**May 17, 2016**

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 7:03 p.m.

## SALUTE TO THE AMERICAN FLAG

Mayor Dunleavy led the Salute to the Flag.

## ROLL CALL

*In Attendance:* Mayor: Jonathan Dunleavy

 Council Members: Anthony Costa

John D’Amato

Richard Dellaripa

Dawn Hudson

 Ray Yazdi

Absent: Councilman: Michael Sondermeyer

Professionals Municipal Clerk: Jane McCarthy, RMC

*Present:* Borough Attorney: Fred Semrau, Esq.

**PUBLIC NOTICE STATEMENT**

Mayor Dunleavy stated that adequate notice of this meeting was posted in the Bloomingdale Municipal Building and provided to The Suburban Trends; The North Jersey Herald & News; and all other local news media on November 28, 2015.

**PRESENTATIONS**

***Anti-Bully Squad***

At this time, Mayor Dunleavy introduced Branden McManis; Tom Peterson and Frank Basile of the Anti-Bully Squad which is a permanent solution to bullying. Mr. Peterson explained the program and presented a slide presentation.

Mayor Dunleavy stated that this was brought to his attention by Paul Basante. Bloomingdale would be the first town to have a Bully Free Zone.

Councilman Costa offered the following resolution and moved for its adoption:

**ANTI BULLY SQUAD**

**RESOLUTION NO. 2016-5.10**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

 ***“A RESOLUTION ESTABLISHING THE BOROUGH OF BLOOMINGDALE***

 ***AS A BULLY FREE SAFE ZONE”***

 WHEREAS, the Governing Body of the Borough of Bloomingdale finds and determines that bullying is a problem that is pervasive in today’s society; and

 WHEREAS, the Governing Body of the Borough of Bloomingdale determines that bullying and its effects are a problem that potentially infects all aspects of human interaction; and

 WHEREAS, the Governing Body of the Borough of Bloomingdale believes it has an obligation, to the extent it is able, to identify, educate about, inform and eradicate, bullying to the extent possible; and

 WHEREAS, the Governing Body of the Borough of Bloomingdale determines that education advocacy, awareness and prevention are the best ways to eliminate bullying and its deleterious effects; and

 WHEREAS, the Governing Body of the Borough of Bloomingdale wishes to undertake this obligation with the adoption of a resolution as set forth below;

 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bloomingdale as follows:

 The Borough of Bloomingdale hereby establishes itself as a Bully Free Safe Zone and prohibits acts of bullying in the Borough. The Mayor and Council of the Borough of Bloomingdale have determined that a safe and civil environment is required and appropriate in the Borough. The Borough of Bloomingdale adopts, as a central purpose and goal of municipal government, a policy to eliminate bullying in the Borough to the extent it is able to do so. The Borough recognizes that education, advocacy, awareness and prevention are primary tools in eliminating this behavior.

Councilwoman Hudson seconded the motion and it carried on roll call with all Council Members voting YES. ABSENT: Councilman Sondermeyer

At this time, the Mayor and Council and all those in attendance took the “no bullying” oath.

***Kids Who Care***

At this time, Mayor Dunleavy thanked Recreation Director Rachel Bodor for her organizing the Kids Who Care program started by her predecessor. Certificates of appreciation were presented to the Kids Who Care for their efforts in the community.

**RECESS**

At this time, Councilman D’Amato moved for a five minute recess; seconded by Councilman Dellaripa and carried on voice vote.

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 7:24 p.m.

**NON-AGENDA ITEM**

Mayor Dunleavy stated that we will accept the resignation of June Paralis as a member of the Environmental Commission.

**EARLY PUBLIC COMMENT**

Councilman D’Amato opened the meeting to Early Public Comment; seconded by Councilman Costa and carried on voice vote.

Linda Huntley 86 Van Dam Avenue, spoke in regard to comments made by Mayor at last meeting in regard to amount of bonding paid off. 1,074,000 is more than 877,000. Discussion followed.

Since there was no further business to be conducted, Councilwoman Hudson moved that the Early Public Comment be closed; seconded by Councilman Costa and carried on voice vote.

**REPORTS OF COMMITTEES**

**Municipal Clerk**

***Memorial Day***

Noted that the Memorial Day parade will be held on Monday, May 30, 2016 and will be starting at Sloan Park for a brief service and then marching to Butler Park.

**Borough Attorney**

***Tax Abatement Program***

Borough Attorney spoke in regard to the Tax Abatement program which is an incentive of tax abatement on construction if you are qualified for a redevelopment designation. An ordinance can be adopted for this program.

Tax Assessor dis some preliminary review and we do have ½ of our homes which are more than 50 years old. You can apply it to commercial properties.

This is still being investigated as to viability.

***Clean Communities***

Mayor that that we had over 300 participants and thanked everyone who attended.

**APPROVAL OF CONSENT AGENDA**

Councilman Yazdi moved that the following consent agenda be approved:

1. Minutes of Mayor and Council – Work Session May 3, 2016
2. Adoption of Resolution No. 2016-5.11: Supporting the NJ Historic Trust

 **RESOLUTION NO. 2016-5.11**

 **OF THE GOVERNING BODY**

 **OF THE BOROUGH OF BLOOMINGDALE**

 ***RESOLUTION SUPPORTING THE NEW JERSEY***

 ***HISTORIC TRUST***

WHEREAS, in November 2014, New Jersey voters overwhelmingly approved an amendment to the New Jersey State Constitution to direct funds from the Corporate Business Tax to save open space, farmland and historic resources; and

WHEREAS, the original $3 Million for grants-in-aid for historic preservation projects was pulled from the State budget, based on a decision by the Administration, leaving no funding available for the New Jersey Historic Trust to support matching grants for projects such as the Dey Mansion restoration, the Gun Mill, the Great Falls, Hinchcliff Stadium, Lambert Castle, the Long Pond Ironworks, the Morris Canal Park, the Old Paterson Post Office, City Hall and Courthouse, the Rogers Locomotive Complex and the Schulyer-Colfax House in Passaic County; and

WHEREAS, historic sites that are actively used become valuable assets and benefit the community which protects its assets by taking good care of them; and

WHEREAS, historic preservation works by providing sustainability wherein it fosters the reuse and recycling of older buildings instead of demolishing them and creating jobs; and

WHEREAS, the New Jersey Historic Trust estimated that it needs approximately

$1O Million annually to continue to be a partner in restoring the cultural and economic vitality of New Jersey's municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Bloomingdale do hereby recommend that $10 million be allocated to the New Jersey Historic Trust in the 2017 budget and further recommends that a copy of this Resolution be forwarded to all Passaic County municipalities, the Borough of Bloomingdale's Legislative Representatives in the State Senate and Assembly and Governor Chris Christie.

1. Proclamations for Kristen Toedtmann and Paul Raymond Nelson

**PROCLAMATION**

**WHEREAS**, Kristen Toedtmann is a Bloomingdale resident and a student at Butler High School; and

**WHEREAS**, Kristen has been selected by “The Hester Schuyler Colfax Chapter” of the National Society of the Daughters of the American Revolution” for a Good Citizen Award; and

 **WHEREAS**, Kristen has displayed outstanding academic achievements; patriotism and leadership;

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Bloomingdale wish to recognize and congratulate Kristen’s efforts and achievements both for herself and her community; and

 **BE IT PROCLAIMED**, by the Mayor and Council of the Borough of Bloomingdale that May 15, 2016 is hereby declared “***Kristen Toedtmann Day”*** in the Borough of Bloomingdale.

**PROCLAMATION**

**WHEREAS**, Paul Raymond Nelson will celebrate his one hundredth birthday on May 31, 2016; and

 **WHEREAS**, Paul had been a resident of the Borough of Bloomingdale; and

**WHEREAS**, throughout his 100 years, Paul was a sprint and broad jump champion in the Los Angeles Junior Olympics, was a Physicist for Hanford Atomic Works and later on the Atomic Energy Commission; and

 **WHEREAS**, Paul has been blessed with two daughters and on May 14, 2016 will celebrate 72 years of marriage to his wife Helen Lucena; and

 **WHEREAS**, Paul has been witness to innumerable historical events, and changes in the Borough;

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Bloomingdale wish to recognize Paul’s efforts and achievements; and

 **BE IT PROCLAIMED**, by the Mayor and Council of the Borough of Bloomingdale that May 31, 2016 is hereby declared Paul Raymond Nelson Day in the Borough of Bloomingdale.

Councilman Dellaripa seconded the motion and it carried on voice vote.

**PENDING ITEMS**

***Second and final reading and public hearing of Ordinance No. 12-2016: Amending Chapter 30; Flood Hazard Protection***

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending Chapter 30, “FLOOD HAZARD PROTECTION,” Section 30-3, “General Provisions,” SECTION 30-3.2, “bASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD,” of the code of the borough of bloomingdale**

was given second and final rading and consideraiton for adoption at this time.

The Municipal Clerk read the public notice statement.

Councilwoman Hudson moved that the ordinance be read by title; seconded by Councilman Dellaripa and carried on voice vote.

**ORDINANCE 12-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, amending Chapter 30, “FLOOD HAZARD PROTECTION,” Section 30-3, “General Provisions,” SECTION 30-3.2, “bASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD,” of the code of the borough of bloomingdale**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1.** Chapter 30, “Flood Hazard Protection,” Section 30-3, “General Provisions,” Section 30-3.2, “Basis for Establishing the Areas of Special Flood Hazard,” of the Code of the Borough of Bloomingdale is hereby amended to read in its entirety as follows:

**30-3.2 Basis for Establishing the Areas of Special Flood Hazard.**

The areas of special flood hazard for the Borough of Bloomingdale, Community No. 345284, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

 a. A scientific and engineering report "Flood Insurance Study, Passaic County, New Jersey (All Jurisdictions)" dated September 28, 2007.

 b. Flood Insurance Rate Map for Passaic County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 0129, 0136, 0137, 0138, 0139, 0143, 0181; whose effective date is September 28, 2007.

c. Letter of Map Revision, Case Number 16-02-0098P, issued April 5, 2016, effective August 23, 2016, revising panel number 0139.

 The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and maps are on file at 101 Paterson-Hamburg Turnpike, Bloomingdale, New Jersey, 07403.

**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.

Councilman Costa moved that the meeting be open to a Public Hearing on this ordinance; seconded by Councilman D’Amato and carried on voice vote.

Since there was no one who wished to speak under Public Hearing, Councilwoman Hudson moved that it be closed; seconded by Councilman D’Amato and carried on voice vote.

Councilman Yazdi moved for the adoption of this ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: Costa; D’Amato; Dellaripa; Hudson and Yazdi all YES. ABSENT: Councilman Sondermeyer

***Ordinance No. 14-2016: Providing various 2016 Capital Improvements and***

***appropriating $1,024,850***

***BOND ORDINANCE PROVIDING VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $1,024,850 THEREFOR AND AUTHORIZING THE ISSUANCE OF $975,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF*** was given second and final reading and consideration for adoption at this time.

Municipal Clerk read the Public Notice Statement.

Councilwoman Hudson moved that the ordinance be read by title; seconded by councilman Dellaripa and carried on voice vote.

**ORDINANCE NO. 14-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**BOND ORDINANCE PROVIDING VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $1,024,850 THEREFOR AND AUTHORIZING THE ISSUANCE OF $975,000 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 $1,024,850, 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 “Passaic County Grant”) and a $140,000 grant expected to be received from the Federal Emergency Management Agency – Hazard Mitigation Grant Program (the “FEMA Grant” and together with the Passaic County Grant, the “Grants”) and $49,850 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.

 **SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said $1,024,850 appropriation not provided for by application hereunder of the Grants or said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $975,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding $975,000 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:

| **Description** | **Appropriation** | **Authorization** | **Down****Payment** | **Useful    Life** |
| --- | --- | --- | --- | --- |
| i. Various roadway improvements to the entire lengths or portions, as applicable, of various roads within the Borough, including but not limited to, Pleasant View Avenue, Pearl Street, Oak Street, Grove Street, Fichter Street, Anna Rose Court and Mathews Drive. Said improvements shall include but are not limited to, as applicable, milling, paving, joint stabilization, construction, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks, culverts and driveway aprons, the acquisition and installation of various signage and various equipment, drainage work, roadway painting, landscaping and aesthetic improvements, and also including, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration; and | $350,000 | $333,300 | $16,700 | 15years |
| ii. Phase I drainage improvement project at Walter T. Bergan Field, drainage improvements to Walter Drive and Andrews Place. Said improvement shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration; and | $236,050 (including a $99,000 grant expected to be received from the County of Passaic Open Space and Farmland Preservation Trust Fund Program) | $224,800 | $11,250 | 15years |
| iii. Purchase of field maintenance equipment, flood mapping program, security cameras for the Department of Public Works, Walter T. Bergan Field and Delazier Field, exercise stations for the walking track, generators located at the Senior Center/Municipal Complex, Fire Hall, Vreeland Avenue Sewer Pump Station, Natalie Court Sewer Pump Station and the Office of Emergency Management Building, and an oil separator to be used to install a solid tank for the Department of Public Works, including all necessary related equipment and apparatus thereof; and | $252,000 (including a $140,000 grant expected to be received from the Federal Emergency Management Agency) | $240,000 | $12,000 | 15years |
| iv. Relocation of underground gas lines to above ground at the Department of Public Works and dredging of the brook located on Van Dam. Said improvement shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration; and | $47,000 | $44,400 | $2,600 | 20Years |
| v. Installation of curbs located on Wallace Avenue. Said improvement shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration; and | $26,800 | $25,000 | $1,800 | 10 years |
|  |  |  |  |  |
| vi. Purchase of a pick-up truck for the Department of Public Works and a truck for the Office of Emergency Management. | $113,000 | $107,500 | $5,500 | 5 years |
| **TOTALS** | $1,024,850 | $975,000 | $49,850 | 13.99 |

 **(b)** The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

 **(c)** The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is $975,000.

 **(d)** The aggregate estimated cost of said improvements or purposes is $1,024,850, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grants and the aggregate down payments for said purposes in the amount of $49,850.

 **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 13.99 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 $975,000 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 $74,000 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 real 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 $975,000. 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 Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

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

Councilman Costa moved that the Public Hearing be open on this ordinance; seconded by Councilman Dellaripa and carried don voice vote.

Since there was no one who wished to speak, Councilwoman Hudson moved that the public hearing be closed; seconded by Councilman D’Amato and carried on voice vote.

Councilman Yazdi moved for the adoption of the ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: D’Amato; Dellaripa; Hudson; Yazdi and Costa all YES. ABSENT: Councilman Sondermeyer

***Second and final reading and public hearing of Ordinance no 15-2016: Providing Various Water and Sewer Utility Improvement and appropriating $96,000***

***BOND ORDINANCE PROVIDING FOR VARIOUS 2016 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $96,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $96,000 BONDS OR NOTES TO FINANCE THE COST THEREOF*** was given second and final reading and consideration for adoption at this time.

The Municipal Clerk read the Public Notice statement.

Councilwoman Hudson moved that the ordinance be read by title; seconded by Councilman Dellaripa and carried on voice vote.

**ORDINANCE NO. 15-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2016 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $96,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $96,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

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

 **SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Bloomingdale, in the County of Passaic, State of New Jersey (the “Borough”) as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of $96,000. 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 and Sewer Utility is self-liquidating.

 **SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the $96,000 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $96,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding $96,000 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 bonds or notes are to be issued, include but are not limited to, as follows:

| Description | TotalAppropriation | DebtAuthorization | UsefulLife |
| --- | --- | --- | --- |
| (i) Purchase of a utility truck; and | $77,000 | $77,000 | 10 years |
| (ii) Purchase of file cabinets; and | $ 6,000 | $ 6,000 | 15 years |
| (iii) Alarm system upgrades for the pump stations; and | $ 13,000 | $ 13,000 | 20 years |
| TOTALS | $96,000 | $96,000 | 11.66 years |

 **(b)** All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

 **(c)** The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is $96,000.

 **(d)** The estimated cost of said improvement or purpose is $96,000.

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

 **SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the 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 purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

 (b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.66 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 in the 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 $96,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

 **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 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 $96,000. 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 Code of the interest on all bonds and notes issued under this ordinance.

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

**Councilman Yazdi moved that the Public Hearing be open on this ordinance; seconded by Councilman Dellaripa and carried on voice vote.**

Since there was no one who wished to speak, Councilman D’Amato moved that it be closed; seconded by Councilwoman Hudson and carried on vice vote.

Councilman Yazdi moved for the adoption of the ordinance; seconded by Councilman Dellaripa and carried as per the following roll call: Council Members: Dellaripa; Hudson; Yazdi; Costa and D’Amato. ABSENT: Councilman Sondermeyer.

**INTRODUCTION OF NEW BUSIENSS**

***Adoption of Resolution No. 2016-5.12: Payment of bills***

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

**RESOLUTION - #2016 –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;

BILLS LIST PREPAID LIST

CURRENT 1,551,026.82 CURRENT 396,315.30

UTILITY 87,265.65 UTILITY 447,844.97

CAPITAL 16,496.35 OPEN SPACE 1,846.14

UTILITY CAPITAL 9,875.00 TRUST ACCOUNT 18,742.94

TRUST 9,627.92 RECYCLING 000.00 DOG 2,705.73 DOG TRUST 1,474.55

RECREATION 317.00 UNEMPLOY 189.90 ROSE FUND 2,376.86 CAPITAL 00,000.00

RECYCLING 1,045.83 WATER CAPITAL 000.00

UNEMPLOYMENT 000.00 RECREATION 00.00

SEWER ASSESSMENT 00.00

TOTAL 1,680,737.17 TOTAL 866,413.80

Councilman Costa seconded the motion and it carried as per the following roll call: Council Members: Hudson; Yazdi; Costa; D’Amato and Dellaripa all YES. ABSENT: Councilman Sondermeyer

***Adoption of Tax Office Resolution No. 2016-5.13: Block 4049; Lot 124***

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

**RESOLUTION #2016 –5.13**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***Authorizing Overpayments in Tax Office***

**WHEREAS,** the Governing Body (“Governing Body”) of the Borough of Bloomingdale (“Borough”) finds and declares that Catherine Bolzan, said owner of Block 4049 Lot 124 is entitled to a refund for a 2013 Homestead Benefit that was placed on property after Mr. Bolzan was give full veteran exemption. AS surviving spouse, Mrs. Catherine Bolzan is entitled to a refund of $403.05.

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

 Catherine Bolzan

 Address: 53 South Road

 Bloomingdale, NJ 07403

 Refund Amount: $403.05

Councilwoman Hudson seconded the motion and it carried as per the following roll call: Council Members: Yazdi; Costa; D’Amato; Dellaripa and Hudson all YES. ASENT: Councilman Sondermeyer

***Adoption of Resolution No. 2016-5.14: Three year Cooperation Agreement/Passaic County Community development Block Grant Program***

Councilman Yazdi offered d the following resolution and moved for its adoption:

**RESOLUTION NO. 2016-5.14**

**OF THE GOVERING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***A RESOLUTION TO ADOPT THE 3- YEAR COOPERATION AGREEMENT BETWEEN PASSAIC COUNTY AND THE BOROUGH OF BLOOMINGDALE***

***TO PARTICIPATE IN THE PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: FEDERAL FISCAL YEARS 2017, 2018 and 2019***

**WHEREAS,** Title I of the Housing and Community Development Act of 1974, as amended, provides federal funds to Passaic County to carry out eligible community development activities; and

**WHEREAS,** the Borough of Bloomingdale (hereinafter referred to as the “Municipality”) agrees to participate in eligible activities to be carried out under the Passaic County Urban County Entitlement Community Development Block Grant Program; and

**WHEREAS**, the Mayor of the Municipality is authorized to execute this Cooperation Agreement, and

**WHEREAS,** Passaic County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, and

**WHEREAS,** All parties to this Cooperation Agreement will take all actions necessary to assure compliance with Passaic County’s Urban County certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. Further, all parties will comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and with other applicable laws. The Urban County will not provide funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the County's fair housing certification. Noncompliance by a unit of general local government included in an Urban County may constitute noncompliance by the County that can, in turn, provide cause for funding sanctions or other remedial actions by the U.S. Department of Housing and Urban Development; and

**WHEREAS,** this agreement shall be in effect for the three year program period: Federal Fiscal Years 2017, 2018 and 2019, and remains in effect until the CDBG funds and program income received (with respect to activities carried out during the three-year qualification period) are expended and the funded activities completed, and that the County and Municipality cannot terminate or withdraw from the Cooperation Agreement while it remains in effect. The agreement shall remain in effect until expressly terminated by one of the parties hereto but said termination may only occur at the end of each three year Urban County requalification period; and

 **WHEREAS,** the County has the authority to carry out activities which shall be funded from annual Community Development Block Grant funding appropriations: the County has final responsibility for selecting projects, preparing the Five Year Plan, as required by HUD, and preparing annual Action Plans; and

 **WHEREAS,** by executing this Cooperation Agreement, the Municipality understands the following:

1. It may not apply for grants under the Small Cities New Jersey State CDBG Program for appropriations for fiscal years during the period in which it participates in the Passaic County Urban County CDBG Program;
2. This agreement shall remain in effect until the CDBG funds and income received with respect to the three year qualification period are expended and the funded activities completed;
3. The County and the Municipality may not terminate or withdraw from this agreement while this agreement remains in effect as above;
4. The Municipality has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;
5. The Municipality has a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of nonviolent civil rights demonstrations within its jurisdiction.
6. The Municipality shall be prohibited from receiving Urban County funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County’s actions to comply with its fair housing certification,
7. The Municipality, pursuant to 24 CFR 570.501(b), is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement as described in 24 CFR 570.503,and

**WHEREAS,** the Municipality shall comply with all applicable laws, ordinances, and codes of the State and Local governments, and shall commit no trespass on any private property in performing any of the work embraced by this Cooperation Agreement, and.

**WHEREAS,** the Municipality shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, handicap or familiar status. The Municipality shall take affirmative action to ensure that applicant for employment are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap or familiar status. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Municipality shall post in conspicuous places, available to employee and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause. The Municipality shall incorporate the foregoing requirements of this paragraph (a) in all its contractors for such work to incorporate such requirements in all of its contractors for such requirements in all subcontractors for program work, and

**WHEREAS,** the Municipality is subject to the requirements of Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968. (P.L. 88-352) and HUD regulations with respect thereto including the regulations under 24 CFR Part I. In the sale, or lease, or other transfer of land acquired, cleared, or improved with the assistance provided under this Agreement, the Municipality shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination upon the basis of race, color, religion, sex, or national origin in the sale, lease or rental, or in the use or occupancy of such land or any improvements erected thereon, and providing that the sub grantee and the United States are beneficiaries of and entitled to enforce such covenant. The Municipality in undertaking its obligation in carrying out the program assisted hereunder agrees to take such measures as are necessary to enforce such covenant and shall not itself so discriminate and

**WHEREAS,** the County and the Municipality agree to comply with the Consolidated and Further Continuing Appropriations Act, 2016, Pub. L 114-113 which states that a unit of local government may not sell, trade or otherwise transfer for all or any portion of such funds to a metropolitan city, urban county, unity of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the aforesaid activities are in the best interest of the Borough of Bloomingdale; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Bloomingdale that the Mayor is authorized to execute the Urban County CDBG Cooperation Agreement with the County of Passaic to participate in the Passaic County Urban County Entitlement Community Development Block Grant Program for Federal Fiscal Years 2017, 2018 and 2019; and

**BE IT FUTHER RESOLVED**, that this resolution shall take effect immediately upon its enactment, as provided by law.

Councilman Dellaripa seconded the motion and it carried as per the following roll call: Council Members: Costa; D’Amato; Dellaripa; Hudson and Yazdi all YES. ABSENT: Councilman Sondermeyer

***Authorization to go for bid for DPW and Water/Sewer Vehicle***

Councilman Yazdi moved that the Full-time Mayor be authorized to go out for bids for two trucks; one for DPW and one for the Water/Sewer Dept.; seconded by Councilman Hudson and carried as per the following roll call: Council Members D’Amato; Dellaripa; Hudson; Yazdi and Costa all YE. Absent: Councilman Sondermeyer

**Adoption of Resolution No. 2016-5.15: Award of contract for Ryerson Avenue Improvements**

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

**RESOLUTION #2016-5.15**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***AWARDING THE CONTRACT FOR the***

***RYERSON AVENUE improvements to Mike Fitzpatrick & son inc.***

 **WHEREAS**, pursuant to authorization by the Mayor and Borough Council of the Borough of Bloomingdale (“Borough”), the Borough advertised for the receipt of sealed competitive bids to be received for the Ryerson Avenue Improvements; and

**WHEREAS**, the Mayor and Borough Council find and declare that fourteen (14) bid proposals were received, opened and read on May 5, 2016 as follows:

 1. Mike Fitzpatrick & Son Inc. $434,790.00

 2. Haskell Paving $511,459.82

 3. New Prince Concrete Const. Co. $520,676.11

 4. D.R. Mullen Const. Co. $528,856.70

 5. JTG Construction $531,620.00

 6. Pacific Construction LLC. $551,060.67

 7. Reivax Contracting Corp. $558,494.00

 8. Your Way Construction $571,012.00

 9. John Garcia Construction $595,829.50

 10. Concrete Construction Corp. $678,792.00

 11. Underground Utilities corp. $709,250.00

 12. Sanitary Construction Co. Inc. $741,060.00

 13. Cifelli & Son General Cons. Inc. $764,402.00

 14. DLS Contracting $895,190.00

; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the Borough Engineer Borough Attorney and the Borough Administration; and

**WHEREAS**, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

**WHEREAS**, the Mayor and Borough Council find and declare that the low bid received from Mike Fitzpatrick & Son Inc. in the amount of $434,790.00 is in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and the specifications as written; and

**WHEREAS**, the Mayor and Borough Council have determined that an award of the contract to the lowest bidder Mike Fitzpatrick & Son Inc. is in the best interests of the Borough; and

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

 1. That the contract for the Ryerson Avenue Improvements is hereby awarded to the lowest responsible bidder Mike Fitzpatrick & Son Inc. in the amount of 434,790.00.

2. That the Borough Clerk and Mayor of the Borough of Bloomingdale are hereby authorized and directed to execute a contract for the aforesaid Ryerson Avenue Improvements with Mike Fitzpatrick & Son Inc.

3. This Resolution and contract shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

Councilman Dellaripa seconded the motion and it carried as per the following roll call: Council Members: Hudson; Yazdi; Costa; D’Amato and Dellaripa all YES. Absent: Councilman Sondermeyer

***Resignation of June Paralis as Environmental Commission Members***

Councilwoman Hudson moved to accept with regret the resignation of June Paralis as a member of the Environmental Commission; seconded by Councilman D’Amato and carried on voice vote

**LATE PUBLIC COMMENT**

Councilman D’Amato moved that the meeting be open to Late Public Comment; seconded by Councilman Yazdi and carried on voice vote.

Carla DeWitt, Kampfe Lake spoke in regard to the quarry expansion and asked that the Governing Body consider putting the question on a non-binding referendum on the ballot. It is a suggestion she asked them to seriously consider.

Since there was no one else who wished to speak, Councilman Yazdi moved that it be closed; seconded by Councilman Dellaripa and carried on voice vote.

***Authorization for Executive Session***

Councilwoman Hudson offered the following resolution and moved for its adoption:

Negotiations – two matters

Attorney/Client privilege – two matters

Councilman Costa seconded the motion and it cried on voice vote.

(At this time, 7:44 p.m., The governing body went into executive Session)

**RECONVENED**

Mayor Dunleavy reconvened the meeting at 8:05 p.m. and noted that no action was taken during the Executive Session

***Community Garden***

Councilwoman Hudson wanted to thank the Boy Scouts for the work that they have done and will be doing the on the community garden.

Elaine Gordo, local business owner stated that she will donate $5,000 towards this project.

**ADJOURNMENT**

Since there was no further business to be discussed; Councilman Costa moved that it be adjourned at 8:10 p.m.; seconded by Councilman Yazdi and carried on voice vote.

 Jane McCarthy RMC

 Municipal Clerk