

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

July 21, 2020

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 7:00PM.

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

Roll Call: (taken by the Borough Clerk)

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

Excused: Councilman Drew Juhlin

PUBLIC NOTICE STATEMENT

Mayor Jonathan Dunleavy stated that adequate notice of this meeting was advertised in the Herald News on December 23, 2019 and January 8, 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:

- **Resolution No. 2020-7.7:** Adding the Fireman's Hall, Located At 97 Hamburg Turnpike, To the Borough's Property Insurance Coverage

EARLY PUBLIC COMMENT:

Motion was made by HUDSON to open the meeting for public comment; seconded by D'AMATO and carried per voice vote all voting AYE.

Linda Huntley – 86 Van Dam Ave., Bloomingdale
Questioned about wearing masks in the Council Chambers

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

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

- **Mayor Dunleavy:**
 - *Increase of 4 million gallons of water consumption in a 2-week period as of July 20th all water restrictions are lifted. The Water Utility will continue to monitor the tank levels as well as water usage*
 - *NJDWSC is conducting a valve operating program, mandated by NJDEP – water is discolored, residents were advised*
 - *Updates on the following projects:*
 - *Ballston Street Water Main, Sanitary Sewer & Road Improvements*
 - *1st & 2nd Street Water Connection*
 - *Borough Facilities being updated with safety precautions to prevent the spread of Covid-19 (CARES ACT GRANT)*

RESOLUTION NO. 2020-7.1 CONSENT AGENDA

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

RESOLUTION NO. 2020-7.1
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE

*Accepting, Approving and/or Adopting the Consent Agenda of the
July 21, 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. Regular Meeting – March 17, 2020
- B. **Resolution No. 2020-7.2:** Raise Bid Threshold to \$44,000 per LFN 2020-14
- C. **Resolution No. 2020-7.3:** Redemption of TTL (277 Macopin)

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

Consent Agenda Resolutions:

RESOLUTION NO. 2020-7.2
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE

**A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY
OF PASSAIC AND STATE OF NEW JERSEY - ADJUSTMENT OF
PUBLIC BIDDING THRESHOLDS PER LOCAL FINANCE NOTICE
2020-14**

WHEREAS, Pursuant to N.J.S.A. 40A:11-3(c) and 18A:18A-3(b), & Local Finance Notice 2020-14, the State Treasurer has exercised her authority to adjust bid thresholds for contracting units subject to the Local Public Contracts Law; and

WHEREAS, these adjustments become effective on July 1, 2020; and

WHEREAS, For contracting units that have appointed a Qualified Purchasing Agent pursuant to N.J.S.A 40A:11-9(b), and avail themselves of the related higher bid threshold pursuant to N.J.S.A 40A:11-3 and 18A:18A-3, the maximum bid threshold has been increased from \$40,000 to \$44,000.

WHEREAS, the Borough of Bloomingdale, has appointed a Qualified Purchasing Agent and desires to take advantage of the increased bid threshold; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey that the Borough of Bloomingdale hereby increases the bid threshold for award of public contracts by the Borough from \$17,500 to \$44,000.

**RESOLUTION No. 2020-7.3
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

Authorizing Redemption and Cancellation of Tax Title Lien Certificate #18-00006

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that, at the Borough Tax Sale held on December 17, 2019 a lien was sold on,
277 Macopin Road, Bloomingdale, for delinquent year 2018 Sewer, and

WHEREAS, the Governing Body further finds and declares that the foregoing property is also known as Block 3007, Lot 8, owned by Melissa M Kleinman; and

WHEREAS, the Governing Body further finds and declares that the foregoing lien which was sold to CC1 NJ II LLC LLC at an interest rate of 11% and

WHEREAS, the Governing Body further finds and declares that for 277 Macopin Road, the title agency, SERVICELINK NLS LLC has requested redemption of TTL #18-00006, and

WHEREAS, the Governing Body further finds and declares that, SERVICELINK NLS LLC 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 \$357.81 for the lien redemption, be made payable to CC1 HOLDINGS LLC, DEPT 3800, PO BOX 123800, DALLAS, TX 75312 for the redemption and cancellation of Tax Title Lien Certificate #18-00004

1099 = 13.18

PENDING ITEMS:

A. Second/Final Reading & Public Hearing:
Bond Ordinance No. 19-2020: 2020 General Capital

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

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

The Municipal Clerk read the following Ordinance by title:

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$1,374,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,342,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART 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 members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,374,000, which sum includes a \$99,000 grant expected to be received from the County of Passaic Open Space and Farmland Preservation Trust Fund

Program (the "Open Space Grant"), a \$300,000 grant expected to be received from the State of New Jersey Department of Transportation (the "DOT Grant"), and a \$75,000 grant expected to be received from the Community Development Block Grant Program (the "CDBG Grant", and together with the Open Space Grant and DOT Grant,, the "Grants") and \$32,000 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the improvement or purpose set forth in Section 3(a)(i) hereof, as such project is being funded by the DOT Grant.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,374,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,342,000 pursuant to and within the limitations prescribed by 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 \$1,342,000 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 are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Various roadway improvements to, as applicable, the entire lengths or portions of various roads within the Borough, including but not limited to, Hamilton Street, Tice Road, Park Avenue and Lakeside Avenue; and	\$748,000 (including a \$300,000 grant expected to be received from the State of New Jersey Department of Transportation)	\$748,000	\$0	15 years
(ii) Borough-wide stormwater improvements; and	\$100,000	\$95,000	\$5,000	20 years
(iii) Sidewalk improvements to, as applicable, the entire length or portions of, Union Avenue; and	\$300,000 (including a \$75,000 grant expected to be received from the Community Development Block Grant Program)	\$285,000	\$15,000	10 years
(iv) Reconstruction of the Walter T. Bergen tennis courts; and	\$150,000 (including a \$99,000 grant expected to be received from the County of Passaic Open Space and Farmland Preservation Trust Fund Program)	\$142,000	\$8,000	15 Years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(v) Purchase of various equipment for the Department of Public Works, including, but not limited to, a lazer diesel mower and radios.	\$76,000	\$72,000	\$4,000	5 years
Total:	\$1,374,000	\$1,342,000	\$32,000	

(b) Such improvements or purposes set forth in Section 3(a) shall also include, but are not limited to, as applicable, demolition and excavation, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, replacing the castings on catch basins and manholes, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements, and all other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$1,342,000.

(d) The aggregate estimated cost of said improvements or purposes is \$1,374,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the aggregate down payments for said purposes in the amount of \$32,000.

SECTION 4. Except for the Grants, 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 from the United States of America, the State of New Jersey, and/or the County of Passaic. Except for the Grants, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic 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. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

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 or otherwise authorized by the Local Bond Law. 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 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 or Budgets of the Borough are 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 or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs 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 or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.75 years.

(c) 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, New Jersey Department of Community Affairs, 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 \$1,342,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$115,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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 bonds or notes authorized by this bond ordinance. The bonds or notes 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 bonds or notes 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 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. 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 Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). 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 \$1,342,000. 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. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the mayor, as provided by the Local Bond 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.

Linda Huntley – 86 Van Dam Ave

Spoke in opposition of the amount of debt being incurred during these times (Covid-19)

Since there was no one else who wished to speak SONDERMEYER made a motion to close the public hearing; motion was seconded by D’AMATO and carried on voice vote

all members voting AYE.

Adoption:

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

B. Second/Final Reading & Public Hearing:

Bond Ordinance No. 20-2020: Water Capital Improvements

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
ORDINANCE NO. 20-2020**

**BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR
THE WATER UTILITY OF THE BOROUGH OF
BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE
OF NEW JERSEY, APPROPRIATING \$881,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$881,000 BONDS
OR NOTES OF THE WATER UTILITY OF THE BOROUGH
TO FINANCE THE COSTS 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 or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Water Utility (the “Water Utility”) of the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the amount of \$881,000 by the Water Utility of the Borough. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Water Utility are hereby authorized to be issued in a principal amount not exceeding \$881,000 pursuant to, and within the limitations prescribed by, 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 \$881,000 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, including, but not limited to, (i) various utility improvements, including water and sewer line repairs and/or replacement, as applicable, on Hamilton Street, (ii) upgrade of the water meters within the Borough and (iii) replacement of grinder pumps at the Pump Station.

(b) The estimated maximum amount of bonds or notes of the Borough to be issued for said purposes is \$881,000.

(c) The estimated cost of said improvements or purposes is \$881,000.

(d) All such improvements or purposes described above shall include, but are not limited to, as applicable, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

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 from the United States of America, the State of New Jersey, and/or the County of Passaic. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic 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. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

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 a 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 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, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget of the Water Utility of the Borough, as applicable. The capital budget or temporary capital budget of the Water Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water Utility of the Borough, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements for the Water Utility of the Borough, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 20 years.

(c) 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, within New Jersey Department of Community Affairs, 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 obligations provided for in this bond ordinance by \$881,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$30,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c)

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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 principal 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 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. 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 Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in

Treasury Regulations §1.148-1). 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 \$881,000. 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. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond 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.

Linda Huntley – 86 Van Dam Ave

Spoke regarding increased water meter fees/cost. The funds were to be dedicated to paying down debt. Mayor/Borough Attorney will follow up

Since there was no one else who wished to speak D'AMATO made a motion to close the public hearing; motion was seconded by DELLARIPA and carried on voice vote all

members voting AYE.

Adoption:

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

C. Second/Final Reading & Public Hearing:

Ordinance No. 21-2020: Capital Surplus (Fire Dept)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 21-2020
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

**ORDINANCE APPROPRIATING \$33,000.00 AVAILABLE FROM THE
GENERAL CAPITAL SURPLUS FUND TO PROVIDE FOR FIRE DEPARTMENT
PURCHASES AND IMPROVEMENTS DESCRIBED HEREIN IN AND BY THE
BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW
JERSEY**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Section 1. \$33,000.00 is available from the Capital Surplus Fund to provide for the following purposes:

<u>Description of Purpose</u>	<u>Amount</u>
Fire Station Door Replace/Repair	\$ 10,500.00
EXO	\$ 15,000.00
High Volume Pump	\$ 7,500.00
TOTAL:	\$ 33,000.00

Section 2. The capital budget of the Borough of Bloomingdale is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect ten days after final publication hereof as provided by N.J.S.A. 40:49-9.

Public Hearing:

At this time SONDERMEYER made a motion to open the Public Hearing for comment; seconded by D'AMATO and carried on a voice vote all voting AYE. Since there was no one who wished to 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:

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

D. Second/Final Reading & Public Hearing:

Ordinance No. 22-2020: Capital Improvements (Borough Facilities)

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

Councilman D'AMATO 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. 22-2020
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

ORDINANCE APPROPRIATING \$58,000.00 AVAILABLE FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO PROVIDE FOR IMPROVEMENTS TO BOROUGH FACILITIES DESCRIBED HEREIN IN AND BY THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Section 1. \$58,000.00 is available from the Capital Improvement Fund to provide for the following purposes:

<u>Description of Purpose</u>	<u>Amount</u>
Improvements to Borough Facilities	\$ 58,000.00
TOTAL:	\$ 58,000.00

Section 2. The capital budget of the Borough of Bloomingdale is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect ten days after final publication hereof as provided by N.J.S.A. 40:49-9.

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. Since there was no one who wished to speak HUDSON made a motion to close the public hearing; motion was seconded by D'AMATO and carried on voice vote all members voting AYE.

Discussion:

Members discussed the items that totaled \$58,000 which includes additional hydro-raking (\$20,000), Veteran Monument Plaques (\$20,000), Alarm System @ DPW (\$12,000), and fencing for DPW Yard (\$6,000)

Adoption:

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

E. Second/Final Reading & Public Hearing:

Ordinance No. 23-2020: Animal Control (Quarantine Fees)

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

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

The Municipal Clerk read the following Ordinance by title:

**ORDINANCE NO. 23-2020
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 5 “ANIMAL CONTROL” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth regulations regarding fees associated with impounding and quarantining dogs; and

WHEREAS, the Borough Animal Control Officer has reviewed this section of the Code and recommended certain changes be made; and

WHEREAS, the Borough Council has reviewed the recommendations of the Animal Control Officer and agreed with the recommended changes.

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 5 “Animal Control”, Section 5-14 “Fees” shall be amended as follows:

5-14 FEES.

The following fees shall be paid to the Borough in compliance with this chapter:

- f. Quarantines and Impounded Bite Cases: twenty-five (\$25.00) dollars a day. Payment of impound fees under this section shall be payable every tenth day of quarantine or impound. If fees are not paid within 48 hours of the tenth day, ownership shall be forfeited and the animal becomes the property of the shelter to be disposed of in a manner approved by and in accordance with state law.

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.

Public Hearing:

At this time SONDERMEYER made a motion to open the Public Hearing for comment; seconded by DELLARIPA 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.

Adoption:

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

**F. Second/Final Reading & Public Hearing:
*Ordinance No. 24-2020: Utility Ordinance***

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. 24-2020
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 XVIII "SEWERS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth regulations and standards for sewer maintenance, installation and connections in the Borough; and

WHEREAS, the Borough Water and Sewer Utility Foreman and Mayor have reviewed these regulations and standards and recommended certain changes be made with regard to sewer connections; and

WHEREAS, the Borough Council has reviewed the recommendations of the Borough Water and Sewer Utility Foreman and Mayor and agreed with the recommended amendments.

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 XVIII "Sewers", Section 18-3.1 "Definitions" shall be amended to read as follows:

18-3.1 Definitions.

As used in this section:

BOD (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under laboratory procedure in five (5) days at twenty (20°) degrees centigrade expressed in parts per million by weight.

Building Connection shall mean a sewer conveying wastewater from the premises of a user to the Borough sewer.

Garbage shall mean solid wastes from the preparation, cooking and disposing of food, and from the handling, storage and sale of produce.

Industrial wastes shall mean the liquid wastes from individual processes as distinct from sanitary sewage.

Main or trunk sewer shall mean the sewers laid longitudinally along the center line or other parts of the street roadway right-of-way areas, or other rights-of-way easements and to which all owners of abutting properties have equal rights and which is controlled by the public authority.

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Plumbing system shall mean all the plumbing work within residences, business buildings, institutions and industrial establishments within such buildings and to a point five (5) feet outside of the buildings, which will convey sewage from within the buildings, through service connections leading to main or trunk line sewers.

Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch in any dimension.

Public sanitary sewer shall mean a sewer in which all owners of abutting properties have equal rights of use and is controlled by public authority.

Sanitary sewer shall mean a sewer which carries sanitary sewage only, and to which storm, surface and subsurface ground waters are not permitted to be admitted.

Sewage shall mean water-carried wastes from residences and industrial establishments.

Sewer extensions shall mean that part of the sewerage system that runs from the main or trunk-line sewer, including all necessary fittings, to the connecting point outside of all residences, business buildings, institutions and industrial establishments. No sewer extension will be permitted to enter into any existing manhole on main or trunk-line sewers, but must be connected into an existing tee or wye fitting on the main or trunk-line, or provision made to construct a tee or wye connection into the main or trunk-line to accommodate such extension, or where existing service extensions have been made to the curblin, the extension can be used if the same will accommodate the further extension of the same to the points to be serviced for sewage discharge.

Sewerage works shall mean all facilities for collecting, pumping and disposing of sanitary sewage.

Superintendent shall mean the Superintendent of the Department of Public Works of the Borough of Bloomingdale, or his authorized deputy, agent or representative.

Suspended solids shall mean solids that either float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

Unit or dwelling unit shall mean each home, separate apartment in each home, apartment, condominium, or separately leased or rented residential area, in which a family unit or individual or parties may separately reside. In the case of commercial users, or mixed commercial residential users, each separate store or commercial space or establishment, and each separate residence, be it owned, leased or rented, or other-wise occupied, shall be considered a dwelling unit whether or not it is in the same building structure, including condominium ownership, leasehold or rental usage, and whether or not a single common discharge is shared by separate residential and/or commercial users in a single building or a single lot.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

All other portions of this Section remain unchanged.

SECTION 2. Chapter XVIII "Sewers", Section 18-3.4 "Sewer Connections" shall be amended to read as follows:

18-3.4 Sewer Connections.

g. The Borough will not be responsible for the maintenance of any sewer extension or connection from the building connection in the direction toward the buildings to be served on private properties. The owners shall maintain and clean the sewer extensions or connections in areas as above specified at their own expense and responsibility.

All other portions of this Section remain unchanged.

SECTION 3. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 4. 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 5. 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 D'AMATO and carried on a voice vote all voting AYE. Since there was no one who wished to speak YAZDI made a motion to close the public hearing; motion was seconded by D'AMATO and carried on voice vote all members voting AYE.

Discussion:

Mayor explain the ordinance and how the code will now match other surrounding towns.

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), HUDSON (YES), SONDERMEYER (YES), YAZDI (YES).

NEW BUSINESS:

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

**RESOLUTION NO. 2020-7.4
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	1,868,954.46	CURRENT	1,954,142.74
UTILITY	77,076.91	UTILITY	41,822.96
CAPITAL	59,582.40	OPEN SPACE	00.00
UTILITY CAPITAL	347,942.57	TRUST ACCOUNT	6,711.25
TRUST	9,912.31	RECYCLING	00.00
DOG	2,606.09	DOG TRUST	00.00
RECREATION	00.00	UNEMPLOY	90.54 ROSE
FUND	2,083.95	CAPITAL	00.00
RECYCLING	00.00	WATER CAPITAL	00.00
UNEMPLOYMENT	00.00	RECREATION	00.00
AFFORDABLE HOUSING	630.50	CAPITAL ASSESSMENT	00.00
TOTAL	2,368,789.19	TOTAL	2,002,767.49

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

***RECUSALS:**

D’Amato: recused from all items listed under vendor #01463 (Darmofalski Engineering)

B. Councilman D’Amato offered the following resolution and moved for its adoption:

**RESOLUTION NO. 2020-7.5
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #1 FOR THE CONTRACT FOR THE MAIN STREET BOOSTER STATION PROJECT BETWEEN THE BOROUGH OF BLOOMINGDALE AND HUTTON CONSTRUCTION LLC

WHEREAS, the Borough of Bloomingdale and Hutton Construction LLC have entered into a contract in the amount of **\$319,069.00** for the Main Street Booster Station Project; and,

WHEREAS, it has been determined by the Engineer, William Ryden of Anderson & Denzler Associates, Inc., that certain changes to this contract are necessary to perform work as follows: Installation of a 12” insertion valve to enable shut-down of the water system for installation of new suction & discharge lines to the booster station. This was not deemed necessary at the time of bidding as it was anticipated that there were sufficient existing valves to shut down the system without impacting a large number of customers.

Non-Contract Work Items – 12” insertion valve

	<u>Additional Cost</u>
Change Order #1	\$ 32,663.27
Total Net Change Order:	\$ 32, 663.27
Percentage Increase:	10.2%

; and

WHEREAS, the original contract amount was \$319,069.00; the amended contract amount based upon Change Order #1 is \$351,732.27 which is 10.2% increase from the original contract amount; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change orders have not caused the originally awarded contract price to be exceeded by more than 20 percent; and,

WHEREAS, the Engineer, William Ryden of Anderson & Denzler Associates, Inc., has reviewed the change order and recommended to the Governing Body that it modify its agreement with Hutton Construction LLC, subject to the certification of funds, as a result of the above-referenced changes of condition which have occurred on the project and as detailed in the Borough Engineer’s email Memorandum, dated June 23, 2020; and,

WHEREAS, Borough Chief Financial Officer has certified the funds in the annexed certification; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, that Change Order #1 is hereby approved in the contract between the Borough of Bloomingdale and Hutton Construction LLC as follows:

Original Contract	\$319,069.00
Change Order #1	<u>\$ 32,663.27</u>
New Contract Total:	\$351,732.27

Increase 10.2%

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

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

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

**RESOLUTION NO. 2020-7.6
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF
PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #2
FOR THE CONTRACT FOR THE MAIN STREET BOOSTER STATION PROJECT**

**BETWEEN THE BOROUGH OF BLOOMINGDALE AND HUTTON
CONSTRUCTION LLC**

WHEREAS, the Borough of Bloomingdale and Hutton Construction LLC have entered into a contract in the amount of **\$319,069.00** for the Main Street Booster Station Project; and,

WHEREAS, the Borough of Bloomingdale and Hutton Construction LLC previously entered into a change order by way of Resolution No. 2020-7.5 in the amount of \$32,663.27 for the installation of a 12” insertion valve; and

WHEREAS, it has since been determined by the Engineer, William Ryden of Anderson & Denzler Associates, Inc., that certain changes to this contract are necessary to perform work as follows:

Non-Contract Work Items – Excavation of Test Pit

	<u>Additional Cost</u>
Change Order #1	\$ 32,663.27
<i>Proposed Change Order #2 (1.0% increase)</i>	<i>\$ 3,171.19</i>
Excavation of Test Pit	
Total Net Change Order:	\$ 35,834.46
Percentage Increase:	11.2%

; and

WHEREAS, the original contract amount was \$319,069.00; the amended contract amount based upon Change Order #1 and #2 is \$354,903.46 which is 11.2% increase from the original contract amount; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change orders have not caused the originally awarded contract price to be exceeded by more than 20 percent; and,

WHEREAS, the Engineer, William Ryden of Anderson & Denzler Associates, Inc., has reviewed the change order and recommended to the Governing Body that it modify its agreement with Hutton Construction LLC, subject to the certification of funds, as a result of the above-referenced changes of condition which have occurred on the project and as detailed in the Borough Engineer’s email Memorandum, dated July 15, 2020; and,

WHEREAS, Borough Chief Financial Officer has certified the funds as evidenced in the annexed certification; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, that Change Order #2 is hereby approved in the contract between the Borough of Bloomingdale and Hutton Construction LLC as follows:

Original Contract	\$319,069.00
Change Order #1	<u>\$ 32,663.27</u>
Contract Amount with Prior Changes	\$351,732.27
Change Order #2	\$ 3,171.19
New Contract Total:	\$354,903.46

Increase 11.2%

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

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

NON-AGENDA:

Councilman YAZDI offered the following resolution for adoption; motion was second by HUDSON and carried per the following roll call vote: YAZDI (YES), D'AMATO (ABSTAIN), DELLARIPA (YES), HUDSON (YES), SONDERMEYER (YES)

**RESOLUTION NO. 2020-7.7
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADDING THE FIREMAN'S HALL, LOCATED AT 97 HAMBURG TURNPIKE, TO THE BOROUGH'S PROPERTY INSURANCE COVERAGE

WHEREAS, the Borough of Bloomingdale presently provides insurance for the Bloomingdale Volunteer Fire Department for general liability coverage; and

WHEREAS, the Bloomingdale Volunteer Fire Department has been an integral part and has provided invaluable services to the residents of the Borough for over 110 years; and

WHEREAS, the Borough Administration has researched and evaluated the potential cost savings to the residents of the Borough if it were to include the Fireman's Hall on the Borough's insurance policy; and

WHEREAS, the Borough can add as a rider to its existing policy with the Morris Joint Insurance Fund, the Fireman's Hall with coverage of \$1,050,000 for the building and \$130,000 for the contents for an annual premium of \$1,889 versus the existing annual premium that the Fire Department is paying in the amount of \$9,015; and

WHEREAS, the goal is to support the Fire Department and to provide a savings to residents of the Borough of Bloomingdale and the addition of the Fireman's Hall to the Borough's coverage will achieve extensive savings and provide insurance coverage in support of the Borough's Volunteer Fire Department.

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

The Administration is hereby authorized to add the Fireman's Hall located at 97 Hamburg Turnpike in Bloomingdale effective August 1, 2020 to its insurance policy and coverage in the amount of \$1,050,000 for the building and \$130,000 for the contents, in an amount of \$1,889 which will produce a cost savings in the amount of \$7,426; and

BE IT FURTHER RESOLVED that the Fire Department will be notified to continue to their liquor liability and workers compensation as the Borough cannot offer these coverages.

This Resolution will take effect on August 1, 2020.

LATE PUBLIC COMMENT

HUDSON 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).

GOVERNING BODY SCHEDULE:

- A. Regular Meeting – August 18, 2020 7PM
- B. Fireworks have been rescheduled for Pride Day

ADJOURNMENT:

Since there was no further business to be conducted, SONDERMEYER moved to adjourn at 7:33PM; seconded by YAZDI and carried on voice vote with all Council Members voting AYE.

Breeanna Calabro, RMC
Municipal Clerk