

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

January 19, 2021

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held via Zoom webinar platform on the above date. Council President, John D’Amato called the meeting to order at 7:04PM.

Council President led the **Salute to the Flag**.

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Councilman John D’Amato
Councilman Richard Dellaripa
Councilwoman Dawn Hudson
Councilman Drew Juhlin (*Not present for roll call, later entered 7:20PM*)
Councilman Ray Yazdi

Municipal Clerk, Breeanna Calabro
Borough Attorney, Fred Semrau
Business Administrator, Michael Sondermeyer

PUBLIC NOTICE STATEMENT

Councilman D’Amato stated: *In accordance with the Open Public Meetings Act and the Emergency Remote Meeting Protocol for Local Public Bodies, adequate and electronic notice of this remote meeting have been provided by sending notice to the Herald Newspaper and The Star Ledger, posting notice on the Borough website, posting notice on the outside front door & bulletin board of Borough Hall, 101 Hamburg Turnpike, Bloomingdale, NJ 07403, and sending notice to those individuals requesting same.*

Members of the public will be kept on mute during the meeting. While muted, participants will still be able to hear business being conducted. If you would like to speak during the designated public comment portion (& Ordinance Public Hearings if applicable), press 9 on your telephone or the “raise hand” icon on the Zoom app and wait to be recognized by the host, who will unmute you to speak. When you are done commenting, you will be muted again. There is a 5-minute limit on all public comments.

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 who wished to speak, YAZDI made a motion to close public comment, second by DELLARIPA & carried on voice vote all members voting AYE, none were opposed.

COUNCILPERSON VACANCY:

Democratic Committee has submitted 3 nominees to the Municipal Clerk, announced by John D’Amato:

- a. *Bernard Vroom*
- b. *John Graziano*
- c. *Mark Crum*

Council President D’Amato nominated John Graziano to fill the vacancy for the unexpired term (expiring 12/31/2021); no other nominations were made. Yazdi made a motion to appoint John Graziano, second by Hudson and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (YES), HUDSON (YES), YAZDI (YES) – (Juhlin was not present during the vote)

Oath of Office:

John Graziano took his Oath of Office as Councilperson virtually with Former Mayor & Retired Judge, Anthony Graziano. John spoke in regard to this appointment, all congratulated &

welcomed him to the Council.

REPORTS:

Councilwoman Hudson: Community Garden Plot applications will begin in February. Provided an update on Animal Licenses, they are due January 31st – late fees are effective March 1st. An ordinance to change to the due date may be considered on a future agenda.

Council President / Acting Mayor:

- White Collar Contract negotiations have begun
- 2021 Budget process has started – the budget committee will meet
- Covid-19 guidelines still in effect; vaccine discussion followed

CONSENT AGENDA

(Adoption of Resolutions No. 2021-1.93 – 2021-1.99)

Motion: Ray Yazdi

Second: Dawn Hudson

Roll Call: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES), D'AMATO (YES)

RESOLUTION NO. 2021-1.93 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
January 19, 2021 Regular 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.

- Resolution No. 2021-1.94:** Extending Paid Sick Leave for Borough Employee
- Resolution No. 2021-1.95:** Granting Unpaid Sick Leave for Borough Employee
- Resolution No. 2021-1.96:** Authorization Contract with General Code (codification services)
- Resolution No. 2021-1.97:** Authorization Professional Service Proposal - Tax Appeal / Appraisal Assistance (Scott Holzhauser)
- Resolution No. 2021-1.98:** Waive Permit Fees for Tri-Boro Generator
- Resolution No. 2021-1.99:** Planning Board Alternate Member Term

Consent Agenda Resolutions:

RESOLUTION NO. 2021-1.94 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Extending Paid Sick Leave to Borough Employee

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Michael Boffa (“Employee”) is an employee of the Borough of Bloomingdale; and

WHEREAS, the Governing Body further finds and declares that the Employee has been out of work on paid sick leave as of October 22, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby extend paid sick leave to Borough Employee, Michael Boffa, during the period of January 10, 2021 through March 2, 2021; and

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

**RESOLUTION NO. 2021-1.95
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Granting Unpaid Sick Leave to Borough Employee

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Laura Pluymers ("Employee") is an employee of the Borough of Bloomingdale; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on unpaid sick leave as of December 24, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant unpaid sick leave to Borough Employee, Laura Pluymers, during the period of December 24, 2020 through February 16, 2021; and

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

**RESOLUTION NO. 2021-1.96
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 Non-Fair and Open Professional Service for Codification Services
to General Code*

WHEREAS, the Borough of Bloomingdale has a need to award a contract for the Borough's codification of ordinances as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or Section 2.13.1 of the Borough Code as appropriate; 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 term of this contract for this services is one year from January 1, 2021 through December 31, 2021; and

WHEREAS, General Code, 781 Elmgrove Road, Rochester, NY 14624 will provide those services as sought by the Borough of Bloomingdale as per the proposal, dated January 4, 2021, on file in the Municipal Clerk's Office; and

WHEREAS, General Code has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough of Bloomingdale with the elected officials in the previous one year, and that the contract will prohibit General Code from making any reportable contributions through the term of the contract; and

WHEREAS, this contract is conditioned upon the funds being approved by the Governing Body in the 2021 budget;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey authorizes the Council President and Municipal Clerk to enter into a contract with General Code as described herein to the satisfaction of the Borough Council; and

BE IT FURTHER RESOLVED, that the contract, resolution and other pertinent documents shall remain on file in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Borough's legal newspaper.

Certification of Funds:

Pending Budget adoption, I certify the availability of funds, in an amount not to exceed **\$9,000** from **1-01-20-120-001-024**.

Donna M. Mollineaux, CFO

**RESOLUTION NO. 2021-1.97
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 PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT HOLZHAUER, CTA, SCGREA, TO ASSIST THE BOROUGH OF BLOOMINGDALE WITH TAX APPEALS FILED IN THE TAX COURT OF NEW JERSEY

WHEREAS, the Bloomingdale Tax Assessor has recommended that the Borough of Bloomingdale retain professional real estate appraisal and consulting services to assist the Borough of Bloomingdale with outstanding tax appeal matters in the Tax Court of New Jersey; and

WHEREAS, Scott Holzhauer, CTA, SCGREA has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Bloomingdale with the elected officials in the previous one year, and that the contract will prohibit Scott Holzhauer from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Mayor and Municipal Clerk be and are hereby authorized to execute a contract with Scott Holzhauer, CTA, SCGREA for professional services to assist the Borough with Tax appeals filed in the Tax Court of New Jersey
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The term of this contract shall be through December 31, 2021.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Municipal Clerk.

Certification of Funds:

Pending Budget adoption, I certify the availability of funds, in an amount not to exceed **\$5,000.00** from **1-01-20-150-001-028**.

Donna M. Mollineaux, CFO

**RESOLUTION NO. 2021-1.98
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION AUTHORIZING WAIVING CONSTRUCTION PERMIT FEES FOR
THE INSTALLATION OF A GENERATOR TO BE INSTALLED BY THE TRI BORO
FIRST AID SQUAD**

WHEREAS, the Tri-Boro First Aid Squad is a non-profit organization that serves the communities of Butler, Bloomingdale and Kinnelon; and

WHEREAS, the Tri-Boro first aid squad will be applying to the Construction Department for permits related to installation of a Generator; and

WHEREAS, the organization has requested the permitting fees of the Borough be waived; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does here by authorize the Construction Official to waive the permitting fees for the installation of a Generator for the Tri-Boro First Aid Squad and further thanks the squad for their assistance to the Borough.

**RESOLUTION NO. 2021-1.99
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Extending Appointment of Planning Board Alternate I Member

WHEREAS, in accordance with the Borough Code, Chapter 33 Land Use Procedures, Section 3.1 'Establishment' criteria has been established for the terms of Alternate Members of the Bloomingdale Planning Board;

WHEREAS, it has been determined by the Planning Board there is an error in the expiration of terms of the current appointed Alternate I Member of the Board; and

WHEREAS, to provide consistency within the code, it is recommended by the Board to extend the term of Alternate I Member, Robert Lippi, to December 31, 2022; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Bloomingdale, that they do provide, advice and consent to the extension of the appointment by recommendation of the Planning Board. Robert Lippi Alternate I Member term is hereby extended to expire on December 31, 2022.

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Ordinance No. 1-2021: Amending Ch. 39-31 (Off Street Parking Area)

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 present voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 1-2021
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 69 "SITE PLAN REVIEW AND SUBDIVISION OF LAND", ARTICLE V "SITE PLAN DESIGN STANDARDS", SECTION 69-31 "TRAFFIC CIRCULATION", SUBSECTION E "OFF-STREET PARKING AND LOADING AREAS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth requirements and standards for parking and loading spaces throughout the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to ensure such requirements and standards are consistent;

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

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 69 "Site Plan Review and Subdivision of Land", Article V "Site Plan Design", Section 69-31 "Traffic Circulation", Subsection E "Off-street parking and loading areas" shall be amended to read as follows:

E. Off-street parking and loading areas.

(1) The site plan shall provide for sufficient parking and loading spaces to meet the requirements of the Zoning Ordinance, Chapter **92** of the Code.

(2) An off-street parking area shall be marked off into individual car parking stalls, and each stall shall be not less than nine feet in width and not less than eighteen feet in length (9x18). Aisles shall have a minimum width of 27 feet unless angle parking is permitted, in which case minimum aisle width shall be as approved by the Borough Engineer.

(3) An off-street truck loading stall shall have a minimum width of 10 feet, a minimum length of 25 feet and a minimum clear height of 14 feet.

(4) No parking or truck loading stall shall be located within 10 feet of a residential building.

(5) Entrances and exits and driveways to a parking or truck loading area shall be paved and shall include turning areas and shall be so designed to assure ease of mobility, ample clearance and safety of vehicles and pedestrians. Parking areas shall be paved.

(6) A parking or truck loading area shall be surfaced with concrete or asphaltic mix and sufficiently drained so as to prevent an accumulation of water on the surface of the areas.

(7) A parking area shall be illuminated if used after sunset, and such illumination shall provide a minimum of 0.2 footcandle per square foot average throughout the area and be shielded from motorists using the streets or adjoining residential properties.

(8) Planting strips, consisting of suitable shrubbery or hedges with a minimum height of five feet and a density to shield effectively, the year around, undesirable visual exposure, shall be provided where feasible around hard-surfaced parking or truck loading areas.

(9) Off-street parking and loading areas shall be designed to prevent the maneuvering of vehicles into or out of a parking or loading space within any portion of a driveway that is within the right-of-way line of any street. Off-street parking and loading areas shall be designed so as to avoid the necessity of vehicles backing onto any street from the site.

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 YAZDI 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 speak YAZDI made a motion to close the public hearing; motion was seconded by DELLARIPA and carried on voice vote all members voting AYE.

Adoption:

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

B. Second/Final Reading & Public Hearing:

Ordinance No. 2-2021: Amending Ch. 92-22 (Zoning - Off Street Parking)

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 present voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 2-2021
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 92 “ZONING”, ARTICLE V “REGULATIONS GOVERNING CERTAIN USES”, SECTION 92-22 “PARKING, LOADING AND AUTOMOTIVE SERVICES”, SUBSECTION A “OFF-STREET PARKING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth requirements and standards for parking and loading spaces throughout the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed the Code and recommended certain changes be made in order to ensure such requirements and standards are consistent;

WHEREAS, the Borough Council has reviewed and accepted the recommended changes as being in the best interest of the Borough.

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 92 "Zoning", Article V "Regulations Governing Certain Uses", Section 92-22 "Parking, Loading and Automotive Services", Subsection A "Off-street parking" shall be amended to read as follows:

A. Off-street parking. In all districts in connection with every manufacturing, business, institutional, recreational, and residential or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces open to the users at no charge in accordance with the requirements set forth herein.

(1) Size and access. Each off-street parking space shall have an area of not less than 162 square feet measuring not less than nine feet in width and not less than eighteen feet in length (9 x 18) in an area exclusive of access drives or aisles, and shall be of usable shape and condition. Except in the case of dwellings, no parking area provided hereunder shall be established for less than three spaces. There shall be adequate provisions for ingress and egress to all parking spaces. The grade of residential driveways shall not be over 15%, and for all other parking areas the grade shall be 10%.

Access to off-street parking areas shall be limited to several well-defined locations, and in no case shall there be permitted unrestricted access along the length of the street or alley upon which the parking area abuts. Permits shall be required for curb cuts except for new residential subdivisions.

(2) Number of parking spaces required. The number of off-street parking spaces required shall be as set forth in the Schedule of Regulations in accordance with the definition of "floor area" as set forth in Article XI hereof, provided that any residential district, on any lot having an area of one acre or less, private garage space may be provided for not more than five motor vehicles. Space for one additional motor vehicle may be provided for each one-fifth (1/5) acre by which the area of the lot exceeds one acre; and in any residential district, not more than 1/2 of the garage space provided on any lot shall be used for the housing of commercial motor vehicles. In the case of any building structure or premises the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is similar, in the opinion of the Board of Adjustment, shall apply.

(3) Off-site facilities. All permitted and required accessory off-street parking spaces, open or enclosed, shall be located on the same zone lot as the use to which such spaces are accessory, except that such spaces may be provided elsewhere but shall be provided within a radius of no greater distance than fifteen hundred (1500) feet from that zone lot. For utilization of spaces on property not in the same ownership as the use to which they are accessory, a copy of a lease/license agreement between the user and the property owner allowing the utilization of the spaces must be submitted to the Zoning Officer within 10 days of execution of the agreement. If the agreement is terminated for any reason, the user must immediately notify the Zoning Officer of same and terminate all use.

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 HUDSON 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 one who wished to speak YAZDI made a motion to close the public hearing; motion was seconded by DELLARIPA and carried on voice vote all members voting AYE.

Adoption:

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

NEW BUSINESS

A. (Adoption of Resolution No. 2021-1.100)

Motion: Rich Dellaripa

Second: Ray Yazdi

Roll Call: JUHLIN (YES), YAZDI (YES), D’AMATO (YES)*, DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES)

Recusals: D’AMATO – recused from all payments to vendor 01463, Darmofalski Engineering

**RESOLUTION NO. 2021-1.100
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;

<u>BILLS LIST</u>		<u>PREPAID LIST</u>	
CURRENT	1,863,179.71	CURRENT	1,126,221.83
UTILITY	11,444.97	UTILITY	534,127.64
CAPITAL	41,224.98	OPEN SPACE	26,564.35
UTILITY CAPITAL	33,940.00	TRUST ACCOUNT	9,579.32
TRUST	4,609.30	RECYCLING	00.00
DOG	2,229.29	DOG TRUST	116.88
RECREATION	8,287.00	UNEMPLOYMENT	283.17 ROSE
FUND	18,750.49	CAPITAL	780.00
RECYCLING	1,905.89	WATER CAPITAL	00.00
UNEMPLOYMENT	00.00	RECREATION	00.00
AFFORDABLE HOUSING	00.00	CAPITAL ASSESSMENT	00.00
TOTAL	1,985,571.63	TOTAL	1,697,673.19

B. (Adoption of Resolution No. 2021-1.101)

Motion: Rich Dellaripa

Second: Dawn Hudson

Roll Call: YAZDI (YES), D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES)

**RESOLUTION NO. 2021-1.101
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE
COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING
THE PURCHASE OF A ROCK SALT THROUGH THE MORRIS COUNTY
CO-OPERATIVE PRICING COUNCIL (MCCPC) - CONTRACT #3**

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

WHEREAS, the Borough of Bloomingdale desires to purchase rock salt under the Morris County Co-Operative Pricing Council Contract #3 ROCK SALT & CALCIUM CHLORIDE; and

WHEREAS, Morton Salt Inc., has been awarded the Contract for Rock Salt at a price of \$61.71 per ton; and

WHEREAS, the Superintendent of Public Works recommends the utilization of this contract on the grounds as the best means available to obtain the rock salt; and

WHEREAS, the purchase for rock salt shall not exceed the amount of \$10,000.00; and

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

1. The Borough of Bloomingdale hereby authorizes the purchase of rock salt from Morton Salt Inc. under the MCCPC Contract #3.

2. The total fee authorized for this contract shall not exceed \$10,000.00 without the prior written approval of the Borough Council.

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

4. A copy of this resolution shall be provided to the Borough Treasurer and Morton Salt Inc. for their information and guidance.

This Resolution shall take effect immediately.

C. (Adoption of Resolution No. 2021-1.102)

Discussion: Council President explained the Borough is purchasing Rock Salt from two different vendors because there is a better price that was released under the Passaic County Co-op

Motion: Ray Yazdi

Second: Rich Dellaripa

Roll Call: D'AMATO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES)

**RESOLUTION NO. 2021-1.102
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A ROCK SALT THROUGH THE PASSAIC COUNTY CO-OPERATIVE CONTRACT #38-PCCP

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

WHEREAS, the Borough of Bloomingdale desires to purchase rock salt from the Passaic County Co-Operative entitled Contract #38-PCCP; and

WHEREAS, Chemical Equipment Labs of DE., has been awarded the Contract for Rock Salt at a price of \$55.91 per ton; and

WHEREAS, the Superintendent of Public Works recommends the utilization of this contract on the grounds as the best means available to obtain the rock salt; and

WHEREAS, the rock salt shall not exceed the amount of \$40,000.00; and

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

1. The Borough of Bloomingdale hereby authorizes the purchase of rock salt from Chemical Equipment Labs of DE under the Passaic County Co-Operative under Contract #38-PCCP.

2. The total fee authorized for this contract shall not exceed \$40,000.00 without the prior written approval of the Borough Council.

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

4. A copy of this resolution shall be provided to the Borough Treasurer and Chemical Equipment Labs of DE for their information and guidance.

This Resolution shall take effect immediately.

D. (Adoption of Resolution No. 2021-1.103)

Motion: Ray Yazdi

Second: Rich Dellaripa

Roll Call: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES), YAZDI (YES), D'AMATO (YES)

**RESOLUTION NO. 2021-1.103
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing the Transfer of Reserve Appropriations (2020)

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 FY2020 Budget.

To:		
Street & Roads	0-01-32-465-001-100	\$ 13,000.00
TOTAL		\$ 13,000.00
From:		
Police	0-01-25-240-001-011	\$ 13,000.00
TOTAL		\$ 13,000.00

E. Introduction of Ordinance No. 3-2021: Repeal/Add New Ch. 31A (*Stormwater Control Requirements*)

Acting Mayor, John D’Amato explained this ordinance comes as a requirement from the NJDEP & as a recommendation from the Borough Engineer.

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on February 2, 2021 at 7PM; the motion was seconded by GRAZIANO and carried on the following voice vote: all members 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, TO REPEAL CHAPTER 31A “STORMWATER CONTROL REQUIREMENTS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE AND REPLACE WITH A NEW CHAPTER 31A IN ACCORDANCE WITH REVISED NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGULATIONS

F. Introduction of Ordinance No. 4-2021: Amend Ch. 20 Section 11.5 (*Fees – Road Opening Permits*)

The Municipal Clerk explained the purpose of this ordinance. The first change is to add the words “CASH BOND” into section 20-11.5 (there is a \$200 ‘cash bond’ that residential applicants submit; once their permit is approved by the Engineer; the money is reimbursed to the applicant) this is being done to provide clarity and give clear direction for the Finance department to return the funds to the resident.

Under the same subsection, letter B. the current code reads that Utility companies (PSE&G) must provide a \$2,000 bond when they apply for a road opening permit. Per the Borough Engineer, if the work is ever unsatisfactory – the \$2,000 would not be enough to fix a patch should a utility company fail to repair. We are changing this to \$10,000.

The last change is reinstating sections that were deleted in error.

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on February 2, 2021 at 7PM; the motion was seconded by DELLARIPA and carried on the following voice vote: all members 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 20 “STREETS AND SIDEWALKS”, ARTICLE II “STREETS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

LATE PUBLIC COMMENT

YAZDI opened the meeting to late public comment; seconded by DELLARIPA and carried on voice vote, all in favor voting AYE.

Linda Huntley – 86 Van Dam Avenue, Bloomingdale
made the following inquiries:

- *Shared vaccine information from the County & their website*

Since there was no one else who wished to speak YAZDI moved that it be closed; second by DELLARIPA and carried on voice vote all members voting (AYE).

EXECUTIVE SESSION

Motion: Rich Dellaripa

Second: Dawn Hudson

Voice Vote: all members voted AYE, in favor; none were opposed

**RESOLUTION NO. 2021-1.104
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 19th day of January, 2021 that:

- ❖ Prior to the conclusion of this Regular 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.
 - **Attorney / Client Privilege**
 - () b. (8) Personnel matters.
 - () 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).

Entered Executive Session @ 7:36PM
Enter back into Open Session @ 9:04PM

GOVERNING BODY SCHEDULE:

(Zoom Webinars until further notice)

- A. Workshop Meeting – February 2, 2021 **7PM**
- B. Regular Meeting – February 16, 2021 **7PM**
- C. Workshop Meeting – March 2, 2021 **7PM**

ADJOURNMENT:

Since there was no further business to be conducted, D'AMATO moved to adjourn at 9:04PM; seconded by DELLARIPA and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk