

**BOROUGH OF BLOOMINGDALE
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and more specifically, N.J.S.A. 10:4-B(b), which authorizes the use of communications equipment to hold public meetings, and in consideration of Executive Order 107 issued by Governor Murphy and guidance provided by the New Jersey Department of Community Affairs, Division of Local Government Services, the Borough of Bloomingdale does hereby notify the public that to protect the health, safety and welfare of our citizens, while ensuring the continued functioning of government, a telephonic meeting of the Borough of Bloomingdale will be held on May 19, 2020 at 7:00p.m. Any member of the public who wishes to participate in the meeting, which will include a public comment portion, may do so calling into the service number: 1 (973) 302-3356 Participant Code:1819, at the designated meeting time.

Detailed instructions on how to access the meeting will be available on the Borough of Bloomingdale's website at www.bloomingtonj.net. The website will also provide alternate instructions to follow should the remote system fail during any portion of the meeting. Members of the public who are unable to utilize the access system due to a disability may submit written comments/questions by contacting the Clerk via email at bcalabro@bloomingtonj.net prior to the meeting, up until May 19, 2020 at 4:00p.m. The comments/questions, which must include the individual's name and address, will become part of the meeting record during the public comment portion of the meeting.

NOTICE IS HEREBY GIVEN that the budget and tax resolution was approved by the Council Members of the Borough of Bloomingdale, County of Passaic on April 7, 2020. A hearing on the budget and tax resolution will be held during the Telephonic Meeting on May 19, 2020 at 7:00PM at which time objections to the Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested parties.

Action will be taken

**BREEANNA CALABRO, RMC
BLOOMINGDALE MUNICIPAL CLERK**

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

May 19, 2020

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held on the above date via a telephonic conference call as described above in the legal ad published on May 7, 2020. Mayor Dunleavy called the meeting to order at 7:01PM.

Roll Call: (taken by the Borough Clerk)

In Attendance: Mayor Jonathan Dunleavy
Councilman John D'Amato
Councilman Richard Dellaripa
Councilwoman Dawn Hudson
Councilman Drew Juhlin
Councilman Michael Sondermeyer
Councilman Ray Yazdi
Municipal Clerk, Breeanna Calabro
Borough Attorney, Fred Semrau, Esq.

Borough Professionals:

Donna Mollineaux, CFO
Andy Pascale, Auditor
Joseph Faccone, Auditor (joined at 7:03PM)

PUBLIC NOTICE STATEMENT

Mayor Dunleavy stated that adequate notice of this meeting was advertised in the Herald News on May 7, 2020; 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. Resolution No. 2020-5.13: Authorizing Workman's Compensation (Walker)

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

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

- **Councilman, Juhlin:** *Provided an update on Tri Boro Little League. Thanked DPW for maintaining Anderson Field. Gave thanks to Water Tech for donation to help continue to treat and fertilize the fields. The league will decide on June 7th whether they will hold a season for youth activities.*
- **Mayor Dunleavy:**
 - *Reviewed Governor's 3 step plan to 'reopen', the Mayor is working on getting the Borough prepared to reopen. Items mentioned included video equipment for public meetings & court sessions – noted these items will be covered under the CARES Act grant*
 - *Plan to bring the staff into full time working conditions at Boro Hall with guidance from the Board Health, CDC, JIF, and Borough Attorney*
 - *All Mayors are seeking direction on Summer Camp, it may be cancelled as there is no direction thus far*
 - *In lieu of a para, a Memorial Day Ceremony will be held on Friday at Sloan Park – this will be later shared with the public on Monday via social media to honor veterans*
- **Municipal Clerk, Breeanna Calabro:**
 - *Legislation A3966 – 2 liquor licenses holders received 'Notice of Charges' for miscellaneous reasons. However, per this legislation – licensees are now permitted to sell cocktails in sealed containers as were they previous were only permitted to sell in original containers.*
 - *Executive Order #144 – the Primary Election with held conducted with vote-by-mail ballots. Only one polling site will be open, likely the Fire Hall – more details to follow from the Passaic County Board of Elections. Mayor added, the county will be covering the costs of the mail-in-ballot*

RESOLUTION NO. 2020-5.3 CONSENT AGENDA

Councilman YAZDI offered the following Resolution and moved for its adoption:

**RESOLUTION NO. 2020-5.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Accepting, Approving and/or Adopting the Consent Agenda of the
May 19, 2020 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, 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 Mayor and Council of the Borough of Bloomingdale.

- A. Motion to approve minutes:
 - A. **January 7, 2020 – Reorganization Meeting**
 - B. **May 5, 2020 – Telephonic Meeting**
- B. **Proclamation:** Nurse's Week 2020
- C. **Resolution No. 2020-5.4:** Authorizing the CFO to Cancel the Small Cities Trust Fund Balance
- D. **Resolution No. 2020-5.5:** Dedication by Rider
- E. **Resolution No. 2020-5.6:** Agreement with Passaic County (CARES Act Grant)

- F. **Resolution No. 2020-5.7:** Support A3971 Coronavirus Relief Bonds
Resolution No. 2020-5.8: Appointing Members to Search & Rescue

Discussion:

CARES Act grant – the Borough will receive \$446,729.00 via this reimbursable grant. Invoices and proper paperwork will be submitted for the reimbursements. Emergency funding mechanisms may have to be approved initially before the funds are reimbursed. Asked by Drew, answered by the Mayor - COVID expenses are reimbursable from March 1- December 31, 2020.

The motion was second by HUDSON and carried on voice vote all members voting in favor, AYE; none were opposed.

Consent Agenda Resolutions:



Proclamation of the Borough of Bloomingdale

National Skilled Nursing Care Week May 10 - 16, 2020

WHEREAS we honor and respect our elders and citizens of any age with physical or intellectual disabilities who reside in skilled nursing care centers in the Borough of Bloomingdale, County of Passaic, State of New Jersey; and,

WHEREAS skilled nursing care centers throughout our area are being recognized in observance of National Skilled Nursing Care Week, May 10 to 16, 2020, using this year's theme of "Sharing Our Wisdom," and,

WHEREAS I urge all citizens to virtually visit or call a loved one, family member or friend residing in any care setting and offer a kind word and spend time participating in various virtual activities to unite those from all walks of life in need of our continuing love and support; and,

WHEREAS the Mayor and Council are committed to quality health care and take this moment to embrace the essence of the theme "Sharing Our Wisdom." Let's join all residents, patients, caregivers, nurses, other staff and volunteers in celebrating this special week; and,

THEREFORE, the Mayor and Council of the Borough of Bloomingdale does hereby declare the week of May 10 to 16, 2020, as **National Skilled Nursing Care Week**, a week to honor both our vulnerable citizens who receive care and the dedicated ones giving care.

Given in tribute on this 11th day of May, 2020.

Mayor Jonathan Dunleavy
Borough of Bloomingdale

**RESOLUTION NO. 2020-5.4
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION AUTHORIZING THE CANCELLATION THE SMALL CITIES TRUST FUND BALANCE

WHEREAS, there are exists a balance in the Small Cities Trust Fund; and

WHEREAS, it has been determined that the Small Cities Trust Fund is no longer needed; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bloomingdale, County of Passaic, New Jersey, that the Chief Financial Officer be authorized to cancel the Small Cities Trust Fund

**RESOLUTION NO. 2020-5.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey,
Requesting Permission for the Dedication by Rider for Tangible Property Found*

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJS 2C:64-6 authorizes the Disposal of Forfeited Property by Dedication by Rider, and

WHEREAS, the Police Department periodically is in receipt of forfeited property that needs to be accounted for until such time as it is necessary to dispose of it, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for the Disposal of Forfeited Property as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Borough of Bloomingdale is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

**RESOLUTION NO. 2020-5.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION AUTHORIZING A REIMBURSEABLE GRANT AGREEMENT WITH THE COUNTY OF PASSAIC FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, FOR ELIGIBLE EXPENSES RELATED TO COVID-19 AND THE PUBLIC HEALTH EMERGENCY

WHEREAS, Coronavirus disease 2019 (hereafter "COVID-19) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, on March 9, 2020, New Jersey Governor Philip Murphy, in order to protect the health, safety, and welfare of the people of the State of New Jersey, signed Executive Order No. 103, declaring a Public Health Emergency and State of Emergency exist in the State of New Jersey; and

WHEREAS, on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act, 2020 116 P.L. 136, 2020 Enacted H.R. 748, 116 Enacted H.R. 748, 134 Stat. 281, 116 P.L. 136, 2020 Enacted H.R. 748, 116 Enacted H.R. 748, 134 Stat. 281 (hereafter “CARES Act”); and

WHEREAS, the CARES Act established the Coronavirus Relief Fund (hereafter “Fund”), and appropriated \$150 billion, and is to be used to make payments for specified uses to States and certain local governments, the District of Columbia, and United States Territories, and Tribal governments; and

WHEREAS, the County of Passaic (hereafter “County”) was appropriated eighty seven million five hundred sixty four thousand seven hundred and sixty seven dollars and twenty cents (\$87,564,767.20) from the Fund, to be used for expenditures incurred due to the public health emergency with respect to COVID-19, were not accounted for in the budget most recently approved as of March 27, 2020, and were incurred during the period that begins March 1, 2020 and ends on December 30, 2020; and

WHEREAS, the Passaic County Board of Chosen Freeholders (hereafter “Board”), in compliance with guidance from the United States Treasury Department, is going to appropriate a portion of the Fund received by the County to its sixteen (16) municipalities, based on population, by way of a reimbursable grant, to offset eligible expenses in responding to the Public Health Emergency by the municipalities; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to conditions as set forth in the CARES Act, and other guidance as provided to the County from the United States Treasury Department, that four hundred forty six thousand seven hundred and twenty nine dollars (\$446,729) shall be allocated to the Borough of Bloomingdale from the Fund for qualified reimbursable expenses related to the Public Health Emergency and COVID-19 response; and

LET IT BE FURTHER RESOLVED, by the Governing Body of the Borough of Bloomingdale that the Mayor and Municipal Clerk are hereby authorized to execute the grant agreements with the County of Passaic, and take any other steps necessary to carry out the purpose of this resolution.

**RESOLUTION NO. 2020-5.7
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE SUPPORTING THE ENACTMENT OF ASSEMBLY BILL NO. 3971 AND SENATE BILL NO. 2475 TO AUTHORIZE THE ISSUANCE OF CORONAVIRUS RELIEF BONDS BY MUNICIPALITIES AND COUNTIES

WHEREAS, municipalities and counties throughout New Jersey are facing unprecedented financial challenges, including significant loss of revenue and unanticipated spending, due to the ongoing COVID-19 State of Emergency and Public Health Emergency; and

WHEREAS, without relief, local government may have to significantly reduce services and layoff personnel; and

WHEREAS, in response to these conditions, Assemblymen Benson and Coughlin introduced A-3971 and Senator Singleton introduced S-2475, which authorizes local units to issue “coronavirus relief bonds” to allow them to borrow money, with a ten-year payback period, to cover shortfalls and unanticipated costs that are a direct result of the COVID-19 pandemic; and

WHEREAS, such bonds will provide local units with the flexibility to ensure continuation of essential services.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bloomingdale that it hereby affirms its support for the enactment of A-3971 and S-2475.

BE IT FURTHER RESOLVED that the Clerk shall be directed to transmit a copy of this Resolution to the Governor, Senate President, Assembly Speaker and the legislative delegation of the 39th district.

**RESOLUTION NO. 2020-5.8
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

*Resolution of the Borough of Bloomingdale, County of Passaic and State of New Jersey,
Appointing Members to the Search and Rescue*

WHEREAS, Residents' safety is enhanced by the Search and Rescue; and

WHEREAS, the Search and Rescue, along with CERT Teams, assist in supervising and coordinating the civilian defense and disaster control activities of the Borough; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale hereby appoints the following members to the Search and Rescue team for a one-year term; expiring December 31, 2020:

Search & Rescue	1 year	Patrolman Steven Smith
Search & Rescue	1 year	Steve Merusi
Search & Rescue	1 year	Ben Scatturo
Search & Rescue	1 year	Sam Scaturro
Search & Rescue	1 year	Drew Tanis
Search & Rescue	1 year	Kevin Tanis
Search & Rescue	1 year	Kathy Torzner
Search & Rescue	1 year	Mike Wanklin

PENDING ITEMS:

A. Second/Final Reading & Public Hearing:

Ordinance No. 15-2020: 2020 Index Rate CAP Bank Ordinance

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 15-2020
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**BOROUGH OF BLOOMINGDALE
CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Bloomingdale, in the County of Passaic, finds it advisable and necessary to increase its CY 2020 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$91,172.36 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Bloomingdale, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Bloomingdale shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$319,103.26, and that the CY 2020 municipal budget for the Borough of Bloomingdale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Jonathan Dunleavy, Mayor

Breeanna Calabro, Borough Clerk

Introduced: April 7, 2020
Public Hearing: May 19, 2020
Adopted: May 19, 2020

I, HEREBY certify that the foregoing is a true copy of an Ordinance introduced by the Governing Body of the Borough of Bloomingdale, New Jersey at a meeting on the 7th day of April, 2020.

Breeanna Calabro, Borough Clerk

Public Hearing:

At this time YAZDI made a motion to open the Public Hearing for comment; seconded by SONDERMEYER and carried on a voice vote all voting AYE. Since there was no one who wished to speak HUDSON made a motion to close the public hearing; motion was seconded by YAZDI and carried on voice vote all members voting AYE.

Adoption:

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

B. Public Hearing on FY2020 Municipal Budget & Adoption of Budget

Mayor Dunleavy:

Mayor outlined the budget procedure listed on the Agenda. The Borough is under State Review this year which resulted in minor amendments which the CFO will review. The budget amendment will be adopted at the conclusion of the Public Hearing on the FY2020 Municipal Budget rather than before as shown on the agenda.

Donna Mollineaux, Chief Financial Officer:

State required two items in the budget to be amended. One line item on page 11 'Library Tax' appropriation which needed to be adjusted by approximately \$3,000. The second amendment was for an increase to the Garden State Trust (state aid). The net amount resulted in \$3,000 more to the Borough. Revenues were adjusted so that the bottom line does not change.

Public Notice Statement:

Breeanna Calabro, Clerk

Mayor, this is the time fixed for the virtual public hearing on the Municipal Budget and Tax Resolution for 2020. The Budget was approved by the Governing Body of April 7, 2020, was advertised as required by law on April 15, 2020 and on May 7, 2020, together with notice of hearing for this time.

Mayor, I have a resolution regarding the Reading of the Budget by Title only.

Councilman Dellaripa offered the following resolution for adoption; second by D'Amato and carried on voice vote with all voting AYE, in favor. None were opposed.

**RESOLUTION NO. 2020-5.9
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION TO READ BUDGET BY TITLE

WHEREAS, N.J.S.A. 40A:4-8 as amended provides that the Budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Budget:
 - (a) Shall be made available for public inspection, and
 - (b) Shall made available to each person upon request, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bloomingdale that it is hereby declared that the conditions of N.J.S.A. 40A:4-8, as amended set forth in subsections 1(a) and 1(b) have been made and therefore the Budget for the Year 2020 shall be read by title only.

Public Hearing:

Mayor: Before opening this hearing, I wish to outline the procedure. Each person desiring to be heard must state their name & address for the record. All questions shall be directed to the Mayor and when necessary will defer to Governing Body members and/or other municipal officials. Questions must be confined solely to the Municipal Budget; school or county matters are not proper subjects of this hearing and cannot be discussed or answered this evening.

Councilman DELLARIPA moved to open the public hearing for the FY202 Municipal Budget; second by YAZDI and carried on voice vote, all voting AYE in favor. None were opposed.

Linda Huntley – 86 Van Dam Ave

Stated budget was prepared prior to Covid-19. Inquired as to why public events (in the budget) has not been reduced due to Covid-19.

Mayor responded – loss of revenue due to Covid is unknown

Donna, CFO responded – Finance will continue to monitor revenues & expenditures. Council has the ability to cancel line items prior to yearend, and lapse into surplus.

Inquired into anticipated 'Interest Expense'

Donna, CFO responded – Interest rates have decreased; tax quarter has been extended to June 1

Mayor added – 3rd & 4th quarter tax collections are unknown

Linda added the budget was prepared prior to Covid.

Discussion continued in regard to the Borough's anticipation of money from 'Tilcon' & a site-plan application for the Planning Board. Monies not received cannot be anticipated

Closing remarks from Linda, the citizens of Bloomingdale deserve more & should not have an increase in their taxes. Things could have been cut from the budget to benefit the citizens.

Since there was no one else who wished to speak Councilman Dellaripa made a motion to close the public hearing; second by Yazdi and carried on voice vote all voting AYE in favor; none were opposed.

Budget Amendment:

At this time Councilman Dellaripa made a motion for Resolution No. 2020-5.10 FY2020 Budget Amendment; second by HUDSON and carried per the following roll call vote: Dellaripa (YES), Hudson (YES), Juhlin (YES), Sondermeyer (yes), Yazdi (Yes), D'Amato (YES).

FY2020 Municipal Budget Adoption:

Councilman Dellaripa moved for the adoption of the Resolution No. 2020-5.11: FY2020 Municipal Budget (Section 2); second by D'Amato

Discussion:

Sondermeyer/Juhlin confirmed it was a \$32 increase per the averaged assessed home of approximately \$255,000.

Mayor explained debt service was up, pension cost was up, tipping fees were increased, Police salary/wages increased.

Yazdi mentioned if there wasn't a lawsuit, the Borough would be in much better shape

Juhlin thanked Donna and Mayor & Council for explaining the budget process & further commented on the working of the budget. Juhlin felt a better job could be done with regard to accountability. Under tab 33, Utility 1 – line item for \$2.9mil listed as 'other'. This is 20% of the budget. Suggested adding sublines to show what is inclusive of this number.

Mayor Dunleavy & Donna added – \$1.8 of this number is the PRBRSA bill. The budget form is a standard template from the state. The Borough cannot change the template to include additional lines. Any town that has utility only has line items for salary/wages & other expenses.

Juhlin added during these unprecedented times (Covid-19) at the federal, state and local level, items could have been cut back. 180 citizens of town have been impacted by the virus & many are affected by the economic impact.

Section 2 (read by the Municipal Clerk):

Be it Resolved by the Council Members of the Borough of Bloomingdale, County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$7,975,327.00 (Item 2 below) for municipal purposes, and
- (b) \$ (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$183,181.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$280,898.00 (Item 5 Below) Minimum Library Tax

RESOLUTION NO. 2020-5.11:

Roll Call Vote of the FY2020 Municipal Budget: HUDSON (YES), JUHLIN (NO), SONDERMEYER (YES), YAZDI (YES), D'AMATO (YES), DELLARIPA (YES)

C. Second/Final Reading & Public Hearing:

Ordinance No. 16-2020: Amend Ch. 2-64 (Rec Adult Choir Fees)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE No. 16-2020
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 an 'Adult Choir' program as requested by the Recreation Director; 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 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)
Adult Choir

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

Summer Day Camp

Bloomingtondale 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

Ski Program Range from \$0 to \$600

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 Bloomingtondale inconsistent herewith are repealed to the extent of such inconsistency.

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

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

Public Hearing:

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by SONDERMEYER and carried on a voice vote all voting AYE. Since there was no one who wished to speak SONDERMEYER made a motion to close the public hearing; motion was seconded by YAZDI and carried on voice vote all members voting AYE.

Adoption:

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

D. Second/Final Reading & Public Hearing:

Ordinance No. 17-2020: 2020 Amended Contract (PRBRSA)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE No. 17-2020
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE TO AUTHORIZE THE EXECUTION OF 2020 AMENDED AND
RESTATED SERVICE CONTRACT WITH PEQUANNOCK RIVER BASIN
REGIONAL SEWERAGE AUTHORITY**

WHEREAS, in 1974, the municipalities of Bloomingdale, Butler and Kinnelon, created the “Pequannock River Basin Regional Sewerage Authority” (hereinafter, the “Authority”), by their several ordinances duly adopted in the single calendar year 1974 by their respective governing bodies; and

WHEREAS, the Authority was created as a public body corporate and politic of the State of New Jersey organized and existing under the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., (hereinafter referred to as the “Act”) and the acts amendatory thereof and supplemental thereto, exercising public and essential governmental functions to provide for the public health and welfare, with all necessary or proper powers to acquire, construct, maintain, operate and use works for the relief of waters in, bordering or entering the territorial boundaries of Bloomingdale, Butler and Kinnelon from pollution by sewage and industrial and other wastes arising from causes within such territory; and

WHEREAS, the Borough of Riverdale was a customer of the Authority pursuant to the 1987 Service Contract between the Authority and Riverdale (the “1987 Riverdale Service Contract”) and Riverdale is in the process of becoming a Participant in the Authority by reason of the securing of certain approvals pursuant to the Bond Resolution of the Authority and the enactment of an Ordinance by Riverdale and adoption of a resolution by the Authority in accord with the Act at N.J.S.A. 40:14A-4(m)(i); and

WHEREAS, the Authority and Bloomingdale, Butler, Kinnelon and Riverdale desire to restate the existing obligations and amend the 1990 Amendment to the 1985 Service Contract and the 1987 Riverdale Service Contract, and all amendments thereto, to true up the capacity allocations and locations of existing facilities; incorporate the Authority’s policy relevant to connections to the System; revise the measurement of volume of sewage and billing from flow metering to Equivalent Dwelling Units (EDUs) for the Operating Charge portion of the Annual Charge; incorporate the Authority’s policy regarding surcharges for discharges in excess of a Participant’s reserve capacity and waivers of the same, and related matters; and

WHEREAS, Bloomingdale has determined that it will be advantageous to it and to its residents to have sewage and other wastes originating from it or within its territorial boundaries and the District of the Authority disposed of by the Authority pursuant to the terms of the 2020 Amended and Restated Service Contract, and to be obligated to make payments for or with respect to any or all such service made or to be made available to it on the terms contained therein, in the amounts, and at the times provided for, and authorizes its proper officials to enter into and execute the 2020 Amended and Restated Service Contract reviewed by the Governing Body.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Bloomingdale, County of Passaic, State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute the 2020 Amended and Restated Service Contract in substantially the form on file with the Clerk and hereby approved, which approval shall be evidenced by the signature of the Mayor on such Contract.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

INCONSISTENT ORDINANCES. Ordinances resolution and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law.

Public Hearing:

At this time HUDSON made a motion to open the Public Hearing for comment; seconded by YAZDI and carried on a voice vote all voting AYE. Since there was no one who wished to speak DELLARIPA made a motion to close the public hearing; motion was seconded by SONDERMEYER and carried on voice vote all members voting AYE.

Discussion:

Councilman Juhlin confirmed Butler, Kinnelon and Riverdale were making the same chances. Mayor replied they are also ‘onboard’ with a new billing structure.

Adoption:

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

NEW BUSINESS:

A. Councilman DELLARIPA offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2020-5.12
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Payment of Municipal Obligations

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that certain municipal obligations have come due and are now payable; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Borough Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Governing Body further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

<u>BILLS LIST</u>		<u>PREPAID LIST</u>	
CURRENT	3,141,012.50	CURRENT	430,346.61
UTILITY	50,644.35	UTILITY	23,850.87
CAPITAL	104,710.35	OPEN SPACE	00.00
UTILITY CAPITAL	75,800.00	TRUST ACCOUNT	560.00
TRUST	390.00	RECYCLING	00.00
DOG	2,586.26	DOG TRUST	00.00
RECREATION	4,688.20	UNEMPLOY	203.90 ROSE
FUND	5,429.61	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	00.00	RECREATION	00.00
AFFORDABLE HOUSING	516.00	CAPITAL ASSESSMENT	00.00
TOTAL	3,385,777.27	TOTAL	454,961.38

The motion was second by YAZDI and carried per the following Roll Call vote: YAZDI (YES), D’AMATO* (YES), DELLARIPA* (YES), HUDSON (YES), JUHLIN (YES), SONDERMEYER (YES).

*Recusals:

D’AMATO voted yes, with recusal of all items listed under vendor #01463
DELLARIPA voted yes, with recusal of PO#20-00513

B. Introduction of Ordinance No. 18-2020: Amend Ch. 5 Animal Control (Leash requirements & Quarantine Fees)

A motion was made by SONDERMEYER to introduce the Ordinance by title; second and final reading/ public hearing will be on June 9, 2020 at 7PM; the motion was seconded by YAZDI and carried on voice vote all members voting AYE, 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 5 “ANIMAL CONTROL” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

Discussion:

Mayor explained the ordinance & recent incidents with animal control. Councilman D’Amato disagreed with the proposed ordinance and leash requirements.

NON-AGENDA ITEMS:

Councilman YAZDI made a motion for adoption of the following resolution:

**RESOLUTION NO. 2020-5.13
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Granting Workman’s Compensation

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Gary Walker (“Employee”) was an employee of the Borough of Bloomingdale; and

WHEREAS, the Governing Body further finds and declares that the Employee was out of work on paid leave through Workman’s Compensation as of March 13, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant Workman’s Compensation to Borough Employee, Gary Walker, during the period of March 13, 2020 through April 24, 2020; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to give a copy of this ratified resolution to the Borough Treasurer for reporting to the proper agencies.

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

LATE PUBLIC COMMENT

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

CLOSING REMARKS:

Mayor thanked Donna (CFO) & the budget committee. Mayor noted a \$0 increase would be nice however the Borough is proceeding with the budget as is, to better plan for the future. If there was a zero increase, use of additional surplus, cuts on cost and then a shortage in revenue – an emergency appropriation would have to be done which costs the Borough more in the long run. Financially the Borough would be in a worse position if the budget is cut due to Covid-19. This is smart planning. Donna added this also impacts the Borough in the bond market & shows you’re not being fiscally responsible in managing the budget.

Councilman Yazdi, noted if not for a lawsuit (referring to Tilcon) new structures would be ‘up’ and generating revenue. Money/land would have also already been donated. Over the past 10 years the Governing Body has had very low annual tax increases.

Fred Semrau, Borough Attorney added comments from a legal prospective – commended the Borough for demonstrating fiscal responsibility. Also added the Borough would be negatively impacted in the Bond market without proper planning. The Borough is showing stability in its ability to weather the situation.

GOVERNING BODY SCHEDULE:

- A. Workshop Meeting – June 9, 2020 7PM
- B. Regular Meeting – June 23, 2020 7PM

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 7:51PM; seconded by SONDERMEYER and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk