM**

ADJOURNMENT:

Since there was no further business to be conducted, GRAZIANO moved to adjourn at 8:12AM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC
Municipal Clerk

November 4, 2022 RESOLUTIONS

**RESOLUTION NO. 2022-11.2
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

2022 Municipal Best Practices Inventory

WHEREAS, The Department of Community Affairs, Division of Local Government Services requires municipality to complete the Best Practice Inventory; and

WHEREAS, the Borough of Bloomingdale has complied with the request to complete the Best Practice Inventory Worksheet; and

WHEREAS, the Chief Administrative Officer (Michael Sondermeyer) and the Chief Financial Officer (Donna M Mollineaux) of every municipality must both certify the inventory using the Online FAST platform; and

WHEREAS the Municipal Clerk must certify that the Inventory and the results will be discussed at a public meeting; and

NOW, THEREFORE BE IT RESOLVED that the Borough of Bloomingdale's Best Practice Inventory Worksheet has been reviewed by the Governing Body at public meeting held on November 4, 2022; submitted to the Division by the required November 10, 2022 due date, and that the Business Administrator, Chief Financial Officer and Municipal Clerk are hereby authorized to prepare the necessary certifications.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY BY USE OF
ONLINE AUCTION – GOVDEALS.COM PURSUANT TO N.J.S.A. 40A:11-36**

WHEREAS, the Borough of Bloomingdale has title to the following property:

- 2007 Dodge Durango VIN#1D8HB38P27F522525
- Blue Lift 15,000LB

WHEREAS, based upon the condition & the repairs necessary, the aforementioned property is of no useful life and is no longer needed for public use; and

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

WHEREAS, the Borough of Bloomindale desires to list personal property for sale via an online auction hosted by GovDeals.com, which sale is going to be conducted pursuant to Local Finance Notice 2008-9; and

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

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

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND
RESOLUTION to RENEW**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of the Borough of Bloomingdale, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING ADOPTION OF MASTER TECHNOLOGY POLICY VERSION 2.2 AND CYBER INCIDENT RESPONSE PLAN VERSION 2.1 IN COMPLIANCE WITH THE MEL CYBER RISK MANAGEMENT PROGRAM

WHEREAS, the Borough of Bloomingdale is a member of the Municipal Excess Liability Joint Insurance Fund (“MEL”); and

WHEREAS, the MEL periodically reviews its insurance policies and has ensured that its members have cyber liability insurance coverage to protect the Borough from potential costs associate with a cyber related claim; and

WHEREAS, to assist members in preventing and responding to cyber related claims, the MEL has developed a revised Master Technology Policy Version 2.2 and a revised Cyber Incident Response Plan Version 2.1; and

WHEREAS, Master Technology Policy Version 2.2 helps ensure the security of the Borough’s technology systems and information that the Borough stores, processes and/or transmits; and

WHEREAS, the Cyber Incident Response Plan Version 2.1 ensures that the Borough has the information and resources to identify, track and respond to technology-based security incidents; and

WHEREAS, the Borough Council has reviewed the Master Technology Policy Version 2.2 and the Cyber Incident Response Plan Version 2.1 and determined that it is in the best interest of the Borough to adopt same.

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

1. The Borough of Bloomingdale hereby adopts the Master Technology Policy Version 2.2 and the Cyber Incident Response Plan Version 2.1;
2. The Borough Clerk shall retain the Master Technology Policy Version 2.2 and the Cyber Incident Response Plan Version 2.1.
3. The Borough Administrator, Clerk and Mayor are hereby authorized to execute any and all documents, and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, RE-AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT WITHOUT COMPETITIVE BIDDING TO A-MAR INC TO PROVIDE HVAC MAINTENANCE SERVICES AT THE BLOOMINGDALE SENIOR CENTER

WHEREAS, there exists a need for HVAC (heating/cooling) maintenance services at the Bloomingdale Senior Center; and

WHEREAS, the Borough previously awarded this contract [Resolution 2022-10.23] however, it has been determined the vendor has provided a revised/updated quote; and

WHEREAS, the Borough still wishes to retain A-Mar Inc. to perform such services; and

WHEREAS, the maximum amount for services under this contract shall not exceed \$15,535.00; and

WHEREAS, funds are available for this purpose are available as evidenced in the annexed certification of funds; 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 be available for public inspection.

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. The contract with A-Mar Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. A-Mar Inc. shall provide HVAC maintenance services to the Borough as set forth in its proposal of October 19, 2022.

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 A-Mar Inc. P.O. Box 3385, Wayne New Jersey 07474 for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.7
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO DMK SERVICES, LLC TO PROVIDE REPAIR SERVICES TO THE GABION WATERWAY AT SLOAN PARK

WHEREAS, there exists a need for the professional repair of the gabion baskets in the Sloan Park bypass channel due to damage from the past heavy river flow events; and

WHEREAS, the Borough Engineer recommends DMK Services, LLC to provide this service to the Borough;

WHEREAS, the maximum amount for services under this contract shall not exceed \$3,500.00; and

WHEREAS, funds are available for this purpose as certified by the Chief Financial Officer in the annexed certification of funds; 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 be available for public inspection.

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. The contract with DMK Services, LLC is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. DMK Services, LLC shall provide gabion water repair services for the Borough as set forth in estimate #43 date October 6, 2022.

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 DMK Services, LLC, 80 Schuyler Avenue, Pompton Lakes, New Jersey 07442, for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing the Transfer of 2022 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 FY2022 Budget.

From:		
Administration OE		\$ 13,700.00

Employee Group Insurance OE		\$ 25,000.00
Police SW		\$ 10,000.00
TOTAL		\$ 48,700.00
To:		
Fire Prevention OE		\$ 5,000.00
PERS		\$ 8,700.00
Gasoline Expenses		\$ 25,000.00
Police Dispatch SW		\$ 10,000.00
TOTAL		\$ 48,700.00

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Hudson				X	Schubert	X			
Catalano				X	Graziano	X			
Juhlin	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2022-11.9
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 THE HILLTOP TERRACE ROAD IMPROVEMENTS TO YOUR WAY CONSTRUCTION, INC.

WHEREAS, the Borough of Bloomingdale received sealed competitive bids on October 27, 2022 for performance of the Hilltop Terrace Road Improvements project; and

WHEREAS, eight (8) sealed bid were received and opened on October 27, 2022, in accordance with the bid specifications:

- | | |
|---|----------------|
| 1) Your Way Construction, Inc. | \$870,992.78 |
| 2) Mike Fitzpatrick Contractors, Inc. | \$877,129.92 |
| 3) Cifelli & Son General Construction, Inc. | \$902,604.00 |
| 4) AJM Contractors, Inc. | \$905,592.00 |
| 5) American Asphalt & Trucking, LLC | \$993,368.85 |
| 6) REIVAX Contracting Corp | \$1,008,023.50 |
| 7) D.L.S. Contracting Inc. | \$1,042,629.00 |
| 8) Diamond Construction | \$1,720,305.00 |

; and

WHEREAS, said bids have been duly reviewed and analyzed by the Borough Engineer, the Borough Attorney & the Qualified Purchasing Agent; 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 Your Way Construction, Inc. in the total amount of \$870,992.78 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 purchase.

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

1. The Borough Council hereby awards a contract to Your Way Construction, Inc., 404 Coit Street, Irvington, New Jersey 07111 for the Hilltop Terrace Road Improvements project in accordance with the bid specifications in the total amount of \$870,992.78.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with Your Way Construction, Inc. in accordance with its bid for the Hilltop Terrace Road Improvements project.

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.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano				X	Juhlin	X			
Graziano	X				Schubert	X			
Hudson				X	Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on November 4, 2022.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale