**WORKSHOP MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**April 2, 2019**

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date in the Council Chambers of the Municipal Building, 101 Hamburg Turnpike, Bloomingdale, NJ. Mayor Dunleavy called the meeting to order at 7:04 PM.

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

**Roll Call:**

*In Attendance:* Mayor Jonathan Dunleavy

 Councilman Anthony Costa

 Councilman John D’Amato

 Councilman Richard Dellaripa

 Councilwoman Dawn Hudson

 Municipal Clerk, Breeanna Calabro

 Borough Attorney, Fred Semrau

*Excused:* Councilman Ray Yazdi

Councilman Michael Sondermeyer

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was advertised in the Herald News on December 23, 2018; 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.

**PUBLIC HEARING:**

1. **Passaic County Open Space Municipal Grant Application***Walter T Bergen Tennis Courts*

At this time Councilman Costa made a motion to open the public hearing, seconded by Councilwoman Hudson and carried on voice vote, all in favor.

*Mayor briefly explained the proposed project – the renovation of the WTB tennis courts to residents present. No members of the public came forward during the hearing.*

Since there was no one who wished to speak Councilman D’Amato made a motion to close the public hearing, seconded by Councilman Costa and carried on voice vote, all in favor.

**EARLY EXECUTIVE SESSION:** N/A

**NON-AGENDA ITEMS:** N/A

**EARLY PUBLIC COMMENT:**

Motion was made by HUDSON to open to meeting for public comment; seconded by D’AMATO and carried per voice vote all members voting AYE. Since there was no one who wished to speak, COSTA made a motion to close early public comment; seconded by DELLARIPA and carried per voice vote all voting AYE.

**REPORTS OF PROFESSIONALS, DEPARTMENT HEADS, COMMITTEES, LIAISONS & MAYOR’S REPORT:**

**Breeanna Calabro, Municipal Clerk:**

* Received petitions for council nominees from both parties

**Fred Semrau, Borough Attorney:**

* Tax appeal deadline of April 1 has passed, the borough continues to do very well sustaining values throughout the borough

**Tony Costa, Councilman:**

* Working with Frank O’Reilly to get help with the Borough’s River clean up

**Dawn Hudson, Councilwoman:**

* Community Garden is now open

**John D’Amato, Councilman:**

* Men’s Softball sign-ups are closing on April 15th

**Jon Dunleavy, Mayor:**

* Construction Official Dan Hagberg – retiring 5/31; offers for replacement employment will be listed on the agenda for the first meeting in May. Construction operations including our shared service agreements will remain the same
* NJDOT Grant – 2020 repaving of Hamilton Street $300,000
* Capital Plan to be introduced on April 16
* Bidding Red Twig Trail project in the near future
* Hennion St, Delazier Basketball Court, restoration of Sloan Park monuments, & water pump stations are projects which should start up within the next 4-6 weeks

**RESOLUTION NO. 2019-4.1 CONSENT AGENDA**

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

**RESOLUTION NO. 2019-4.1**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

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

***April 2, 2019 Regular Meeting***

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

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

* 1. Approval of Minutes
		1. February 19, 2019 Regular Meeting
		2. March 5, 2019 Workshop Meeting
		3. March 19, 2019 Executive Session
	2. Motion to approve request to use boro land – 21 Sunrise Ave
	3. **Resolution No. 2019-4.2**: Authorizing Passaic County Open Space Grant Application for Walter T. Bergen Tennis Courts
	4. **Resolution No**. **2019-4.3:** Appointment of Municipal Prosecutor
	5. **Resolution No. 2019-4.4:** Authorizing Paid Sick Leave for Borough Employee
	6. **Resolution No. 2019-4.5:** Appointing Lisa Bendel to the EDC

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2019-4.2**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Submission to Passaic County of Applications for***

***Passaic County Open Space and Farmland Preservation Trust Fund***

***Recreational Facility Improvement and Open Space Preservation Grants***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) has learned that Passaic County (“County”) is presently accepting grant applications for recreational facility improvements and open space preservation activities to be financed through the Passaic County Open Space and Farmland Preservation Trust Fund (“Fund”); and

***WHEREAS,*** the Governing Body finds and declares that it is in the best interests of the citizens of the Borough and of the County for the Governing Body to authorize the submission to the County of applications for grant funding from the Fund to finance

***Renovation of Walter T Bergen Tennis Courts***

***NOW, THEREFORE, BE IT RESOLVED*** that the Governing Body of the Borough of Bloomingdale does hereby authorize the submission to Passaic County of applications for Passaic County Open Space and Farmland Preservation Trust Fund Grants to finance the foregoing projects and does hereby further authorize the appropriate municipal officials to complete any and all tasks necessary to perfect such applications.

**RESOLUTION NO. 2019-4.3**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Appointment of Richard Kopleton as Municipal Prosecutor***

**BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomingdale, that they do provide, advice and consent to the Mayor’s appointment of Richard Kopleton, Esq. to the position of Prosecutor in accordance with section 2-11 of the Borough Code for the remainder of the 2019 calendar year.

**RESOLUTION NO. 2019-4.4**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

Granting Paid Sick Leave to Borough Employee

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that John Descafano (“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 paid sick leave as of March 18, 2019 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 grant paid sick leave to Borough Employee, John Descafano, during the period of March 18, 2019 through May 3, 2019; 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. 2019-4.5**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Appointments to the Economic Development Commission***

**BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomingdale that they do provide, advice and consent to the Mayor’s appointment of the following to the Economic Development Commission member(s) (expiring 12/31/23):

Economic Development Commission 5 years (unexpired) Lisa Bendel

**PENDING BUSINESS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 5-2019: Amending 20-11.5 Street Opening*

**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”, SECTION 20-11.5 “FEES REQUIRED” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE** was given second and final reading and considered for adoption.

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

Councilman D’AMATO 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 5-2019**

**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 20 “STREETs and sidewalks”, ARTICLE II “streets”, SECTION 20-11.5 “FEES required” of the Code of the Borough of Bloomingdale**

 **WHEREAS**, the Borough Code currently sets forth certain fees for street openings and excavations; and

 **WHEREAS**, the Borough Ordinance Review Committee and Borough Council have reviewed the Code and recommended certain changes be made.

 **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 20 “Streets and Sidewalks”, Article II “Streets”, Section 2-11.5 “Fees Required” shall be amended as follows:

**20-11.5 Fees and Deposits Required.**

a. The application for an excavation permit to perform excavation work under this section shall be accompanied by the following:

 1. An application fee of fifty ($50.00) dollars for the permit.

 2. An initial, minimum fee of one-hundred ($100.00) dollars for the inspection of the excavation work, such inspection to be conducted by the Borough Engineer. The estimated cost, to include the initial fee, of such inspection(s) to be deposited in escrow prior to the issuance of a permit.

 3. Each applicant, prior to the issuance of a permit, shall deposit a surety bond with the Borough to guarantee the faithful performance of the work authorized by said permit and the proper maintenance of said excavation for a period of not less than two years after the closure and completion of said work. The amount of the bond shall be determined by the Borough Engineer. However, in no event shall the bond furnished be in an amount less than $1,000. If the applicant contemplates requesting more than one permit per year as said permits are required by this subsection, the Borough Engineer may request the applicant to furnish a single bond as required herein in such amount as the Borough Engineer may deem necessary. Said bond must be written by a reputable surety company licensed to do business in the State of New Jersey and must be in a form as approved by the Borough Attorney. The bond shall be noncancelable.

b. Utility companies regulated by the Board of Public Utilities of the State of New Jersey shall be exempted from the provisions of this subsection, except that they shall pay a fee of seventy ($70.00) dollars for the permit and an inspection fee in the amount of one hundred thirty ($130.00) dollars and shall file a bond with the Borough annually in the amount of two thousand ($2,000.00) dollars as a deposit.

c. *Reserved.*

d. Applications for permits requiring municipal design services shall be accompanied by an escrow fee according to the following schedule:

 1. Minimum fee........................................................... $250.00

 2. One-side street frontage not exceeding 250

 lineal feet................................................................... 350.00

 3. One-site of street frontage for each 250 lineal feet,

 or part thereof............................................................ 400.00

 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.

At this time COSTA made a motion to open the Public Hearing for comment; seconded by D’AMATO and carried on a voice vote all voting AYE.

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

**Discussion:**

*Mayor briefly explained the ordinance*

Councilman D’AMATO moved for the adoption of this Ordinance; seconded by DELLARIPA and carried per the following roll call vote: D’AMATO (YES), DELLARIPA (YES), HUDSON, COSTA (YES)

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 6-2019: Amending 2-80 Municipal Fees (Police – County Admin Fees)*

**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** was given second and final reading and considered for adoption.

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

Councilman D’AMATO moved that the Ordinance be read by title; seconded by DELLARIPA and carried on voice vote – all members present voting AYE

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 6-2019**

**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**, the Borough Council and Bloomingdale PBA Local 354 have entered into an Agreement for the term January 1, 2019 through December 31, 2023; and

 **WHEREAS**, pursuant to said Agreement, fees for extra duties performed by off-duty police officers have been revised; 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:

 a. Copies of documents available to the public pursuant to the Open Public Records Act, N.J.S.A. 1A-1 et seq. are to be charged at the following rates: (1) $0.05 per page for letter sized pages and smaller; (2) $0.07 per page for legal sized pages and larger; (3) electronic records are to be provided free of charge via e-mail and fax; (4) $2.70 for recording manufacturer's recommended compact disk or $.60 for standard quality compact disc; and (5) the actual cost to provide records in another medium (i.e. computer disc, CD-ROM, DVD)

|  |  |
| --- | --- |
| b. Black and White Street and/or Zoning Map | $5.00 |
| c. Color Street and/or Zoning Map | $8.00 |
| 1. 8-1/2 x 11 Color Street and/or Zoning Map | $0.50 |
| d. Zoning Ordinance Package | $10.00 |
| e. Site Plan Ordinance Package | $10.00 |
| f. Master Plan | $50.00 |
| g. Assessment Search | $10.00 |
| h. Tax Search | $10.00 |
| i. Municipal Lien Search | $10.00 for each property |
|  | $2.00 for each continuation |
|  | year (maximum of $8.00) |
| j. Search for Delinquent Properties | $10.00 |
| k. Search for Miscellaneous Tax Information | $5.00 |
| l. List of Property Owners within 200 feet | $10.00 or $.25 per name |
|  | (whichever is greater) |
| m. Duplicate Tax Sale Certificate | $100.00 |
| n. Duplicate Tax Bill | $5.00 for first duplicate copy |
|  | $25.00 for duplicate copy thereafter |
| o. Mailing of Notice of Tax Sale | $25.00 |
| p. Extra Duty Rates Outside of the Police Department: |  |
| 1. Borough Non-Police Work
 | $65.00/hour |
| 1. Non-Municipal/Private Contractors
 | $80.00/hour |
|  Plus Administration Fee | 25%  |
| 1. County Plus Administration Fee for County
 | $50-$8515% |
| q. Photocopy of Tax Map | $0.75 |
| r. Returned Check Fee | $28.00 |
| s. Tire Pickup and Disposal | $5.00 per tire |
| t. Leaf Bags | 3 for $1.00 |
| u. Garage Sales | $10.00 |
| v. Permit to purchase a handgun | $2.00 |
| w. Permit to carry a handgun | $5.00 |
| x. Firearm Identification Card | $5.00 |
| y. Summer Junior Police Academy | $25.00 to $50.00 |
| z. Clothing Bins | $10.00 |
| aa. Online payment fees for credit cards | Up to 5% of costs |
| bb. Delivery of Topsoil/Mulch | $50.00. Limit of 2 deliveries |
|  | per resident annum |
| cc. Overnight Parking Permit | $120.00 per annum |
| dd. Livestock Permit Fee | $30 per annum |
| ee. Marriage ceremony by Mayor | $100 (all fees collected pursuant to this paragraph shall be dedicated exclusively to the Animal Control Budget) |
| ff. License for retail electronic smoking device establishments | $250 per annum |
| gg. Anniversary Journals | $20.00 |
| hh. Anniversary T-Shirts | $15-$18 |
| ii. Online credit card fees for Water & Sewer | $3.95 |

 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.

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by DELLARIA and carried on a voice vote all voting AYE.

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

**Discussion:**

These changes are being made to coincide with the new PBA contract

Councilman COSTA moved for the adoption of this Ordinance; seconded by HUDSON and carried per the following roll call vote: DELLARIPA (YES), HUDSON (YES), COSTA (YES), D’AMATO (YES)

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 7-2019: Amending 2-64.11 Recreation Fees*

**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** was given second and final reading and considered for adoption.

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE No. 7-2019**

**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 to the Code is to add recreational programs; 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 shall be amended to add a category to subsection a 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**

 Summer Recreation, 1 Child Sign Up

 Summer Recreation, 2nd Child Sign Up

 Field Hockey (Clinic (Spring & Fall session) and League (Spring & Fall season))

 Youth Gymnastics (Fall, Winter & Spring Sessions)

 Pilates (Fall, Winter & Spring Sessions)

 Soccer Camp (summer session)

 Basketball (season)

 Adult Badminton (school year)

 Lego Techno Logics (Fall, Winter & Spring Sessions)

 Playgroup − (Fall, Winter & Spring sessions)

 Imagine With Music for Children (Fall, Winter & Spring sessions)

 Fun Fridays Program (Determined by Rec Commission)

 Mommy & Me Gymnastics (Rolling Rascals) (Fall, Winter & Spring sessions)

 Mommy & Me Art Class (Pint Sized Picassos) (Fall, Winter & Spring sessions)

 Art Class (Grades 1-4) (Fall, Winter & Spring sessions)

 Rec. Center Rentals (all year)

 Zumba (ongoing per class or $10.00 per class)

 Song & Dance (Fall, Winter & Spring)

 Choir (school year)

 Men’s Softball (per season)

 Tap & Jazz (Fall, Winter & Spring)

 Women’s Softball (per season)

 Adult & Teen Art Classes (ongoing per class or $35.00 per class)

 Adult Tap Class (Fall, Winter & Spring)

 “Grind to be Great” Football Training $25 per person/per week

 **Summer Day Camp**

 **Bloomingdale Residents:**

 Day Camp Tuition: Range from $0 to $300 per person/per week

 CIT (Counselor in Training): Range from $0 to $40 per day

 Trip Fee: Range from $0 to $50 per person/per week

 Hourly AM/PM Care Fee: Range from $0 to $10 per hour/per person

 Transportation Fee: Range from $0 to $25 per person/per week

 Day Camp Overnight/lock-in: Range from $0 to $40 per person

 **Out of Town Residents:**

 Day Camp Tuition: Range from $0 to $350 per person/per week

 CIT (Counselor in Training): Range from $0 to $50 per day

 Trip Fee: Range from $0 to $50 per person/per week

 Hourly AM/PM Care Fee: Range from $0 to $10 per hour/per person

 Transportation Fee: Range from $0 to $25 per person/per week

 Day Camp Overnight/lock-in: Range from $0 to $40 per person

 b. Recreation events scheduled by the Recreation Commission shall have a fee range of $0.00 to five hundred ($500.00) dollars as determined by the Recreation Commission.

 All other portions of this Chapter of the Code remain unchanged.

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

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

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

At this time COSTA made a motion to open the Public Hearing for comment; seconded by HUDSON and carried on a voice vote all voting AYE.

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

**Discussion:**

*These changes are being made to add some existing programs to the ordinance for auditing purposes*

Councilwoman HUDSON moved for the adoption of this Ordinance; seconded by DELLARIPA and carried per the following roll call vote: COSTA (YES), D’AMATO (YES), DELLARIPA (YES), HUDSON (YES),

**NEW BUSINESS:**

1. At this time D’AMATO offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-4.6**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #3 FOR THE CONTRACT SLOAN PARK BRIDGE AND STREAM IMPROVEMENTS PROJECT BETWEEN THE BOROUGH OF BLOOMINGDALE AND YANNUZZI GROUP, INC.**

**WHEREAS,** the Borough of Bloomingdale and Yannuzzi Group, Inc. has entered into a contract in the amount of $771,046.50 for the Sloan Park Bridge and Stream Improvements Project; and,

**Whereas**, the Borough of Bloomingdale and Yannuzzi Group, Inc. previously entered into a change order by way of Resolution No. 2018-9.16 in the amount of $44,000 for the installation of a 10’ bridge, which modified Resolution No. 2018-3.6; and,

**WHEREAS,** the Borough of Bloomingdale and Yannuzzi Group, Inc. also previously entered into a change order by way of Resolution No.2018-9.17 in the amount of $53,850.00 for rock removal and tree removal work; and,

**WHEREAS**, it has since been determined by the Borough Engineer that certain changes to this contract are necessary to perform work as follows:

 **Non-Contract Work Items**

 Additional Cost

Change Order #1 $ 44,000.00

Change Order #2

 Rock Removal $ 43,450.00

 Tree Work $ 10,400.00

Proposed Change Order #3

 Rubber Disposal $ 5,400.00

 Replacement of Bridge Abutments $193,800.00

 **Total Net Change Order: $297,050.00**

 **Percentage Increase: 38.53%**

; and

 **WHEREAS,** the original contract amount was $771,046.50; the amended contract amount based upon Change Orders #1, #2, and #3 is $1,068,096.50 which is 38.53% 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, the 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 Yannuzzi Group, 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 25, 2019; and,

**WHEREAS**, Borough Chief Financial Officer has certified the funds from Acct.

No. C-04-55-877-17A-100; 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 #3 is hereby approved in the contract between the Borough of Bloomingdale and Yannuzzi Group, Inc. as follows:

 Original Contract $771,046.50

 Change Order #1 $ 44,000.00

 Change Order #2 $ 53,850.00

 Change Order #3 $199,200.00

 New Contract Total: $ 1,068,096.50

 Increase 38.53%

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

**Discussion:**
*Mayor explained the change orders & updated timeline on the project. The project came to haul over the winter because concrete & landscaping could not be done.*

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

1. **At this time DELLARIPA offered the following resolution and moved for its adoption:**

**RESOLUTION NO. 2019-4.7
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, 2019 until the adoption of the Operating Budget for the Borough of Bloomingdale, New Jersey; and

**WHEREAS**, additional appropriations will be required from April 2, 2019 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 MUNICIPAL 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 $2,800,000.00

WATER AND SEWER UTILITY FUND $1,077,100.00

1. This action shall take effect April 2, 2019
2. 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.

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

1. **Introduction of Ordinance No. 8-2019**: Salary Ordinance

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on April 16, 2019 at 7PM; the motion was seconded by DELLARIPA and carried on voice vote all members present voting AYE.

Discussion by the Mayor:

*The salary ordinance needed to be amended so that is matches the approved PBA contract.*

The Municipal Clerk read by Title:

**AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CATEGORIES AND TITLES OF OFFICERS, NON-CONTRACTUAL EMPLOYEES AND CONTRACTUAL EMPLOYEES OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 9 -2019**: Appropriating Capital Surplus (Main Street Sidewalks)

A motion was made by D’AMATO to introduce the Ordinance by title; second and final reading/ public hearing will be on April 16, 2019 at 7PM; the motion was seconded by DELLARIPA and carried on voice vote all members present voting AYE.

Discussion by the Mayor:

*Mayor received a quote for the repairs in the amount of $13,000. The pavers have deteriorated, the sidewalks are unsafe and hazardous.*

The Municipal Clerk read by Title:

**ORDINANCE APPROPRIATING $20,000.00 AVAILABLE FROM THE**

**GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR MAIN STREET SIDEWALK REPAIRS DESCRIBED HEREIN IN AND BY THE BOROUGH OF**

**BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY**

1. **2019 Municipal Budget**
* **Introduction of Ordinance No. 10-2019:** 2019 Index Rate CAP Bank Ordinance

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on May 7, 2019 at 7PM; the motion was seconded by COSTA and carried on voice vote all members present voting AYE.

The Municipal Clerk read by Title:

**BOROUGH OF BLOOMINGDALE CALENDAR YEAR 2019**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A:4-45.14)**

* a motion was made by DELLARIPA offering the following resolution for adoption:

**RESOLUTION NO. 2019-4.8**

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

***Introduction of FY2019 Municipal Budget***

***Municipal Budget of the Borough of Bloomingdale,***

***County of Passaic for the Fiscal Year 2019***

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2019; and

**BE IT FURTHER RESOLVED** that said Budget will be published in the Herald News in the issue of April 5, 2019; and

The Governing Body of the Borough of Bloomingdale does hereby approve the following as the Budget for the year 2019; and

**NOTICE IS HEREBY GIVEN** that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Bloomingdale, County of Passaic, on April 2, 2019 and

**BE IT FURTHER RESOLVED** that a hearing on the Budget and Tax Resolution will be held at the Borough Hall on May 7, 2019 at 7:00p.m. at which time and place discussions to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons; and

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

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

* + - a motion was made by HUDSON offering the following resolution for adoption:

**RESOLUTION NO. 2019-4.9**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**SELF-EXAMINATION OF 2019 BUDGET RESOLUTION**

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

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

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

 WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Bloomingdale has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

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

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

 a. Payment of interest and debt redemption charges

 b. Deferred charges and statutory expenditures

 c. Cash deficit of preceding year

 d. Reserve for uncollected taxes

 e. Other reserves and non-disbursement items

 f. Any inclusions of amounts required for school

 purposes.

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

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

 4. That pursuant to the Local Budget Law:

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

 b. Items of appropriation are properly set forth

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

permit the exercise of the comptroller function within the municipality.

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

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

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

Approved: April 2, 2019

**BOROUGH OF BLOOMINGDALE**

**COUNTY OF PASSAIC, NEW JERSEY**

**CERTIFICATION OF APPROVED BUDGET**

 It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

 It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

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

**Budget Discussion:**

*Public hearing will be May 7th, the finance department and CFO will be present. The 2019 budget is $11,817,873 which is an of $372,000 from last year. Increasing factors are: Public Employee Retirement System $21,350, Police & Fire Retirement System $71,000, replenish snow trust fund $90,000, police salary & wages $87,500, insurance costs $36,000. The budget committee was able to cut $208,000. The average tax increase for municipal will be $59 per the average assessed home.*

**LATE PUBLIC COMMENT:**

COSTA opened the meeting to late public comment; seconded by HUDSON and carried on voice vote. Since there was no one who wished to speak, HUDSON moved that it be closed; seconded by DELLARIPA and carried on voice vote.

**LATE EXECUTIVE SESSION: N/A**

**GOVERNING BODY SCHEDULE:**

1. Regular Meeting – April 16, 2019 7PM
2. Workshop Meeting – May 7, 2019 7PM
3. Regular Meeting – May 21, 2019 7PM
4. April 3rd – Unity thru community
5. Aril 3rd – Ribbon Cutting – Café Chameleon
6. April 13th – Trout fishing contest 10AM Bogue Pond
7. April 20th – Easter Egg Hunt 12PM WTB, Paper Shredding
8. April 27th – Little League Opening Day, Townwide Garage Sale, Fire Dept Coin Toss

**ADJOURNMENT:**

Since there was no further business to be conducted, D’AMATO moved to adjourn at 7:29PM; seconded by COSTA and carried on voice vote with all Council Members present voting AYE.

Breeanna Calabro, RMC

Municipal Clerk