**REGULAR COUNCIL MEETING**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**March 19, 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 John D’Amato

 Councilwoman Dawn Hudson

Councilman Michael Sondermeyer

Councilman Ray Yazdi

 Municipal Clerk, Breeanna Calabro

 Borough Attorney, Dawn Sullivan

*Excused:* Councilman Anthony Costa

Councilman Richard Dellaripa

**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.

**NON-AGENDA ITEMS:**

1. Approval of Thomas J. Smith – Bloomingdale Fire Department Member
2. Approval of Resolution No. 2019-3.24: A Resolution Amending 2019-3.10 (Changing Grant name to Put it Down/ Just Drive)

**EARLY PUBLIC COMMENT:**

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

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

Mayor Dunleavy:

* Budget introduction will be April 2
* Budget committee meeting with auditor March 22nd
* Sloan Park – increased costs for bridge abutments
* Planning Board pending applications: Tastefully British & Waterview Apartments
* VFW request for consideration in honoring Bloomingdale veterans who passed during their time of service, designating honorary streets
* Governor Murphy has passed a stormwater management tax aka “rain tax” –Mayor opposes and seeks council support

**RESOLUTION NO. 2019-3.11 CONSENT AGENDA**

Councilman D’AMATO offered the following Resolution and moved for its adoption:

**RESOLUTION NO. 2019-3.11**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

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

***March 19, 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. **Resolution No. 2019-3.12**: Appointment to Senior Advisory Committee
	2. **Resolution No. 2019-3.13:** Release Performance Bond, Final Payment & Accept Maintenance Bond (Leary Ave) JTG Construction
	3. **Resolution No. 2019-3.14:** Authorizing Sale by Online Auction of Boro Property
	4. **Resolution No. 2019-3.15**: Redemption TTL 17-00012 (3043/7)
	5. **Resolution No. 2019-3.16**: Redemption TTL 17-00013 (4081/3)
	6. **Resolution No.** **2019-3.17**: Redemption TTL 17-00019 (5066/39)
	7. **Resolution No. 2019-3.18**: Authorizing Veteran Exemption & Refund of Taxes

**Discussion:** *Item C – selling old generator from Boro Hall and old backboard from Delazier*

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

**Consent Agenda Resolutions:**

**RESOLUTION NO. 2019-3.12
OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Appointment to the Senior Citizen Advisory Board***

**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 Senior Citizen Advisory Board:

Senior Citizens Advisory Board 3 years unexpired Miriam Andrews

 (expiring 12/31/21)

**RESOLUTION NO. 2019-3.13
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 RELEASE OF performance BOND and final payment FOR THE WORK PERFORMED in connection with the LEARY AVENUE WATER MAIN, SANITARY SEWER & ROAD improvement project; ACCEPTING TWO YEAR MAINTENANCE BOND**

 **WHEREAS**, the developer, JTG Construction Inc., has requested a release of the performance bond and final payment for the work performed in connection with the Leary Avenue water main, sanitary sewer & road improvement project, in the Borough of Bloomingdale; and

 **WHEREAS**, the Borough Engineer has reviewed the request, performed an inspection of the work completed, and recommend by correspondence, dated February 27, 2019 & March 11, 2019, that the performance bond and final payment, in the amount of $18,489.88, be released; and that the maintenance bond be accepted.

**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 it does hereby authorize that the performance bond and final payment, in the amount of $18,489.88, be released to the developer.

**BE IT FURTHER RESOLVED** that the two-year maintenance bond in the amount of $36,259.97 provided by JTG Construction, Inc., for the Leary Ave Improvements is hereby accepted.

This Resolution shall take effect immediately.

**RESOLUTION NO. 2019-3.14**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***authorizing sale BY ONLINE AUCTION of Borough property***

 **WHEREAS**, the Borough of Bloomingdale has the following items to be sold at auction.

* Onan 100 GenSet Generator
* Six Basketball Backboards with Rims

 **WHEREAS**, the items are of no useful life based upon their condition and the repairs needed and are no longer needed for public use; and

 **WHEREAS**, the Borough wishes to dispose of the items, which are municipal public property; and

**Whereas**, the Borough of Bloomindale desires to list the items for sale at 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 items described above in an online auction hosted by GovDeals.com.

 **RESOLUTION NO. 2019-3.15**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #17-00012***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 29, 2018, a lien was sold on,

7 Ann Street, Bloomingdale, for delinquent year 2017 Water/Sewer, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 3043, Lot 7, owned by RESICAP; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to ACTLIEN HOLDING INC for a premium of $800.00 and

**WHEREAS,** the Governing Body further finds and declares that for 7 Ann Street, the property owner has requested redemption of TTL #17-00012, and

**WHEREAS,** the Governing Body further finds and declares that RESICAP, has paid all monies, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $402.22 for the lien redemption and $800.00 for the premium, be made payable to ACTLIEN HOLDING INC, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate #17-00012

1099 = $6.61

 **RESOLUTION NO. 2019-3.16**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #17-00013***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 29, 2018, a lien was sold on,

167 Rafkind Road, Bloomingdale, for delinquent year 2017 Special Assessment, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 4081, Lot 3, owned by SCOTT W & EVA D. WATOWSKI; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to ACTLIEN HOLDING INC for a premium of $1600.00 and

**WHEREAS,** the Governing Body further finds and declares that for 167 Rafkind Road, the mortgage company, LERETA, has requested redemption of TTL #17-00013, and

**WHEREAS,** the Governing Body further finds and declares that LERETA, has paid all monies, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $1432.44for the lien redemption and $1600.00 for the premium, be made payable to ACTLIEN HOLDING INC, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the redemption and cancellation of Tax Title Lien Certificate #17-00013

1099 = $26.81

**RESOLUTION NO. 2019-3.17**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Redemption and Cancellation of Tax Title Lien Certificate #17-00019***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on November 29, 2018, a lien was sold on,

30 Oak Street, Bloomingdale, for delinquent year 2017 Tax, Water & Sewer, and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property is also known as Block 5066, Lot 39, owned by BRUCE TOMCHIN; and

**WHEREAS,** the Governing Body further finds and declares that the foregoing lien which was sold to CLEMENTE ENTERPRISES, LLC for a premium of $21,800.00 and

**WHEREAS,** the Governing Body further finds and declares that for 30 Oak Street, the mortgage company, TD Bank, has requested redemption of TTL #17-00019, and

**WHEREAS,** the Governing Body further finds and declares that TD BANK, has paid all monies, to the Borough of Bloomingdale;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bloomingdale that the Borough Treasurer be and is hereby authorized to issue checks in the amount of $26,170.26 for the lien redemption and $21,800.00 for the premium, be made payable to CLEMENTE ENTERPRISES LLC, PO Box 141, Wyckoff, NJ 07481 for the redemption and cancellation of Tax Title Lien Certificate #17-00019

1099 = $1958.84

**RESOLUTION NO. 2019-3.18**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Veteran Exemption***

**WHEREAS,** the Tax Assessor granted a VETERAN EXEMPTION for the taxing year of 2017 starting as of March 14, 2017 and

**WHEREAS,** the Governing Body further finds and declares that the foregoing property

owner has paid all quarters of their 2017, 2018 & 1st quarter of 2019 taxes in full, and are now entitled to refund.

 **NOW, THEREFORE, BE IT RESOLVED,** that the Treasurer be authorized to issue refundcheck to the following property owner:

 Veteran: Kathleen & Bruce Conklin

 Property: Block 3035 Lot 71

 Address: 55 Woodward Avenue

 Bloomingdale, NJ 07403

 Refund Amount: $18, 082.51

**BE IT FURTHER RESOLVED**, that the Tax Collector be authorized to cancel the balance of the 2019 taxes.

**PENDING BUSINESS:**

1. **Second/Final Reading & Public Hearing:**
*Ordinance No. 4-2019: Amending 2-80 Municipal Fees (Police-extra duty)*

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 4-2019**

**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% of total fee |
| 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 D’AMATO 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 YAZDI made a motion to close the Public Hearing; seconded by SONDERMEYER and carried on a voice vote all voting AYE.

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

**NEW BUSINESS:**

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

 **RESOLUTION NO. 2019-3.19**

**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;

BILLS LIST PREPAID LIST

CURRENT 1,847,864.14 CURRENT 565,148.18

UTILITY 115,516.60 UTILITY 180,499.48

CAPITAL 30,349.88 OPEN SPACE 00.00

UTILITY CAPITAL 22,331.40 TRUST ACCOUNT 3,124.50

TRUST 95,871.62 RECYCLING 00.00 DOG 2,082.40 DOG TRUST 1,069.27

RECREATION 7,192.09 UNEMPLOY 508.50 ROSE FUND 406.70 CAPITAL 00.00

RECYCLING 00.00 WATER CAPITAL 00.00

UNEMPLOYMENT 00.00 RECREATION 340.00

AFFORDABLE HOUSING 00.00 CAPITAL ASSESSMENT 00.00

**TOTAL 2,121,614.83 TOTAL 750,689.93**

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

1. SONDERMEYER offered the following resolution and moved for its adoption:

###### RESOLUTION NO. 2019-3.20

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

***Authorizing Appropriation of Reserves***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that N.J.S.A. 40A:4-58 provides that the Governing Body may, should it become necessary during the first three 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 therefor 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, by resolution setting forth the facts and adopted by not less than two-thirds (2/3) vote of the full membership of the Borough Council, 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 Treasurer is hereby authorized to make the following transfers in the FY2018 Reserve Budget:

***FROM:***

***Police 8-01-25-240-001-026 $ 4,600.00***

***Police 8-01-25-240-001-028 $ 500.00***

***Police 8-01-25-240-001-029 $ 450.00***

***Police 8-01-25-240-001-043 $ 2,300.00***

***Police 8-01-25-240-001-055 $ 2,000.00***

***Police 8-01-25-240-001-077 $ 800.00***

***Police 8-01-25-240-001-099 $ 2,500.00***

***Police 8-01-25-240-001-102 $ 500.00***

***TO:***

***Roads 8-01-26-290-001-011 $ 13,650.00***

***BE IT FURTHER RESOLVED*** by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the Borough Treasurer.

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

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

**RESOLUTION NO. 2019-3.21**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**AWARD OF CONTRACT FOR KENWORTH T370 SINGLE AXLE CHASSIS FOR 25 YARD PACKER TO GABRIELLI TRUCK SALES UNDER NJPA**

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

**WHEREAS,** the Bloomingdale Public Works Department has recommended the award of a contract for the purchase of a Kenworth T370 Single Axle Chassis for 25 Yard Packer to Gabrielli Truck Sales based on a proposal dated January 3, 2019, which was submitted in accordance with a bid submitted by Gabrielli Truck Sales to the National Joint Powers Alliance (“NJPA”), a national cooperative; and,

**WHEREAS**, the NJPA and the contract award by the NJPA to Gabrielli Truck Sales meet the requirements of State law for awarding contracts through national cooperatives, including the following:

* The Gabrielli Truck Sales contract was awarded through a competitive bidding process that complies with the laws covering the issuing entity;
* The NJPA is a contracting unit as defined by statute; and
* The NJPA bid was advertised as a national cooperative contract;

**WHEREAS**, Gabrielli Truck Sales has submitted required documentation with its proposal, including the following:

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

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

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

**WHEREAS**, the Chief Financial Officer has certified the funds available from C-04-55-878-18A-100 in the amount of $104,438.23 and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bloomingdale, County of Passaic and State of New Jersey that the recommendation of the Bloomingdale Public Works Department be and is hereby approved and that a contract for the purchase of a Kenworth T370 Single Axle Chassis for 25 Yard Packer – be and is hereby awarded to Gabrielli Truck Sales, in the amount of $104,438.23 in accordance with its proposal dated January 3, 2019; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be provided Gabrielli Truck Sales; the National Joint Powers Alliance and the Department of Public Works Supervisor.

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

1. HUDSON offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-3.22
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 TO WITTKE SANITATION EQUIPMENT CORP. for A LEACH MODEL 2RIII 25 CUBIC YARD REAR LOADER REFUSE BODY THROUGH ESCNJ CO-OP**

 **WHEREAS**, the Mayor and Borough Council of the Borough of Bloomingdale wish to purchase a new Leach Model 2RIII 25 cubic yard rear loader refuse body; and
 **WHEREAS**, said equipment may be purchased from Wittke Sanitation Equipment Corp. through ESCNJ Bid No. 17/18-30; and
 **WHEREAS,** the maximum amount of the contract is $75,990.00, and the Chief Financial Officer has certified that funds will be available for this purpose from Capital Account C-04-55-878-18A-100 and
 **WHEREAS,** public bids are not required when the purchase is made through a cooperative pricing system in accordance with N.J.S.A. 40A:11-11(6) of the Local Public Contracts Law.
 **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 a contract for the purchase of a new Leach Model 2RIII 25 cubic yard rear loader refuse body is hereby awarded to Wittke Sanitation Equipment Corp. in accordance with the terms and conditions contained in ESCNJ Bid No. 17/18-30, and the passage of the statutory twenty (20) day period in which said Ordinance may be challenged, and the Mayor and Borough Clerk are hereby authorized to execute same.

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

1. YAZDI offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-3.23**

**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; and

 **WHEREAS,** The Detroit Salt Company, LLC., has been awarded the Contract for Rock Salt at a price of $58.59 per ton; and

 **WHEREAS,** the Full-time Mayor and 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 $30,000.00; and

 **WHEREAS**, funding for this resolution is available by appropriation in the budget of the Borough, as evidenced by the Certification of the Chief Financial Officer from account T-19-56-118-001-101; and

 **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and 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 The Detroit Salt Company, LLC under the MCCPC Contract #3.

2. The total fee authorized for this contract shall not exceed $30,000.00 without the prior written approval of the Borough Council.

3. The Full-time 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 The Detroit Salt Company, LLC for their information and guidance.

This Resolution shall take effect immediately.

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

1. **Introduction of Ordinance No. 5-2019**: Amend Street Opening 20-11.5

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on April 2, 2019 at 7PM; the motion was seconded by YAZDI and carried on voice vote all members present voting AYE.

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”, SECTION 20-11.5 “FEES REQUIRED” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 6-2019**: Amend 2-80 Municipal Fees (County Admin Fee)

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on April 2, 2019 at 7PM; the motion was seconded by SONDERMEYER and carried on voice vote all members present voting AYE.

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 2 “ADMINISTRATION”, ARTICLE VIII “POLICIES AND PROCEDURES”, SECTION 2-80 “FEES CHARGED FOR MUNICIPAL SERVICES” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

1. **Introduction of Ordinance No. 7-2019**: Amend 2-64.11 (Recreation Fees)

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on April 2, 2019 at 7PM; the motion was seconded by HUDSON and carried on voice vote all members present voting AYE.

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 II, ADMINISTRATION, SECTION 2-64.11 FEES FOR RECREATION PROGRAMS, OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**NON-AGENDA ITEM:**

* Councilman SONDERMEYER made a motion for approval of Thomas J. Smith – Bloomingdale Fire Department Member; the motion was seconded by D’AMATO and carried on voice vote all members voting AYE.
* D’AMATO offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-3.24**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**A Resolution Amending 2019-3.10
(Changing Grant name to Put it Down/ Just Drive)**

***Amending the 2019 Temporary Municipal Budget***

***WHEREAS,*** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that the FY2019 Temporary Municipal Budget was adopted on January 7, 2019, for the purpose of providing for temporary appropriations for the conduct of municipal governance; and

***WHEREAS,*** the Governing Body has been advised by the Chief Financial Officer and the Borough Treasurer that additional temporary appropriations in the FY2019 Temporary Municipal Budget are required in order to provide funding for the conduct of municipal governance;

***NOW, THEREFORE, BE IT RESOLVED*** by the Governing Body of the Borough of Bloomingdale that the FY2019 Temporary Municipal Budget be and is hereby amended to provide for the following additional temporary appropriations in the Current Account:

|  |  |  |
| --- | --- | --- |
| State Body Armor Grant | Other Expenses | $2,046.98 |
| Federal Body Armor Grant | Other Expenses | $2,120.25 |
| **Put it Down/ Just Drive** Grant | Salary and Wages | $5,500.00 |
|  |  |  |
| Total Current |  | $9,667.23 |
|  |  |  |

***BE IT FURTHER RESOLVED*** by the Governing Body of the Borough of Bloomingdale that the Municipal Clerk be and is hereby directed to forward a true copy of the foregoing Resolution to the Chief Financial Officer and the Borough Treasurer for appropriate action in conformity with this Resolution.

The motion was seconded by HUDSON and carried on voice vote, all in favor.

**LATE PUBLIC COMMENT:**

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

**LATE EXECUTIVE SESSION:**

Councilwoman HUDSON made a motion for executive session, seconded by D’AMATO and carried on voice vote:

**RESOLUTION NO. 2019-3.25**

**OF THE GOVERNING BODY OF**

**THE BOROUGH OF BLOOMINGDALE**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Mayor & Council of the Borough of Bloomingdale on the 19th day of March, 2019 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.

Sale of Boro Land

Marijuana Zoning

( ) 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 in Executive Session: 7:19PM**

**Resume Open Session: 7:48PM**

**GOVERNING BODY SCHEDULE:**

1. Workshop Meeting – April 2, 2019 7PM (Budget Intro)
2. Regular Meeting – April 16, 2019 7PM
3. Workshop Meeting – May 7, 2019 7PM

**ADJOURNMENT:**

Since there was no further business to be conducted, SONDERMEYER moved to adjourn at 7:49PM; seconded by YAZDI and carried on voice vote with all Council Members present voting YES.

Breeanna Calabro, RMC

Municipal Clerk