

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

January 11, 2023

The Special 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 6:04PM.

Mayor D'Amato led the **Salute to the Flag**.

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Mayor John D'Amato
Councilman Catalano (*initially joined via telephone; later joined Executive Session in person at 6:25PM*)
Councilman Richard Dellaripa
Councilman John Graziano
Councilwoman Dawn Hudson
Councilwoman Evelyn Schubert
Councilman Ray Yazdi

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

SPECIAL MEETING NOTICE STATEMENT

Mayor D'Amato stated: *This Special Meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were sent to the Herald News, The Record, the Trends & Star-Ledger on January 6, 2023. In addition, a copy of this notice was posted on the bulletin board in the Municipal Building, displayed on the Borough webpage and filed in the office of the Municipal Clerk on the aforementioned date. Notices on the bulletin board have remained continuously posted. Proper notice having been given, the Municipal Clerk is hereby directed to include this statement in the minutes of the meeting. Minutes of this meeting should also reflect the purpose for which the meeting was called.*

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

SPECIAL BUSINESS:

- A. Executive Session – One matter of Personnel / Contract Negotiations**
Resolution No. 2023-1.92: Executive Session
Motion: Dawn Hudson
Second: Rich Dellaripa
Voice vote: all in favor voted AYE; none were opposed

Executive Session began at 6:07PM & ended at 7:23PM
Council then resumed Regular Session

**CONSIDERATION OF EXECUTIVE SESSION BUSINESS
WITH PUBLIC COMMENT**

- 1. Resolution No. 2023-1.93:** Authorizing the Award of a Professional Services Contract Without Competitive Bidding to Phoenix Consulting Group for Financial Consulting Services
Mayor noted the contract is not exceed \$5,000 & approval is subject to certification of funds from the Chief Financial Officer with a recommendation of funds being certified the Legal line item of the municipal budget.
Motion: Dawn Hudson
Second: Ray Yazdi
Roll Call Vote: CATALANO (YES), DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES)
- 2. Resolution No. 2023-1.94:** Authorizing the Award of a Professional Services Contract Without Competitive Bidding to Cleary Giacobbe Alfieri Jacobs, LLC to Provide Special Labor Counsel Services
Mayor noted the contract is not exceed \$5,000 & approval is subject to certification of funds from the Chief Financial Officer with a recommendation of funds being certified the Legal line item of the municipal budget.
Motion: Richard Dellaripa
Second: Dominic Catalano
Roll Call Vote: DELLARIPA (YES), GRAZIANO (YES), HUDSON (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES)

LATE PUBLIC COMMENT

HUDSON made a motion to open the meeting for late public comment; seconded by YAZDI and carried on voice vote, all in favor voting AYE. Since there was no public present who wished to speak, YAZDI made a motion to close the public comment portion of the meeting, second by HUDSON; all members voting AYE.

GOVERNING BODY SCHEDULE:

- A. Regular Meeting – January 17, 2023 **7PM**
- B. Workshop Meeting – February 7, 2023 **7PM**

ADJOURNMENT:

Since there was no further business to be conducted, HUDSON moved to adjourn at 7:31PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

**Breeanna Smith, RMC
Municipal Clerk**

JANUARY 11, 2023 RESOLUTION(S)

**RESOLUTION NO. 2023-1.92
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**MOTION FOR EXECUTIVE SESSION
SPECIAL MEETING**

BE IT RESOLVED by the Council of the Borough of Bloomingdale on the 11th day of January, 2023 that:

❖ Prior to the conclusion of this Special 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**
- (X) 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).

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Dellaripa	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 January 11, 2023.

Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-1.93
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 PHOENIX**

CONSULTING GROUP TO PROVIDE FINANCIAL CONSULTANT SERVICES FOR THE BOROUGH

WHEREAS, there exists a need for Financial Consultant Services to be rendered to the Borough of Bloomingdale; and

WHEREAS, the Borough wishes to retain Phoenix Consulting Group to perform such services; and

WHEREAS, the maximum amount of for services under this contract shall not exceed \$5,000.00 at a rate of \$150 per hour, subject to a certification of funds by the Chief Financial Officer which shall come from the legal budget; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of 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 Phoenix Consulting Group 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. Phoenix Consulting Group shall provide Finance Consultant Services to the Borough as set forth in its proposal of January 11, 2023.

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 the Chief Financial Officer.

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				Dellaripa	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale

**RESOLUTION NO. 2023-1.94
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 CLEARY GIACOBBE ALFIERI JACOBS, LLC TO PROVIDE SPECIAL LABOR SERVICES FOR THE BOROUGH

WHEREAS, there exists a need for Special Labor Services to be rendered to the Borough of Bloomingdale; and

WHEREAS, the Borough wishes to retain Cleary Giacobbe Alfieri Jacobs, LLC to perform such services; and

WHEREAS, the maximum amount of for services under this contract shall not exceed \$5,000.00 at a rate of \$175 per hour, subject to certification of funds by the Chief Financial Officer which shall come from the legal budget; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of 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 Cleary Giacobbe Alfieri Jacobs, 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. Cleary Giacobbe Alfieri Jacobs, LLC shall provide Special Labor Services to the Borough.

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 the Chief Financial Officer.

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				Dellaripa	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC
Municipal Clerk, Borough of Bloomingdale