REGULAR MEETING OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

September 20, 2022

The Regular Meeting of the Governing Body of the Borough of Bloomingdale was held in the Council Chambers of the Municipal Building (101 Hamburg Tpke) on the above date. Mayor John D'Amato called the meeting to order at 7:01PM.

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

Official Roll Call: (taken by the Borough Clerk)

In Attendance: Mayor John D'Amato

Councilman Dominic Catalano Councilman John Graziano Councilwoman Dawn Hudson Councilman Drew Juhlin Councilwoman Evelyn Schubert

Councilman Ray Yazdi

Municipal Clerk, Breeanna Smith

Business Administrator, Michael Sondermeyer

Borough Attorney, Dawn Sullivan

PUBLIC NOTICE STATEMENT

Mayor D'Amato stated: This Meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting was advertised in the Herald News on January 12, 2022; 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.

Per State Fire Code, I am required to acknowledge that there are two emergency exits in this Council Chambers. The main entrance which you entered through and a secondary exit to the left of where I am seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out the building. If there are any questions, please raise your hand now.

EARLY PUBLIC COMMENT:

Motion was made by HUDSON to open the meeting for public comment; seconded by YAZDI and carried on voice vote all voting AYE.

Linda Huntley, 86 Van Dam Avenue, Bloomingdale:

Made the following inquires:

 Requested allowing political sign placement on 9/29/2022; 30 days before early voting (council discussed)

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

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

Councilman Graziano (EDC Liaison/Municipal Alliance Liaison):

• Town Pride Day – September 24th (Petting zoo / Characteristic Drawing etc)

Councilwoman Schubert (Senior Center & Library Liaison):

- Garage / Rummage Sale October 1st (Senior center is taking donations)
- Adult Craft Night September 28th
- Pocketbook Bingo October 21st

Borough Administrator, Michael Sondermeyer:

- The shared services agreements listed under new business do not require council action tonight. Once the BOE reviews the revised agreements, the final authorization will be listed on the 10/4/2022 agenda.
- Pequannock Township has approached the Borough with interest in a shared service agreement for animal control services
- It was determined that Bloomingdale's water system has level of total Trihalomethanes (TTHM) above the drinking water standard. Although it is not an emergency, the residents must be noticed within 10 days. (Mike distributed the draft letter to the council, which will be mailed to all residents on the water system). The letter notes that the LRAA levels of TTHM at 1 of the 2 samplings locations exceeded the standard (81). In the past residents were concerned with the cloudiness/clarity of the water; it was noted this a separated issue.

Council discussed and questioned the matter. Mike will keep the members in the loop with information as it is given to the Borough. The members would like to see a 'FAQ' [frequently asked questions] letter be distributed with the mandatory letter as well to provide more information to the residents.

Mayor John D'Amato

- Provided update on Andrew Place Improvement project
- Reminder 5k Bob Kochka run to kick off Town Pride Day

CONSENT AGENDA

(Adoption of Resolutions No. 2022-9.12 – 2022-9.16)

Motion: Ray Yazdi

Second: Dominic Catalano

Discussion: members discussed the shared service agreement with Kinnelon. In addition to this service, the Borough provides Kinnelon with mechanical services on their police vehicles. These service agreements typically 'wash' out monies being exchanged between the Boroughs.

Roll Call Vote: CATALANO (YES), GRAZIANO (YES), HUDSON (YES), JUHLIN (YES),

SCHUBERT (YES), YAZDI (YES)

CONSENT AGENDA RESOLUTION:

RESOLUTION NO. 2022-9.12 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Accepting, Approving and/or Adopting the Consent Agenda of the September 20, 2022 Regular Meeting

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

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

A. Motion authorizing the QPA & Municipal Clerk to solicit for 2023 Professional Services

B. Resolution No. 2022-9.13: Declare Emergency (Water Main Break – Hamburg/Union)

- C. Resolution No. 2022-9.14: Granting Paid Sick Leave for Borough Employee
- **D. Resolution No. 2022-9.15:** Authorizing Renewal of Shared Service Agreement (Kinnelon – Vacuum Truck)
- E. Resolution No. 2022-9.16: Authorizing Planning Services (Kyle+McManus)

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on September 20, 2022.

Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

NEW BUSINESS:

A. Adoption of Resolution No. 2022-9.17: Municipal Obligations

Motion: Ray Yazdi **Second**: John Graziano

Roll Call Vote: GRAZIANO (YES), HUDSON (YES), JUHLIN (YES),

SCHUBERT (YES), YAZDI (YES), CATALANO (YES)

B. Adoption of Resolution No. 2022-9.18: Authorizing Various Roadway

Improvements (paving) through MCCPC

Motion: -Second: -

Discussion: Mayor noted Struble Lane & Heather Lane were first to be paved. Heather Lane had a water main break and which caused the asphalt to roll. Letters (2) were mailed to residents on Struble Lane, the road will stay as is & be paved like a driveway. There is no assessment to the residents on this paving

Roll Call Vote: HUDSON (YES), JUHLIN (YES), SCHUBERT (YES), YAZDI (YES), CATALANO (YES), GRAZIANO (YES)

C. Adoption of Resolution No. 2022-9.19: Authorizing Purchase of Police

Evidence Software Motion: Ray Yazdi Second: Dawn Hudson

Discussion: Mike read Chief Borell's email outlining the need & use of the

software to increase efficiency in the Police Department

Roll Call Vote: JUHLIN (YES), SCHUBERT (YES), YAZDI (YES),

CATALANO (YES), GRAZIANO (YES), HUDSON (YES)

D. Introduction of Ordinance No. 24-2022: Amend Ch. 11-9 Vacant & Abandoned **Properties**

A motion was made by YAZDI to introduce the Ordinance by title; second and final reading/public hearing will be on October 4, 2022 at 7PM; the motion was seconded by GRAZIANO and carried on the following voice vote: all members present voting AYE, in favor; none were opposed.

The Municipal Clerk read by Title:

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 11 "BUILDING AND HOUSING", SECTION 11-9 "VACANT

AND ABANDONED PROPERTIES" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

LATE PUBLIC COMMENT:

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

Linda Huntley, 86 Van Dam Avenue, Bloomingdale:

Made the following inquires:

• Questioned the smell/odor of water being related to the TTHM findings. The scent was described as 'dirty' as opposed to smelling like chemicals [chlorine]

(*Undetermined relation at this time*)

Since there was no one else who wished to speak HUDSON moved that it be closed; second by GRAZIANO and carried on voice vote all members voting (AYE), none were opposed.

GOVERNING BODY SCHEDULE

- A. Workshop Meeting October 4, 2022 7PM
- B. Regular Meeting October 18, 2022 7PM

ADJOURNMENT:

Since there was no further business to be conducted, YAZDI moved to adjourn at 7:39PM; seconded by HUDSON and carried on voice vote with all Council Members voting AYE.

Breeanna Smith, RMC Municipal Clerk

SEPTEMBER 20, 2022 RESOLUTIONS

RESOLUTION NO. 2022-9.13 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

DECLARING AN EMERGENCY – FOR PURPOSES OF AWARDING A CONTRACT(S) FOR IMMEDIATE REPAIRS OF A WATER MAIN BREAK AT THE INTERSECTION OF HAMBURG TURNPIKE & UNION AVENUE

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares an emergency situation has developed with a water main break at the intersection of Hamburg Turnpike and Union Avenue; and

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

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

WHEREAS, the Governing Body further finds and declares that the Department of Public Works, acting in the reasonable belief that an emergency affecting the public health, safety and welfare requires immediate remedial action without public advertisement for services;

WHEREAS, the Governing Body further finds and declares that the Department of Public Works, has appropriately recommended that the water main repair be remedied through the emergency award of contract to the following vendors:

Barret Construction
Bob Tuit Paving & Landscaping
Core & Main
Wallington Plumbing
Capitol Supply Construction

WHEREAS, the emergency costs are not exceed \$6,330.00 and the CFO has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby declare the existence of a public emergency warranting remediation through emergency contract awards to the above mentioned vendors.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.14 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

Granting Paid Sick Leave to Borough Employee

WHEREAS, the Governing Body ("Governing Body") of the Borough of Bloomingdale ("Borough") finds and declares that Christopher Ulmer ("Employee") is an employee of the Borough of Bloomingdale; and

WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on paid sick leave as of September 22, 2022; and

WHEREAS, the Governing Body further finds and declares that the Employee has sick leave days accrued that could be used for salary compensation during the duration of his paid sick leave;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Bloomingdale does hereby grant paid sick leave to Borough Employee, Christopher Ulmer, during the period of September 22, 2022 through October 13, 2022; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby directed to formally notify the Public Employee Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.15 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

A RESOLUTION AUTHORIZING THE EXECUTION OF A SHARE SERVICE AGREEMENT WITH THE BOROUGH OF KINNELON FOR THE PROVISION OF THE USE OF A VACUUM TRUCK FOR SEWER CLEANING SERVICES

WHEREAS, N.J.S.A. 40A:65-1, et seq.; known as the "Uniformed Shared Services and Consolidation Act," authorizes two or more local units to enter into an agreement for shared services known as Shared Service Agreements for the provision of municipal services; and

WHEREAS, the Governing Body of the Borough of Bloomingdale recognizes that shared services may result in property tax relief and enhanced services for residents; and

WHEREAS, the Borough of Bloomingdale is in need of a vacuum truck and operator for the purpose of cleaning storm sewers; and

WHEREAS, the Borough of Kinnelon has previously provided these services to the Borough and is able to continue to provide these services to the Borough of Bloomingdale; and

WHEREAS, accordingly, the Borough of Bloomingdale and the Borough of Kinnelon desire to enter this Interlocal Shared Services Agreement ("Agreement") through which Kinnelon shall provide the aforementioned services to the Borough of Bloomingdale.

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

- 1. The Mayor and Borough Clerk are hereby authorized to execute a Shared Services (renewal) Agreement with the Borough of Kinnelon for services relating the use of vacuum truck services to clean storm sewers for a term beginning January 1, 2023 through December 31, 2023 [the agreement shall be automatically renewed for six (6) additional and successive one (1) year terms].
- 2. The Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the Agreement.
- 3. A copy of this Agreement shall be maintained on file in the office of the Borough Clerk.
- 4. A copy of this Agreement shall be filed, as required pursuant to N.J.S.A. 40A:65-4(3)b., with the Department of Community Affairs, Division of Local Government Services, pursuant to the rules and regulations promulgated by the Division.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.16 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO KYLE+MCMANUS ASSOCIATES TO PROVIDE PROFESSIONAL PLANNING SERVICES FOR THE BOROUGH

WHEREAS, there exists a need for professional planning services to be rendered to the Borough of Bloomingdale as it relates to affordable housing; and

WHEREAS, the Borough of Bloomingdale has retained Kyle+McManus Associates to perform such professional planning services; and

WHEREAS, the Chief Financial Official has certified the availability of funds, not to exceed \$10,000.00, in the annexed certification for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself be available for public inspection.

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:

- **Section 1**. The contract with Kyle+McManus Associates is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- **Section 2.** Kyle+McManus Associates shall provide professional planning services to the Borough as set forth in its quote letter dated February 1, 2022.
- **Section 3**. A notice of this action shall be printed once in the legal newspaper of the Borough of Bloomingdale as required by law.
- **Section 4.** A copy of this Resolution shall be provided to Donna Mollineaux Chief Financial Officer, and to Kyle+McManus Associates, PO Box 236, 2 East Broad Street, Second Floor, Hopewell, New Jersey 08525, for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.17 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

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;

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:

<u>BILLS</u> <u>PREPAID</u>

LIST LIST			
CURRENT		CURRENT	
UTILITY	\$1,849,650.34	UTILITY	
CAPITAL	\$594,138.95	OPEN SPACE	Φ1 20 C 00 F 02
CAPITAL UTILITY	\$19,394.00	TRUST ACCOUNT	\$1,386,095.92
TRUST	\$20,469.29	RECYCLING	\$90,366.10
DOG TRUST	\$6,508.53	DOG TRUST	
RECREATION	\$2,342.31	UNEMPLOYMENT	\$47,585.00
ROSE FUND	\$9,068.76	CAPITAL	
RECYCLING	\$4,401.00	WATER CAPITAL	
UNEMPLOYMENT	\$1,956.00	RECREATION	\$405.63
AFFORDABLE HOUSING	\$0.00	CAPITAL ASSESSMENT	\$45,130.35
TOTAL	\$0.00	TOTAL	\$19,128.00
	\$2,507,929.18		\$57,722.54

	\$1,646,433.54								
COUNCILPERSON	AYE	NAY	Abstain	Absent	COUNCILPERSON	AYE	NAY	Abstain	Absent
Hudson	X				Schubert	X			
Catalano	X				Graziano	X			
Juhlin	X				Yazdi	X			

^{*}recusals are listed in the official minutes*

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on Tuesday, September 20, 2022.

Breeanna Smith, R.M.C.

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Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.18 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING 2022 VARIOUS ROADWAY IMPROVEMENTS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #6

WHEREAS, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Morris County Cooperative Pricing Council "MCCPC", which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Governing Body desires to resurface various roadways within the Borough through the Morris County Cooperative Pricing Council; and

WHEREAS, Tilcon, New York, Inc. 9 Entin Road, Parsippany, NJ 07054, has been awarded the contract #6 for road resurfacing; and

WHEREAS, the Borough Engineer recommends the utilization of this contract on the grounds as the best means available for paving streets within the Borough of Bloomingdale as per Bond Ordinance No. 16-2022; and

WHEREAS, the contract shall not exceed the amount of \$150,000.00; and

WHEREAS, funding for this resolution is available as evidenced by the Certification of Funds, by the Chief Financial Officer annexed to this resolution; and

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

- The Borough of Bloomingdale hereby authorizes road paving/resurfacing by Tilcon, New York, Inc. 9 Entin Road, Parsippany, NJ 07054 through MCCPC contract #6.
- The total fee authorized for this contract shall not exceed \$150,000.00 without the prior written approval of the Borough Council.
- The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
- A copy of this resolution shall be provided to the Borough Treasurer and Tilcon, New York, Inc. for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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Breeanna Smith, RMC

Municipal Clerk, Borough of Bloomingdale

RESOLUTION NO. 2022-9.19 OF THE GOVERNING BODY OF THE BOROUGH OF BLOOMINGDALE

A RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING CONTRACT WITH SHI **THROUGH NEW** THE COOPERATIVE PURCHASING ALLIANCE (#CK04) - SUBCONTRACT #22-24

WHEREAS, the Borough of Bloomingdale, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through New Jersey Cooperative Purchasing Alliance (#CK04), which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Borough of Bloomingdale Police Department has a need for police evidence tracking software to increase efficiency in evidence handlings & to support the Departments accreditation standards; and

WHEREAS, SHI International Corporation, has been awarded the contract for BEAST Barcoded Evidence Software System under the New Jersey Cooperative Purchasing Alliance (#CK04); and

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

WHEREAS, the contract shall not exceed the amount of \$10,605.54; and

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

- 1. The Borough of Bloomingdale hereby authorizes an award of contract to SHI International Corporation of 290 Davidson Avenue Somerset, NJ 08873, for BEAST Barcoded Evidence Software System, under the New Jersey Cooperative Purchasing Alliance (#CK04).
- 2. The total fee authorized for this contract shall not exceed \$10,605.54 without the prior written approval of the Borough Council.
- 3. The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
- 4. A copy of this resolution shall be provided to the Finance Department and SHI for their information and guidance.

This Resolution shall take effect immediately.

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Catalano	X				Juhlin	X			
Graziano	X				Schubert	X			
Hudson	X				Yazdi	X			

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