

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

March 2, 2021

The Workshop 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 7:00PM.

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

Official Roll Call: (taken by the Borough Clerk)

<i>In Attendance:</i>	Council President / Acting Mayor:	John D’Amato
	Councilman	Richard Dellaripa
	Councilman	John Graziano
	Councilwoman	Dawn Hudson
	Councilman	Drew Juhlin
	Councilman	Ray Yazdi
	Municipal Clerk,	Breeanna Calabro
	Business Administrator,	Michael Sondermeyer
	Borough Attorney,	Dawn Sullivan
	Borough Engineer,	Thomas Boorady

PUBLIC NOTICE STATEMENT

Council President, 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.

Harvey Peterson – 17 Hamilton Street, Bloomingdale

- Began comment on Sidewalk Assessment (asked to hold until Public Hearing)

Since there was no one else who wished to speak, DELLARIPA made a motion to close public comment, second by YAZDI & carried on voice vote all members voting AYE, none were opposed.

PENDING ITEMS

A. Second/Final Reading & Public Hearing:

Ordinance No. 6-2021: Sidewalk Improvements (Hamilton Street)

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:

**BOROUGH OF BLOOMINGDALE
BOND ORDINANCE NO. 6-2021**

BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS ALONG HAMILTON STREET, IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$140,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$133,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF AND THE SPECIAL ASSESSMENT OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as a local improvements to be undertaken by the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the "Borough"), pursuant to N.J.S.A. 40:56-1 et seq. and N.J.S.A. 40:65-1 et seq., and the costs of said improvements shall be assessed on those properties benefitted thereby. For the improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$140,000, including the sum of \$7,000 as the down payment for the improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes and to meet the part of the \$140,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$133,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$133,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued is the sidewalk improvements along Hamilton Street between Union Avenue and Van Dam Avenue, and, including but not limited to, the construction, reconstruction and/or repair of sidewalks, curbs, driveway aprons and other similar construction along various real properties identified and described in **Schedule A** attached hereto and by this reference hereby incorporated herein, which properties are owned by private persons, such improvements and purposes to also include, but not be limited to, excavation, tree and root removal, site restoration, grass seeding, tree planting and other landscaping improvements, incidental roadway repaving and patching, all engineering and design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes herein is \$133,000.

(c) The estimated total cost of said improvements or purposes is equal to \$140,000, the amount of the appropriation herein made therefor.

(d) The properties to be specifically benefited by these improvements are the properties identified in **Schedule A** attached hereto and by this reference hereby incorporated herein (collectively, the "Assessed Properties"), which Assessed Properties are also on file in the office of the Borough Clerk and are hereby incorporated in this bond ordinance as if more fully set forth herein.

(e) The estimated total cost of the improvements or purposes to be assessed against the Assessed Properties is \$140,000.

(f) The estimated total cost of the improvements or purposes to be contributed and borne by the Borough is \$0.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Passaic make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received.

In the event, however, that any amount so contributed or granted shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer or the Treasurer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer or the Treasurer. The Chief Financial Officer or the Treasurer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer or the Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer or the Treasurer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer or the Treasurer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services") will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements and purposes described in Section 3 of this bond ordinance shall be undertaken as local improvements and are not current expenses and are improvements which the Borough may lawfully undertake as local improvements, the costs of which have been or shall be specially assessed on the Assessed Properties, which Assessed Properties shall be specially benefited thereby. An accurate account of the cost of the construction, reconstruction or repair of the sidewalks, curbs, driveway aprons and other similar construction shall be undertaken by the Borough, and such cost shall be assessed upon the several properties fronting the improvements in proportion to their respective frontage thereon pursuant to and in accordance with N.J.S.A. 40:65-1 et seq.

(b) The Borough will contribute \$0 to the cost of the improvements or purposes described in Section 3 hereof, and the Assessed Properties will contribute \$140,000 to the cost of the improvements or purposes described in Section 3 hereof.

(c) The number of annual installments in which the special assessments may be paid is ten (10) years.

(d) The estimated maximum amount of special assessments shall be \$140,000.

(e) At least ten (10) days prior to such time fixed for public hearing and further consideration for final passage of this bond ordinance, a copy of this bond ordinance, together with a notice of the pendency of this bond ordinance given in accordance with N.J.S.A. 40:65-6, and notice of the time and place, when and where this bond ordinance will be further considered for final passage may be served, in accordance with the provisions of N.J.S.A. 40:65-2 to N.J.S.A. 40:65-6, upon every person whose lands may be affected by this bond ordinance or any assessments which may be made in pursuance thereof. If the above-described notice of the pendency of this bond ordinance is not given in accordance with N.J.S.A. 40:65-6 to the owners of property affected thereby and a hearing given to all persons interested in the improvements at the time and place stated in the notice, the Borough Clerk shall cause a notice of the proposed sidewalk, curb, driveway apron and other similar construction improvements to be given to the owner or owners of real estate affected thereby prior to the making of the sidewalk improvement described in Section 3 hereof or the awarding of any contract for such improvements. The Notice shall contain a

description of the property affected sufficient to identify it, a description of the improvements, and a statement of the percentage of the cost to be borne by the owner or owners of such real estate, if the cost thereof is to be borne in part by such owners, or a statement that unless the owner or owners complete the improvements within thirty (30) days after service thereof, the Borough will make the improvements at the expense of the owner or owners, if the cost of the improvements is to be borne wholly by the owner or owners of the real estate. Such Notice shall be served in accordance with the provisions of N.J.S.A. 40:65-2 to N.J.S.A. 40:65-6, and the proof of service shall be filed with the officer of the Borough in charge of the records of tax liens of the Borough within ten (10) days after service thereof.

(f) The period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(g) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$133,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(h) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements described herein.

(i) If the amount of the assessments on the Assessed Properties is less than \$140,000, then the Borough will contribute the difference between such reduced assessment and the cost of the improvements.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property

within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended and supplemented (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-(1)(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds, "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$133,000.

The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond 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.

Harvey Peterson – 17 Hamilton Street, Bloomingdale

- Commented on grant received for the Hamilton Street project to fund this entire project. Sought confirming of funding for Hamilton being applied to the Ballston Street project which was completed prior to Hamilton.

Borough Engineer confirmed the NJDOT grant for Ballston Street was awarded prior to Hamilton Street; the projects commence in the order the grant was received to not jeopardize losing the grant. The Borough received an NJDOT grant award (\$290,600) for Hamilton; the estimated cost of the entire project is between \$450,000-\$460,000. The grant does not cover the entire project cost which is will the sidewalks will be special assessment.

Cecila Hriczov – 15 Hamilton Street, Bloomingdale

- Inquired as to why sidewalks are needed where they do not currently exist. Reviewed sidewalks on different streets in the Borough/'the flats'. Queried the sidewalk placement narrowing the road. Confirmed the assessment will be set & the residents will pay for the sidewalks to the tax office.

Acting Mayor responded the Borough would like the sidewalks to continue in that vicinity to connect to Van Dam Ave. This is an opportunity to bring the entire area to meet NJDOT standards. Sidewalks assessments are separate from taxes however they are billed from the Tax Office. This is annual payment for 10 years.

Sean Sheridan – 31 Hamilton Street, Bloomingdale

- Inquired verification of payment- whether mortgage escrow/companies will cover the payment
- Estimated start time?

Borough Administrator will follow up. Homeowners can also call their mortgage companies for more information; all may be different. Estimated start time is late April / early May

Anne Bock – 16 Union Avenue, Bloomingdale

- Confirmed Union Ave area of the project. Brought attention to rain/water run off that runs down Union Ave & causes flooding

Acting Mayor confirmed a certain section (Union Ave, Main Street to Oak Street) to be done with another project / CDBG grant.

Borough Engineer commented, the project will include installation of storm drains to collect the water runoff. Drainage improvement will be done to collect as much water as possible to prevent issues.

Mrs. Van Orden – 33 Hamilton Street, Bloomingdale

- If payment is made over 10 years, is there interest? Can residents ask the contractor for new walkways?

Acting Mayor answered there is 1% interest, (to be confirmed). Walkway arrangements would be made strictly between the contractor & the homeowner; the Borough is not involved. It has been done on other projects.

Final Comments by Borough Professionals:

There is no penalty to pay it off early. You can make payments prior to the due date of annual installments. All payments are through the tax office.

Since there was no one else who wished to speak HUDSON made a motion to close the public hearing; motion was seconded by GRAZIANO and carried on voice vote all members voting AYE. (There was a final comment made by Sean Sheridan, the comment was allowed) A second motion to close was made by DELLARIPA; seconded by GRAZIANO and carried on voice vote all members voting AYE; none were opposed.

Adoption:

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

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

Councilman Graziano (EDC Liaison/Commissioner): *Ribbon cutting was held for Computers Inc., 3 additional businesses to open – ribbon cutting ceremonies will follow*

Councilman Dellaripa (BOE Liaison) *New principle for the WTB Middle school was appointed effective April 15th*

Borough Administrator, Michael Sondermeyer:

- *Resignation of Municipal Drug Alliance Coordinator – seeking a candidate to fill the position*
- *Salt bay at DPW – damage being assessed, may need repair/replacement*
- *Formulating a 10-year plan with DPW*
- *Archive Social – potentially a new contract with this company who will archive the Borough's social media posts to comply with OPRA, to be further discussed with Gov Ops committee*
- *Public Events – need information for banners & how the Boro will proceed with Covid*
- *White Collar Negotiation in progress – will bring to the Council for a vote soon*
- *Meet & greet with new BOE Superintendent*

Councilman Hudson (Public Events): *Will be following the Governor's guidance on restrictions etc. for future events*

Council President / Acting Mayor, John D'Amato:

- *Rose committee to meet & make recommendations*
- *COVID-19 Vaccination update provided, information posted on website – Councilman Juhlin provided resources/information, Councilwoman Hudson read the latest list of those eligible to receive the vaccine*

CONSENT AGENDA

(Adoption of Resolutions No. 2021-3.1 – 2021-3.2)

Motion: Rich Dellaripa

Second: Ray Yazdi

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

RESOLUTION NO. 2021-3.1 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
March 2, 2021 Workshop Meeting*

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

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

A. Approval of Minutes:

- Executive Session – February 16, 2021
- Regular Meeting – February 16, 2021

B. Resolution No. 2021-3.2: Extend Sick Leave for Borough Employee

Consent Agenda Resolutions:

RESOLUTION NO. 2021-3.2 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 March 2, 2021 through April 7, 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.

NEW BUSINESS

A. (Adoption of Resolution No. 2021-3.3)

Motion: John Graziano

Second: Rich Dellaripa

Discussion: ‘New direction’ for the maintenance of Borough fields. There is a cost savings to the Borough compared to the previous vendor ‘Go Organic’. This contract is inclusive of WTB, Martha B Day School, Fire House (Union Ave), Building Dept,

Borough Hall, Chief of Police building, Sloan Park, & Delazier field.

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

**RESOLUTION NO. 2021-3.3
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 A CONTRACT WITH TRUGREEN THROUGH THE SOMERSET COUNTY CO-OPERATIVE PRICING SYSTEM (#2SOCCP) - CONTRACT CC-0110-17

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 Somerset County Co-Operative Pricing System (#2SOCCP), which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Borough of Bloomingdale has a need for 'landscape chemical treatment & fertilization' services; and

WHEREAS, TruGreen, has been awarded the contract for landscape chemical treatment & fertilization services under the Somerset County Co-operative Pricing System; and

WHEREAS, the Acting Mayor & Business Administrator recommend the utilization of this contract on the grounds as the best means available to obtain the services described herein; and

WHEREAS, the contract shall not exceed the amount of \$9,800.00; 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 contract for landscape chemical treatment & fertilization services, under the Somerset County Co-operative Pricing Contract #CC-0110-17.

2. The total fee authorized for this contract shall not exceed \$9,800.00 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 TruGreen for their information and guidance.

This Resolution shall take effect immediately.

B. (Adoption of Resolution No. 2021-3.4)

Motion: Dawn Hudson

Second: Ray Yazdi

Discussion: This contract is being funded through the CARES Act grant. Brief discussion followed on the progress/distribution of the access cards to employees & council members.

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

**RESOLUTION NO. 2021-3.4
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 AN AWARD OF CONTRACT TO ADVANTAGE SECURITY/SONITROL SECURITY FOR PROXIMITY CARDS & READERS THROUGH THE HUNTERDON COUNTY EDUCATION SERVICES COMMISSION COOPERATION PURCHASING PROGRAM (HCEC) - #34HUNCCP {COMPREHENSIVE SAFETY & SECURITY SYSTEM EVALUATIONS #HCEC-TECH-17-01}

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 Hunterdon County Education Services Commission (“HCEC”), which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Borough of Bloomingdale has a need for proximity cards and readers that relate to the access control system installed throughout the various Borough Buildings; and

WHEREAS, Sonitrol has been awarded Contract #HCEC-TECH-17-01 for Comprehensive Safety & Security System Evaluations; and

WHEREAS, the Borough Administration recommends the utilization of this contract on the grounds as the best means to obtain access control systems; and

WHEREAS, this contract shall not exceed the amount of \$12,000 and the Chief Financial Officer has certified the availability of funds in the annexed certification; and

NOW, THEREFORE, BE IT RESOLVED by the Acting 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 award of contract to Sonitrol for access control systems under the HCEC Contract #HCEC-TECH-17-01.
2. The total fee authorized for this contract shall not exceed \$12,000.00 without the prior written approval of the Borough Council.
3. The 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 Finance Department and Sonitrol for their information and guidance.

This Resolution shall take effect immediately.

C. (Adoption of Resolution No. 2021-3.5)

Motion: Rich Dellaripa

Second: John Graziano

Discussion: *Co-op vendors are unable to get salt. The DPW had to ‘shop’ local at a more expensive/mark up rate. Morris County Co-op will pay the difference in price of salt per ton. The Borough is working with our legal counsel on this*

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

**RESOLUTION NO. 2021-3.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING A CONTRACT TO BRAEN STONE INDUSTRIES, INC. FOR THE PURCHASE OF ROCK SALT

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares an emergency situation has developed with extreme winter weather conditions and shortage of rock salt supply within the Department of Public Works;

WHEREAS, the Governing Body further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

WHEREAS, the Governing Body further finds and declares that **N.J.S.A. 40A:11-6** authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body further finds and declares that the Public Works Department, acting in the reasonable belief that an emergency affecting the public health, safety and welfare requires immediate remedial action without public advertisement for services; and has appropriately recommended that the aforementioned shortage of rock salt supply be remedied through an award to:

BRAEN STONE INDUSTRIES, INC.

WHEREAS, the emergency costs are not exceed \$10,000.00 and the CFO has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting the emergency purchase of rock salt as soon as possible and does hereby award said contract to the entities mentioned above.

D. Introduction of Ordinance No. 7-2021: Amending Ch. 15 (*Property Maintenance – Unsolicited Written Materials*)

The Borough cannot stop the circulation of any newspaper however this ordinance will place restrictions to assist with many resident complaints. Residents can notify Property Maintenance Official if they wish to longer receive the paper. The ordinance will state the papers need to be placed on/near front porch, not just thrown into lawn/driveway/sidewalk. Fines will be enforced in the Publisher violates the ordinance.

A motion was made by DELLARIPA to introduce the Ordinance by title; second and final reading/ public hearing will be on March 16, 2021 at 7PM; the motion was seconded by YAZDI 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 15 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE TO ADD A NEW SECTION 15-18 ENTITLED “UNSOLICITED WRITTEN MATERIALS”

E. Introduction of Ordinance No. 8-2021: Capital Ordinance (*PD Body Cameras*)

Council President informed all members this is a fully funded purchase however there is a possibility for a grant opportunity. If a grant is received the costs will be recovered. The State of NJ passed legislation which requires law enforcement officers to wear body cameras effective June 2021. This comes as a recommendation from the Chief of Police & Public Safety Committee.

A motion was made by HUDSON to introduce the Ordinance by title; second and final reading/ public hearing will be on March 16, 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:

ORDINANCE APPROPRIATING \$32,000.00 AVAILABLE FROM THE GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR THE PURCHASE OF BODY CAMERAS FOR THE POLICE DEPARTMENT DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY

LATE PUBLIC COMMENT

YAZDI opened the meeting to late public comment; seconded by DELLARIPA and carried on voice vote, all in favor voting AYE. Since there was no one who wished to speak YAZDI moved that it be closed; second by DELLARIPA and carried on voice vote all members voting (AYE).

RE-OPEN FOR PUBLIC COMMENT

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

Jennifer Altfield – 17 Cedar Street, Bloomingdale

made the following inquiries:

- *Requested a line item be added to the budget for the replacement of water meter fees*

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

EXECUTIVE SESSION

Motion: Rich Dellaripa

Second: Dawn Hudson

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

RESOLUTION NO. 2021-3.6 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 2nd day of March, 2021 that:

- ❖ Prior to the conclusion of this Workshop 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.
 - () 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).

Final Comments:

- Hamilton Street Residents - Borough Engineer can be reached for further comments at tab@darmofalski.com or 973-835-8300 ext 112

Entered into Closed Session: 8:03PM

Resumed into Open Session: 8:40PM

GOVERNING BODY SCHEDULE:

(Zoom Webinars until further notice)

- A. Regular Meeting – March 16, 2021 **7PM**
Cannabis Discussion March 16, 2021
- B. Workshop Meeting – April 6, 2021 **7PM**
- C. Regular Meeting – April 20, 2021 **7PM**

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 8:41PM; seconded by DELLARIPA and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk