

Third Regular Meeting of the Township Council.

The meeting commenced at 7:35 PM.

The meeting was called to order by Mayor Raymond J. McCarthy.

Notice of time, date, location and agenda of this meeting, to the extent then known was provided at least forty eight (48) hours prior to the commencement of this meeting in the following manner pursuant to the provisions of Chapter 231 of the Law of 1975 (The Open Public Meetings Act).

1. By posting such notice on the bulletin board in the Municipal Building, and
2. By mailing such notice to the offices of the Independent Press, Bloomfield Life and the Star Ledger.

This was followed by the Pledge of Allegiance.

Mayor McCarthy moved to the order of business and asked the Municipal Clerk to call the roll.

Roll Call showed:

Councilwoman Maly – Present	Councilman Venezia – Present
Councilman Joanow – Present	Councilwoman Dunigan – Present
Councilman Ruane – Present	Councilman Hamilton – Absent
Mayor McCarthy – Present	

Also present were the following:

Municipal Clerk Louise M. Palagano  
Township Administrator Yoshi Manale  
Township Attorney Brian Aloia  
Township Engineer Paul Lasek

Mayor McCarthy asked if there were any Minutes to be approved. Councilwoman Maly moved, and Councilman Joanow seconded, the approval of the January 4, 2010 Council Meeting Minutes.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Mayor McCarthy then stated that there were no bids to be opened or read.

Mayor McCarthy stated that there was no Administrative Agenda, presented by the Township Administrator, to be discussed.

Mayor McCarthy called for the Reports of Special Council Committees – Appointments – Appointment by the Mayor with Consent of the Council. Councilman Joanow moved, and Councilman Ruane seconded, the appointment of Dennis DeCarlo as Alternate #4 to the Zoning Board.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Joanow moved, and Councilman Venezia seconded, the appointment of the following:

Oakeside Bloomfield Cultural Center Board of Trustees:  
Jeanne Duchemin (Reappointment)  
Geraldine Nicolette (Reappointment)  
John O’Conner (Reappointment)  
Joan Ingold (New Member)  
Liaison: Councilwoman Janice Maly

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Mayor then stated that there were no written communications.

Thereafter, the oral portion of the meeting was called by the Mayor.

Russell Mollica, 179 Stonehouse Road, Bloomfield, New Jersey, took the microphone to inquire of the Mayor and Council the status of proposed tax exemptions to be granted to redevelopers,

to which the Mayor responded that the Ordinances on the tonight's agenda would answer his questions.

Mayor McCarthy then opened the Hearing portion of the meeting and introduced the 2011 BCA Budget for hearing. No comment was made either from the Council or the public.

Mayor McCarthy thanked the speaker and asked for a motion to close the oral portion of the meeting. Councilwoman Maly so moved and the motion was seconded by Councilman Joanow.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Mayor then called for the introduction of proposed Ordinances on first reading.

Council Ruane submitted the following Ordinance on first reading:

**ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, NEW JERSEY VACATING PORTIONS OF THE PUBLIC ROADS**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the Township of Bloomfield (the "Township") designated the properties identified on the Township's tax maps as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 & 35, and Block 220, Lot 40 (the "Redevelopment Area") as an "area in need of redevelopment"; and

**WHEREAS**, on February 7, 2011, the Township Council adopted Ordinance No. 11-2 approving and adopting a redevelopment plan, entitled the "Redevelopment Plan for Block 228 and Block 220, Lot 40 Redevelopment Plan Area" (as the same may be amended and supplemented, the "Redevelopment Plan"), for the Redevelopment Area, as well as for portions of the abutting rights-of-way extending to the centerline of the streets surrounding the

aforementioned properties, specifically, Lackawanna Place, Washington Street and Glenwood Avenue; and

**WHEREAS**, Bloomfield Center Urban Renewal, LLC (the “Redeveloper”) has submitted a proposal to redevelop the portion of the Redevelopment Area consisting of all of the tax lots on Block 228, as well as portions of the Lackawanna Place and Washington Street Rights of Way, which portions are depicted in Exhibit A hereto and which are more particularly identified in the metes and bounds descriptions attached hereto as Exhibit B (the “Additional Parcels” and, together with the lots on Block 228, the “Project Site”, which is depicted, collectively, in Exhibit C hereto); and

**WHEREAS**, the Redeveloper proposes to redevelop the Project Site by constructing thereon a project (the “Redevelopment Project”) consisting of: (i) (A) approximately 60,000 square feet of retail space, including approximately 10,000 square feet of restaurant space, and (B) approximately 224 residential units (together, the “BCUR Project”) on the portion of the Project Site depicted in Exhibit D hereto (the “BCUR Project Site”); and (ii) an approximately 450 space parking garage (the “Parking Garage” on the portion of the Project Site depicted in Exhibit E hereto (the “Parking Garage Property”); and

**WHEREAS**, the Township Council has reviewed the qualifications and conceptual proposal submitted by the Redeveloper and has found that such proposal will substantially further the Township’s goals for redevelopment of the Redevelopment Area; and

**WHEREAS**, the Township and the Redeveloper entered into a Redevelopment Agreement (the “Redevelopment Agreement”) in order to implement the development, design, financing and construction of the Redevelopment Project; and

**WHEREAS**, the Township finds that the successful construction and operation of the Parking Garage depends upon the successful construction and operation of the BCUR Project; and

**WHEREAS**, the Township further finds that the success of the BCUR Project depends upon the Redeveloper's ability to develop the modest amount of land constituting the Additional Parcels, in addition to portions of Block 228 which, together, form the BCUR Project Site; and

**WHEREAS**, the Parking Authority of the Township of Bloomfield (the "Parking Authority") currently owns the portion of the Project Site consisting of all of the tax lots on Block 228 and the Township currently owns the portion of the Project Site consisting of the Additional Parcels; and

**WHEREAS**, the Township desires to, among other things, take such steps as are necessary to vacate its right, title and interest in the Additional Parcels and to convey such interest to the Parking Authority for nominal consideration; and

**WHEREAS**, the Redeveloper shall, pursuant to that certain Land Swap Agreement, dated January 5, 2011 by and between the Redeveloper and the Parking Authority, acquire the BCUR Project Site from the Parking Authority; and

**WHEREAS**, N.J.S.A. 40:11A-23(1)(c), 40A:12A-8f and 40:67-1 et seq. all permit the Township to close and vacate its interest in streets where necessary for projects such as the Redevelopment Project.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, New Jersey as follows:

Section 1. The Township hereby vacates the following portions of Lackawanna Place and Washington Street depicted in Exhibit A hereto, which are more particularly described in the

metes and bounds descriptions attached hereto as Exhibit B; provided, however, that all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L.1972, c. 186, to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, are expressly reserved and excepted from the vacations set forth above.

Section 2. The Mayor, Township Administrator, Township Clerk, Township Chief Financial Officer and/or Director of Law, are hereby authorized and directed to take such steps and execute such documents as are necessary for the Township to deed the vacated portions of the streets set forth above to the Parking Authority, the consideration for which shall be One Dollar (\$1.00), in a manner consistent with the provisions of this Ordinance and the Redevelopment Agreement.

Section 3. The Clerk of the Township is hereby authorized and directed to: (i) publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof; and (ii) to mail, at least one week prior to the public hearing and adoption hereof, a copy of the notice referenced in subsection (i) hereof to every person whose lands may be affected by this Ordinance.

Section 4. Within sixty (60) days after adoption of this ordinance, the Township Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Essex County Register.

On motion of Councilman Ruane and seconded by Councilman Venezia, same was passed on first reading.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Venezia submitted the following Ordinance on first reading:

**ORDINANCE DIRECTING THE SPECIAL ASSESSMENT OF A PORTION OF THE COST OF A PUBLIC PARKING GARAGE AND AUTHORIZING THE EXECUTION OF A SPECIAL ASSESSMENT AGREEMENT IN CONNECTION THEREWITH**

**WHEREAS**, on October 12, 2010, the Township adopted a resolution designating the properties then commonly known as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 & 35, and Block 220, Lot 40 on the tax map of the Township as an area in need of redevelopment (the “Redevelopment Area”) in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “Local Redevelopment and Housing Law”); and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7, on February 7, 2011, the Township duly adopted an ordinance approving and adopting a Redevelopment Plan for the Redevelopment Area dated December 23, 2010 (the “Redevelopment Plan”); and

**WHEREAS**, on February 22, 2011, the Township duly adopted a resolution designating Bloomfield Center Urban Renewal, LLC, a limited liability company (the “Entity”) as the sole and exclusive redeveloper of the properties consisting of all of the tax lots on Block 228, as well as portions of the Lackawanna Place and Washington Street Rights of Way, which portions are depicted in Exhibit B hereto (the “Additional Parcels” and, together with the lots on Block 228, the “Project Site”, which is depicted in Exhibit C hereto); and

**WHEREAS**, the Entity proposes to redevelop the Project Site by constructing thereon a project consisting of: (i) (A) approximately 60,000 square feet of retail space, including

approximately 10,000 square feet of restaurant space (the "Retail Project") and (B) approximately 224 residential units (the "Residential Project" and together with the Retail Project, the "BCUR Project") on the portion of the Project Site depicted in Exhibit D hereto (the "BCUR Project Site"); and (ii) an approximately 450 space parking garage (the "Parking Garage" and, together with the BCUR Project, the "Redevelopment Project") on the portion of the Project Site depicted in Exhibit E hereto (the "Parking Garage Site"); and

**WHEREAS**, the Township and the Entity shall enter into a Redevelopment Agreement (the "Redevelopment Agreement") in order to implement the development, design, financing and construction of the Redevelopment Project pursuant to the Redevelopment Plan; and

**WHEREAS**, the Parking Authority of the Township of Bloomfield (the "Parking Authority") currently owns the portion of the Project Site consisting of all of the tax lots on Block 228 and the Township currently owns the portion of the Project Site consisting of the Additional Parcels; and

**WHEREAS**, pursuant to the Redevelopment Agreement, the Township has agreed to take such steps as are necessary to vacate its right, title and interest in the Additional Parcels and, pursuant to applicable law, to convey such interest to the Parking Authority as the owner of the parcels adjacent thereto; and

**WHEREAS**, the Entity shall, pursuant to that certain Land Swap Agreement, dated January 5, 2011 by and between the Entity and the Parking Authority (the "Land Swap Agreement"), acquire the BCUR Project Site from the Parking Authority; and

**WHEREAS**, pursuant to and in accordance with the provisions of the Bond Financing Law (defined below), specifically N.J.S.A. 40A:12A-65 and 67(a), the Township may issue bonds or an entity acting on behalf of the Township, such as the Parking Authority, may issue

bonds in order to finance a portion of a redevelopment project, which bonds may be secured by an annual service charge and/or a special assessment; and

**WHEREAS**, the Parking Authority has agreed to issue bonds, on behalf of the Township, to finance a portion of the costs associated with the Parking Garage (the “Redevelopment Bonds”) pursuant to the New Jersey Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 et seq., as amended and supplemented (the “Bond Financing Law”), and in accordance with the terms and provisions of an Indenture of Trust(s) and/or a General Bond Resolution(s) of the Parking Authority (the “Indenture(s)”) authorizing the issuance of such Redevelopment Bonds; and

**WHEREAS**, under the terms of a Financial Agreement by and between the Entity and the Township (the “Financial Agreement”), the Entity will (i) construct the BCUR Project on the BCUR Project Site and (ii) in lieu of paying property taxes associated with the BCUR Project and the BCUR Project Site, pay to the Township the Annual Service Charge (as defined in the Financial Agreement); and

**WHEREAS**, the Parking Garage constitutes local improvements (hereinafter, the “Local Improvements”) within the meaning of the Local and Other Improvements Law, N.J.S.A. 40:56-1 et seq., as amended and supplemented (the “Local Improvements Law”); and

**WHEREAS**, the Local Improvements will be, and are intended to be, local improvements within the meaning of the Local Improvements Law and such Local Improvements will benefit the Redevelopment Area including, particularly, the BCUR Project Site; and

**WHEREAS**, the Township has determined to provide for special assessment of a portion of the construction of the Parking Garage on the BCUR Project and BCUR Project Site;

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, New Jersey as follows:

The Township has designated the Bloomfield Parking Authority to issue bonds or notes on its behalf pursuant to the Bond Financing Law in order to finance, among other things, a portion of the cost of the Parking Garage.

The Township intends to make and to levy special assessments against the BCUR Project Site in an aggregate amount not to exceed \$6,000,000 in accordance with the special assessment agreement attached as Exhibit A hereto. Such special assessments shall be made and levied in the manner provided by law and, pursuant to Section 3 of the RAB Law (N.J.S.A. 40A:12A-66c), such owners of the properties so benefited shall accept such specific amount as the benefit conferred on such properties in lieu of the amount being determined by the procedures otherwise applicable to determining the actual benefit conferred on such properties. The special assessment agreement attached hereto as Exhibit A is hereby approved.

The owners of the BCUR Project Site shall pay such assessment in accordance with the terms and provisions of the special assessment agreement referred to above. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, the whole assessment or the balance thereof shall become and be immediately due and payable, shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment, with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

The Mayor and Chief Financial Officer are each hereby authorized to enter into the special assessment agreement. The special assessment agreement shall be in the form substantially similar to the special assessment agreement, such special assessment agreement being hereby approved in full with such additions, deletions and modifications as are necessary to effectuate its purpose.

Section 5. This ordinance shall take effect in accordance with applicable law.

On motion of Councilman Venezia and seconded by Councilwoman Dunigan, same was passed on first reading.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Dunigan submitted the following Ordinance on first reading:

**AN ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, NEW JERSEY AMENDING ORDINANCE NO. 04-12, FINALLY ADOPTED ON MARCH 15, 2004, TO INCREASE THE AGGREGATE PRINCIPAL AMOUNT OF GUARANTY OF BONDS OF THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD**

**WHEREAS**, the Township of Bloomfield, in the County of Essex, New Jersey (the "Township") pursuant to the Parking Authority Law of the State of New Jersey, N.J.S.A. 40:11A-1 et seq. (the "Act") heretofore created a public body corporate and politic known as the "Parking Authority of the Township of Bloomfield" (the "Authority"); and

**WHEREAS**, the purposes of the Authority are, among other things, the construction, provision or operation of off-street parking projects within the Township, and the management and operation of on-street and other parking meters and related facilities; and

**WHEREAS**, pursuant to N.J.S.A. 40:11A-22(1)(e), the Township is authorized to

unconditionally guaranty the punctual payment of the principal of and interest on any bonds, notes or other obligations of the Authority (“Bonds”) by ordinance duly adopted or by instruments or other action authorized by such ordinance; and

**WHEREAS**, by Ordinance No. 04-12, finally adopted by the Township Council of the Township of Bloomfield (the “Township Council”) on March 15, 2004 (the “Original Ordinance”), the Township agreed to unconditionally guaranty the principal of and interest on the Bonds of the Authority in an aggregate principal amount not exceeding \$20,000,000 (the “Guaranty”), at such rates and such terms as approved by the Authority consistent with the exercise of its public responsibilities; and

**WHEREAS**, the Authority has previously issued temporary project notes (the “Notes”) in order to finance, among other things (i) certain start-up costs of the Authority, including the obligation of the Authority to make lease payments to the Township for the lease of certain surface parking facilities within the Township, pursuant to lease agreements between the Township and the Authority; (ii) costs relating to the acquisition of property necessary for the construction of parking facilities; and (iii) costs incurred by the Authority in connection with the preliminary design of a parking garage in the downtown area of the Township; and

**WHEREAS**, the Authority has also issued bonds, through the Essex County Improvement Authority (the “2010 Bonds”), in order to permanently finance, among other things (i) a portion of the Notes; and (ii) costs relating to the construction of the Parking Garage (as defined below); and

**WHEREAS**, the Notes and the 2010 Bonds, currently outstanding in the amount of \$16,180,000, constitute Bonds that are subject to the Guaranty provided by the Original Ordinance; and

**WHEREAS**, by resolution adopted on October 12, 2010, the Township Council designated the properties known as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 & 35, and Block 220, Lot 40 on the Township's Tax Map (the "Redevelopment Area") as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "Redevelopment Law"); and

**WHEREAS**, by ordinance adopted on February 7, 2011, the Township Council approved and adopted a redevelopment plan, known as the "Redevelopment Plan for Block 228 and Block 220, Lot 40" (the "Redevelopment Plan") for the Redevelopment Area; and

**WHEREAS**, the Redevelopment Plan contemplates, among other things, the construction of a structured parking garage in the Redevelopment Area (the "Parking Garage"); and

**WHEREAS**, by resolution adopted on February 22, 2011, the Township Council designated a redeveloper (the "Redeveloper") for a portion of the Redevelopment Area; and

**WHEREAS**, the Redeveloper proposes to construct, on such portion of the Redevelopment Area, a project consisting of (i) (A) approximately 60,000 square feet of retail space, including approximately 10,000 square feet of restaurant space and (B) approximately 224 residential units (together, the "Mixed-Use Project"); and (ii) an approximately 450 space parking garage (the "Parking Garage" and, together with the Mixed-Use Project, the "Redevelopment Project"); and

**WHEREAS**, by ordinance adopted on March 7, 2011, the Township has approved a financial agreement with respect to the redevelopment of the Mixed-Use Project; and

**WHEREAS**, such financial agreement provides for the issuance of redevelopment area bonds ("RABs"), pursuant to the New Jersey Redevelopment Area Bond Financing Law, N.J.S.A.

40A:12A-64 et seq. (the “Bond Financing Law”), by the Authority to fund the costs of the Redevelopment Project; and

**WHEREAS**, the Bond Financing Law, specifically N.J.S.A. 40A:12A-67(f), permits the Township to guaranty such RABs; and

**WHEREAS**, the Authority estimates that the total costs relating to the construction of the Parking Garage, including the costs relating to the acquisition of property necessary therefore are \$25,000,000; and

**WHEREAS**, the Authority intends to finance the costs relating to the construction of the Parking Garage; and

**WHEREAS**, it is necessary for the Township to expand the definition of Bonds to include RABs and to increase the amount of Bonds authorized to be subject to the Original Ordinance to the amount of \$25,000,000; and

**WHEREAS**, in light of the importance of the Redevelopment Project to the revitalization of the Redevelopment Area and the Township as a whole, the Township desires to increase the guaranty provided in the Original Ordinance as provided herein;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Bloomfield, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**SECTION 101.** Amendment to Section 1 of the Original Ordinance. Section 1 of the Original Ordinance is hereby amended and restated to provide as follows:

“For purposes of this ordinance, “Bonds” shall include Bonds issued pursuant to the Act and pursuant to N.J.S.A. 40A:12A-64 et seq. (the “Bond Financing Law”). Pursuant to and in accordance with the terms of the Act and/or the Bond Financing Law, as applicable, the

Township is hereby authorized to guaranty the timely payment of the principal of and interest on any Bonds which are issued by the Authority, in an aggregate principal amount not exceeding \$25,000,000, to be issued by the Authority for the purpose described in the preambles hereof, and in the ordinance amending this ordinance, on such terms and with such interest rates as shall be determined by the Authority in a manner which is consistent with the provisions of the Act and/or the Bond Financing Law, as applicable. The term "Bonds" shall include all Bonds issued for or with respect to these purposes or any Bonds issued to refund the Bonds issued for these purposes, provided that the total amount of Bonds outstanding entitled to the benefits of its guaranty shall not exceed \$25,000,000. Any Bonds that are no longer considered outstanding under the resolution of the Authority authorizing the Bonds shall not be considered outstanding for the purpose of this guaranty. The full faith and credit of the Township are hereby pledged for the full and punctual performance of said guaranty."

**SECTION 102.** Amendment to Section 2 of the Original Indenture. Section 2 of the Original Indenture is hereby amended and restated to provide as follow:

"The Mayor of the Township shall, by manual or facsimile signature, execute on each of the Bonds, such guaranty by the Township of the timely payment of the principal of and interest thereon. The guaranty shall be in substantially the following form:

'GUARANTY OF THE TOWNSHIP OF BLOOMFIELD, NEW JERSEY'

The payment of the principal of and interest on the within Bond to the extent considered outstanding under the General Bond Resolution is hereby fully and unconditionally guaranteed by the Township of Bloomfield, New Jersey (the "Township"), and the Township is unconditionally liable for the payment, when due, of the principal of and interest on this Bond if such payment is not available from the sources of funds that are pledged to the repayment of

such Bonds.

IN WITNESS WHEREOF, the Township of Bloomfield, New Jersey has caused this Guaranty to be executed by the manual or facsimile signature of its Mayor.

TOWNSHIP OF BLOOMFIELD, NEW JERSEY

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Mayor

**SECTION 103.** Amendment to Section 3(a) of the Original Ordinance. Section 3(a) of the Original Ordinance is hereby amended and restated to provide as follows:

“The maximum principal amount of Bonds of the Authority which are hereby and hereunder guaranteed as to payment of principal and interest by the Township is \$25,000,000.”

**SECTION 104.** Supplemental Debt Statement. A supplemental debt statement of the Township will be duly made and filed in the office of the Clerk of the Township, and a complete executed duplicate thereof will be filed in the office of the Director of the Division of Local Government Services of the State of New Jersey, and such debt statement shows that while the gross debt of the Township, as defined in the Local Bond Law, is increased by this ordinance by \$5,000,000, in accordance with the provisions of the Act, the principal amount of the Bonds guaranteed by this Ordinance shall be deducted and is declared to be and to constitute a deduction from the gross debt of the Township under and for all purposes of the Local Bond Law (a) from and after the date of adoption of this ordinance and until the end of the fifth fiscal year beginning next thereafter, and (b) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fifth fiscal year or any subsequent fiscal year if the Township shall not have been required to make any payment in such fiscal year on account of the principal of or interest on any of the Bonds guaranteed pursuant to this ordinance.

**SECTION 105.** The Chief Financial Officer of the Township (the “Chief Financial Officer”) 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 the Bonds and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of the holders and beneficial owners of the Bonds 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 Township fails to comply with its undertaking, the Township shall not be held liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 106.** All other provisions of the Original Ordinance not amended hereby shall remain in full force and effect.

**SECTION 107.** This ordinance shall take effect as provided by the law.

On motion of Councilwoman Dunigan and second by Councilman Venezia, same was passed on first reading.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Ruane submitted the following Ordinance on first reading:

**ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION OF BLOOMFIELD CENTER URBAN RENEWAL, L.L.C. FOR THE CONSTRUCTION OF A REDEVELOPMENT PROJECT LOCATED IN THE BLOCK 228 REDEVELOPMENT AREA AND AMENDING THE TOWNSHIP CODE**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Township of Bloomfield (the “Township”) designated the properties identified on the Township’s tax maps as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 & 35, and Block 220, Lot 40 (the “Redevelopment Area”) as an “area in need of redevelopment” and adopted a redevelopment plan, entitled the “Redevelopment Plan for Block 228 and Block 220, Lot 40 Redevelopment Plan Area” (as the same may be amended and supplemented, the “Redevelopment Plan”), for the Redevelopment Area [and for certain adjacent, Township-owned parcels (the “Additional Parcels”) which the Township designated as an area in need of rehabilitation pursuant to the Redevelopment Law]; and

**WHEREAS**, on February 22, 2011, the Township Council of the Township (the “Township Council”) adopted a resolution (i) designating Bloomfield Center Urban Renewal, LLC (the “Entity”), a limited-dividend, urban renewal entity created under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “Long Term Tax Exemption Law), as the redeveloper of the portion of the Redevelopment Area constituting all of the lots on Block 228 and the Additional Parcels (collectively, the “Project Site”) and (ii) authorizing the execution of a redevelopment agreement with the Entity in connection with the redevelopment of the Project Site; and

**WHEREAS**, the Township and the Entity entered into a Redevelopment Agreement (the “Redevelopment Agreement”) in order to implement the development, design, financing and construction of the Redevelopment Project (defined below); and

**WHEREAS**, the Redevelopment Agreement provides for, among other things, the construction on the Project Site of a project consisting of: (i) (A) approximately 60,000 square feet of retail space, including approximately 10,000 square feet of restaurant space (the “Retail Project”) and (B) approximately 224 residential units (the “Residential Project” and together with the Retail Project, the “BCUR Project”) on the portion of the Project Site depicted in Exhibit A hereto (the “BCUR Project Site”); and (ii) an approximately 450 space parking garage (the “Parking Garage” and, together with the BCUR Project, the “Redevelopment Project”) on the portion of the Project Site depicted in Exhibit B hereto (the “Parking Garage Site”); and

**WHEREAS**, the Entity submitted to the Mayor of the Township (the “Mayor”) an application for tax exemption, which is on file with the Township Clerk (the “Application”), requesting an exemption of the improvements constituting the BCUR Project and a portion of the land upon which the BCUR Project will be constructed (representing the portion of said land upon which the Residential Project will be constructed, which portion shall be known as the “Residential Land”), pursuant to the Long Term Tax Exemption Law; and

**WHEREAS**, the Entity also submitted to the Mayor a form of financial agreement (the “Financial Agreement”, a copy of which is attached hereto as Exhibit C) establishing the rights, responsibilities and obligations of the Entity; and

**WHEREAS**, the Mayor submitted the Application and Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

**WHEREAS**, the Township Council has determined that the BCUR Project represents an undertaking permitted by the Long Term Tax Exemption Law, and has further determined that the BCUR Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the Long Term Tax Exemption Law; and

**WHEREAS**, the Township Council has determined that it would be unreasonable to apply the provisions of Chapter 112 of the Township Code to the BCUR Project and that any obligation on the part of the Entity, pursuant to Chapter 112 of the Township Code, to either (i) construct residential units that are "Affordable", as that term is used therein, (ii) make a payment in lieu of such construction or (iii) make any other payment resulting from the construction of the BCUR Project, would make it financially infeasible to undertake the BCUR Project; and

**WHEREAS**, the Township Council desires to amend Chapter 112 of the Township Code to provide that it shall not apply to redevelopment under the Redevelopment Plan for Block 228 and Block 220, Lot 40.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, New Jersey as follows:

Section 1. The Application filed by the Entity is hereby approved.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement substantially in the form attached hereto as Exhibit C, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the

Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the Long Term Tax Exemption Law.

Section 5. Chapter 112-3 of the Township Codes is hereby amended and restated in its entirety as follows: "This chapter sets forth mechanisms by which developers shall provide for a fair share of affordable housing based on growth that is associated with development taking place within all zoning districts within the Township. This chapter shall not apply to any parcel within the Township which would not accommodate five or more dwelling units where the zoning would require a twenty-percent set-aside. Pursuant to N.J.A.C. 5:97-6.4(b)7, this chapter shall apply to any parcel within the Township which would accommodate five or more dwelling units as a result of a "d" variance pursuant to N.J.S.A. 40:55D-70, where the zoning would require a twenty-percent set-aside. Notwithstanding anything herein to the contrary, this chapter shall not apply to redevelopment under the Redevelopment Plan for Block 228 and Block 220, Lot 40."

Section 6. This ordinance shall take effect in accordance with applicable law.

Councilman Joanow commented that he would like to have this issue discussed in an open forum so that the residents of the Township could become more familiar with the proposal.

Councilman Ruane responded to Councilman Joanow by stating that the residents of the Township could get all pertinent information relating to the project off of the Township's website.

Councilman Joanow again asked that the issue be held in an open forum.

Mayor McCarthy told Councilman Joanow that once hearings on the project were scheduled by the Planning and Zoning Board, that the residents of the Township would have all information relating to the project.

Councilwoman Maly asked the Mayor to please place the Planning and Zoning Board's meeting schedule on the record, to which the Mayor responded that the information was available on the Township's website.

On motion of Councilman Ruane and seconded by Councilman Venezia, same was passed on first reading.

Vote showed the following;

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Ruane submitted the following Ordinance for reading:

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 387 OF THE BLOOMFIELD TOWNSHIP CODE, PROVIDING PARKING FOR PHYSICALLY LIMITED PERSONS (177 LIBERTY STREET AND 281 NORTH 17<sup>TH</sup> STREET)**

**BE IT ORDAINED** by the Mayor and Council of the Township of Bloomfield,

County of Essex, State of New Jersey, as follows:

**Section 1.** Chapter 387, entitled: “PARKING FOR HANDICAPPED”, Section 387-4A “Enumeration of restricted parking areas”, of the Code of the Township of Bloomfield is hereby amended by the addition of the following:

- (397) N. 17<sup>th</sup> Street, west side, starting at a point 205 feet south of the southerly curb line of Bloomfield Avenue and running 20 feet south there from (281 N. 17<sup>th</sup> Street).
- (398) Liberty Street, south side, starting at a point 25 feet east of the easterly curb line of Oakland Avenue and running 20 feet east there from (177 Liberty Street).

**Section 2.** All ordinances inconsistent herewith are hereby repealed.

**Section 3.** This ordinance shall take effect upon final passage and publication in accordance with the law.

On motion of Councilman Ruane and seconded by Councilman Venezia, same was passed on first reading.

Vote showed the following;

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Maly submitted the following Ordinance on first reading:

**ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION OF BLOOMFIELD BELLEVILLE ASSOCIATES URBAN RENEWAL, L.L.C. FOR THE CONSTRUCTION OF A RESIDENTIAL PROJECT LOCATED IN THE OAKES POND REDEVELOPMENT AREA AND AMENDING THE TOWNSHIP CODE**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Township of Bloomfield (the “Township”) designated the properties identified on the Township’s tax maps as Block 544, Lots 40 and 61 (the “Redevelopment Area”) as an “area in need of redevelopment” and adopted a redevelopment plan, entitled the “Redevelopment Plan for: 221-225 Belleville Avenue (Block 544, Lots 40 and 61) - Oakes Pond Redevelopment Plan Area” (as the same may be amended and supplemented, the “Redevelopment Plan”), for the Redevelopment Area and for certain adjacent, Township-owned parcels which the Township designated as an area in need of rehabilitation pursuant to the Redevelopment Law; and

**WHEREAS**, the Township and the Redeveloper entered into a Redevelopment Agreement (the “Redevelopment Agreement”) in order to implement the development, design, financing and construction of the Project (defined below); and

**WHEREAS**, in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented (the “Long Term Tax Exemption Law”), the Redeveloper formed Bloomfield Belleville Associates Urban Renewal, L.L.C. (the “Entity”), a wholly-owned

subsidiary, for the purpose of undertaking the redevelopment of the Project Site pursuant to the Redevelopment Plan; and

**WHEREAS**, the Redevelopment Agreement provides for, among other things, the redevelopment of the Property including approximately 248 residential units (the “Residential Component”), along with certain public improvements that will be dedicated to the Township upon completion (the “Public Component” and, together with the Residential Component, the “Project”); and

**WHEREAS**, the Entity submitted to the Mayor of the Township (the “Mayor”) an application for tax exemption which is on file with the Township Clerk (the “Application”) requesting an exemption of the land and improvements constituting the Residential Component, pursuant to the Long Term Tax Exemption Law; and

**WHEREAS**, the Entity also submitted to the Mayor a form of financial agreement (the “Financial Agreement”, a copy of which is attached hereto as Exhibit A) establishing the rights, responsibilities and obligations of the Entity; and

**WHEREAS**, the Mayor submitted the Application and Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

**WHEREAS**, the Township Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law, and has further determined that the Project constitutes improvements made for the purposes of clearance, re-planning, development, or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the Long Term Tax Exemption Law; and

**WHEREAS**, the Township Council has determined that it would be unreasonable to apply the provisions of Chapter 112 of the Township Code to the Project and that any obligation on the part of the Entity, pursuant to Chapter 112 of the Township Code, to either (i) construct residential units that are “Affordable”, as that term is used therein, (ii) make a payment in lieu of such construction or (iii) make any other payment resulting from the construction of the Project, would make it financially infeasible to undertake the Project; and

**WHEREAS**, the Township Council desires to amend Chapter 112 of the Township Code to provide that it shall not apply to redevelopment under the Redevelopment Plan for the Oakes Pond Redevelopment Area.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, New Jersey as follows:

Section 1. The Application of Bloomfield Belleville Associates Urban Renewal, L.L.C. for the development, maintenance and operation of a residential housing project and public amenities recommended by the Mayor is hereby approved.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement substantially in the form attached hereto as Exhibit A, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the Long Term Tax Exemption Law.

Section 5. Chapter 112-3 of the Township Code is hereby amended and restated in its entirety as follows:

“This chapter sets forth mechanisms by which developers shall provide for a fair share of affordable housing based on growth that is associated with development taking place within all zoning districts within the Township. This chapter shall not apply to any parcel within the

Township which would not accommodate five or more dwelling units where the zoning would require a twenty-percent set-aside. Pursuant to N.J.A.C. 5:97-6.4(b)7, this chapter shall apply to any parcel within the Township which would accommodate five or more dwelling units as a result of a "d" variance pursuant to N.J.S.A. 40:55D-70, where the zoning would require a twenty-percent set-aside. Notwithstanding anything herein to the contrary, this chapter shall not apply to redevelopment under the Redevelopment Plan for Block 228 and Block 220, Lot 40 or under the Redevelopment Plan for the Oakes Pond Redevelopment Area.”

Section 6. This ordinance shall take effect in accordance with applicable law.

Councilman Joanow expressed his concern about egress and ingress issues associated with the project that had not been addressed by the developer.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – No	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Joanow submitted the following Ordinance on first reading:

**AN ORDINANCE TO AMEND TOWNSHIP OF BLOOMFIELD’S ORDINANCE  
ADOPTING TITLES FOR EMPLOYEES AND FIXING SALARY RANGES –  
TOWNSHIP ADMINISTRATOR**

**BE IT ORDAINED** by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey:

**Section 1.** Section 2 of an ordinance entitled "AN ORDINANCE ADOPTING TITLES FOR EMPLOYEES, FIXING SALARY RANGES THEREFOR, FIXING THEIR DUTIES AND QUALIFICATIONS AND FIXING SALARIES” as amended and supplemented, is hereby further amended and supplemented so that the same shall read as follows:

<b><u>POSITION TITLE</u></b>	<b><u>Salary Range Effective January 1, 2011</u></b>
Township Administrator	120,000 – 150,000

**Section 2.** All employees hired after January 1, 1977 shall have a salary range of seven steps, except those positions indicated.

**Section 3.** Those employees whose salaries are fixed and determined by this ordinance, terminating their services with the Township, shall be paid one-twelfth (1/12) of their annual salary for each complete month employed by the Township. Such employees working a part of a month shall be paid for the actual days worked in the final month of employment to be calculated at the rate of one-tenth (1/10) of the bi-weekly salary multiplied by the actual number of days worked in the final month of employment.

**Section 4.** All ordinances inconsistent herewith are hereby repealed.

**Section 5.** This ordinance shall take effect according to law.

On motion of Councilman Joanow and seconded by Councilwoman Dunigan, same was passed on first reading.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent

Mayor McCarthy – Yes

Mayor McCarthy then called for those Ordinances listed for Hearing, Adoption or Amendment of Proposed Ordinances on Second Reading.

The Municipal Clerk read the following Ordinance by title:

**AN ORDINANCE TO AMEND CHAPTER 5, “ADMINISTRATION OF GOVERNMENT,” ARTICLE III “Township Council,” § 5-16 “Agenda,” IN THE CODE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY**

Councilman Venezia moved that the Ordinance be adopted on final reading, which motion was seconded by Councilwoman Dunigan.

Mayor McCarthy called for comments from the public or Council. There being none, he asked the Municipal Clerk to poll the Council.

Vote showed the following:

Councilwoman Maly – No	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Municipal Clerk read the following Ordinance by title:

**AN ORDINANCE TO AMEND CHAPTER 5, “ADMINISTRATION OF GOVERNMENT,” ARTICLE III “Township Council,” § 5-15 “Order of business,” IN THE CODE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY**

Councilwoman Dunigan moved that the Ordinance be adopted on final reading, which motion was seconded by Councilman Venezia.

Mayor McCarthy called for comments from the public or Council. There being none, he asked the Municipal Clerk to poll the Council.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Municipal Clerk read the following Ordinance by title:

**AN ORDINANCE TO AMEND CHAPTER 254, “VEHICLES AND TRAFFIC”, by ARTICLE VI “Schedules” § 254-62 “Schedule XXII: Bus Stops.” (BROAD STREET)**

Councilman Ruane moved that the Ordinance be adopted on final reading, which motion was seconded by Councilman Venezia.

Mayor McCarthy called for comments from the public or Council. There being none, he asked the Municipal Clerk to poll the Council.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Municipal Clerk read the following Ordinance by title:

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 387 OF THE BLOOMFIELD TOWNSHIP CODE, PROVIDING PARKING FOR PHYSICALLY LIMITED PERSONS (36 OLIVE STREET)**

Councilman Ruane moved that the Ordinance be adopted on final reading, which motion was seconded by Councilman Venezia.

Mayor McCarthy called for comments from the public or Council. There being none, he asked the Municipal Clerk to poll the Council.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

The Municipal Clerk read the following Ordinance by title:

**AN ORDINANCE TO AMEND CHAPTER 353, MASSAGE, BODYWORK AND SOMATIC THERAPY BUSINESSES, § 353-8 Therapist Permit Fee WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD**

Councilman Venezia moved that the Ordinance be adopted on final reading, which motion was seconded by Councilman Joanow.

Mayor McCarthy called for comments from the public or Council. There being none, he asked the Municipal Clerk to poll the Council.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Maly moved, and Councilman Joanow seconded, the adoption of the following nine Consent Agenda Resolutions:

**2011 RESOLUTION – FIREARMS RANGE**

**WHEREAS**, the Township of Bloomfield, through its police department, attends, participates and uses several of the generated programs, classes and/or equipment of the Firearms Training Facility of the Borough of North Arlington; and

**WHEREAS**, North Arlington requires that the Township of Bloomfield execute the attached Hold Harmless Agreement prior to using of the Firearms Training Facility; and

**WHEREAS**, the Chief of Police recommends that the Township of Bloomfield execute North Arlington’s Hold Harmless Agreement so that the police department may continue to participate in, and use the aforementioned programs, classes and/or equipment of the Firearms Training Facility of the Borough of North Arlington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that in accordance with the recommendation of the Police Chief the Mayor is hereby authorized to sign and the Clerk to attest to the attached Hold Harmless Agreement.

**2011 AUTHORIZING RESOLUTION FOR THE EXECUTION OF AN APPLICATION FOR LOCAL GOVERNMENT ENERGY AUDIT**

**WHEREAS**, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to

assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and

**WHEREAS**, Township Engineer recommends that the Township applies for acceptance into the Local Government Energy Audit Program; and

**WHEREAS**, the facilities to be audited are in New Jersey, are owned by the Township of Bloomfield, are served by a New Jersey regulated public utility and the Township of Bloomfield has not already reserved \$300,000 in the Program this year as of day of this application; and

**WHEREAS**, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal and that the Program rules will have to be met in order to receive incentive funds; and

**WHEREAS**, upon acceptance into the Program, the Township of Bloomfield will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors and submit the Part B application; and

**WHEREAS**, the Township of Bloomfield understands that energy audit work cannot proceed until a Application Approval Notice is received from the Program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

**2011 RESOLUTION – AUTHORIZATION TO EXECUTE LEASE**

**WHEREAS**, for the past several years Congressman William Pascrell has leased office space in the Township of Bloomfield Municipal Building; and

**WHEREAS**, Congressman William Pascrell has indicated a desire to continue to lease and maintain an office in Bloomfield.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby authorize Township Administrator to execute the attached lease agreement entitled District Office Lease.

**2011 RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE REDEVELOPMENT OF A PORTION OF THE OAKES POND REDEVELOPMENT AREA**

**WHEREAS**, by resolution duly adopted on May 19, 2008, the Township of Bloomfield (the "Township") designated a portion of the Township, consisting of the properties identified as Block 544, Lots 40 and 61 on the Township's tax map (collectively, the "Oakes Pond Redevelopment Area"), as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

**WHEREAS**, by ordinance finally adopted on August 10, 2009, the Township approved and adopted a Redevelopment Plan for the redevelopment of the Oakes Pond Redevelopment Area (the "Redevelopment Plan"); and

**WHEREAS**, Bloomfield Belleville Associates, LLC, with offices located at 820 Morris Turnpike, Short Hills, New Jersey 07078 ("BBA") is the record owner, or contract purchaser, of the Oakes Pond Redevelopment Area (the "Project Site") and has expressed a desire to undertake the redevelopment of the Project Site; and

**WHEREAS**, the Township has determined that BBA possesses the proper qualifications, financial resources and capacity to implement and complete the redevelopment of the Project Site (the "Redevelopment Project") in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

**WHEREAS**, the Township believes that the Redevelopment Project will serve the best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township's residents; and

**WHEREAS**, in order to set forth the terms and conditions under which the Township and BBA shall carry out their respective obligations with respect to the construction of the Redevelopment Project, the Township and BBA have determined to execute a redevelopment agreement; and

**WHEREAS**, the Township desires to designate BBA as the redeveloper for the Project Site; and

**WHEREAS**, the Township desires to authorize the execution of a redevelopment agreement by and between the Township and BBA.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of Township of Bloomfield, in the County of Essex and the State of New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length. BBA is hereby designated as the "redeveloper for the Project Site.

Section 2. (a) The Township hereby authorizes the execution of a redevelopment agreement by and between the Township and BBA in substantially the same form as that on file with the Township Clerk and which, by this reference is incorporated herein (the "Redevelopment Agreement").

(b) The Mayor is hereby authorized to execute the Redevelopment Agreement in substantially the same form as that on file with the Township Clerk, with such additions, deletions and modifications as may be necessary after consultation with the Township's professional consultants and BBA.

Section 3. This resolution shall take effect in accordance with applicable law.

**2011 RESOLUTION – CORRECTIVE ACTION PLAN**

WHEREAS, in accordance with the Single Audit Act, U.S. Office of Management and Budget Circular A-133, and the New Jersey Office of Management and Budget Circular letter 04-04, municipalities receiving federal aid in excess of \$25,000/year are required to prepare a Corrective Action Plan; and

WHEREAS, a Corrective Action Plan must be prepared in accordance with the OMB circulars and the New Jersey Department of Community Affairs, Division of Local Government Services Local Finance Notice 97-16 dated November 19, 1997; and

WHEREAS, a Corrective Action Plan is to be submitted to the Division of Local Government Services and placed on file with the Municipal Clerk of the Township; and

WHEREAS, a copy of the Corrective Action Plan has been received by each member of the governing body for their review.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that the said Corrective Action Plan as prepared by the Director of Finance is hereby approved and a copy of this resolution shall be forwarded to the Director of Local Government Services for their records.

**2011 RESOLUTION – ANNUAL SOFTWARE AND HARDWARE MAINTENANCE SUPPORT FOR THE TOWNSHIP FUEL MANAGEMENT SYSTEM**

WHEREAS, The Township of Bloomfield currently owns and operates a fuel monitoring system related to the distribution of gasoline and diesel fuel to all municipally owned and operated vehicles; and

WHEREAS, Multiforce Systems Management Corporation, 101 Wall Street, Princeton, New Jersey 08540 is an authorized dealer of the equipment and software and currently has a contract with the Township for software and hardware support; and

**WHEREAS**, the contract for these services expires on February 28, 2011; and

**WHEREAS**, Multiforce Systems Management Corporation, 101 Wall Street, Princeton, New Jersey 08540 has provided a proposal in the amount of \$1,975.00 to extend their contract for support and maintenance for one additional year to February 28, 2012; and

**WHEREAS**, the Township Engineer recommends that the Township continue to maintain this service which provides valuable information on a monthly basis regarding fuel consumption; and

**WHEREAS**, the Township Engineer further recommends that the contract be awarded to Multiforce Systems Management Corporation, 101 Wall Street, Princeton, New Jersey 08540 in the amount of \$1,975.00; and

**WHEREAS**, the Director of Finance has indicated that funding is available for this service within the Township's operating budget for the purchase of fuel.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby accepts the recommendation of the Township Engineer and he may enter into a contract for annual software and hardware maintenance support for the Township's fuel management system with Multiforce Systems Management Corporation, 101 Wall Street, Princeton, New Jersey 08540 in the annual amount of \$1,975.00.

**2011 RESOLUTION – FIRE ALARM SYSTEM & INTEGRATED SECURITY ALARM SYSTEM – CHANGE ORDER NO. 1**

**WHEREAS**, the Township of Bloomfield entered into a contract for a Fire Alarm System & Integrated Security Alarm System with T & R Alarm Systems, Inc., 189 Sargent Avenue, Clifton, New Jersey 07013 (hereinafter "the Contractor"); and

**WHEREAS**, during the course of construction, the Bloomfield Police Department recommended that two additional card readers, magnetic door contacts, electric door strikes, and on exit sensor be installed and the CPU tower serves be replaced with a rack-mounted server; and

**WHEREAS**, these items were above and beyond the original scope of the project; and

**WHEREAS**, the Township Engineer has reviewed and agrees with the changes as presented in Change Order No. 1; and

**WHEREAS**, Change Order No. 1 represents an increase in the cost of the contract in the amount of \$15,200.00; and

**WHEREAS**, the Mayor and Council, based on the recommendation of the Township Engineer is satisfied that the specified changes should be approved; and

**WHEREAS**, this Change Order was found to be beneficial and necessary; and

**WHEREAS**, the Director of Finance has certified that the funds are available in Capital Account #C-04-55-923-947.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that Change Order No. 1 is hereby approved and the Financial Officer of the Township of Bloomfield is hereby authorized to adjust payment for this work.

**2011 RESOLUTION – AWARD OF CONTRACT – PULASKI PARK FIELD HOUSE IMPROVEMENTS**

**WHEREAS**, after the required legal advertising was published, sealed bids were received in the Council Chambers of the Municipal Building, Bloomfield, New Jersey on October 27, 2010 by the Purchasing Committee of the Township of Bloomfield in accordance

with N.J.S.A. 40A:11-1 et seq., "Local Public Contracts Law" for the Pulaski Park Field House Improvements; and

**WHEREAS**, a total of five (5) bids were received and were referred to the Township Engineer for review; and

**WHEREAS**, after review of the bids, the Township Engineer hereby recommends that the contract be awarded to the lowest responsible bidder, Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, New Jersey 07050 for the Base Bid, Alternate #1 and Alternate #2 in the amount of \$93,200.00; and

**WHEREAS**, Zenith Construction has waived the sixty (60) day requirement for award of this bid; and

**WHEREAS**, the Director of Finance has indicated that funding is available within Capital Account # C-04-55-920-975.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby accepts the recommendation of the Township Engineer and he may enter into a contract for the above project with Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, New Jersey 07050 for the Base Bid, Alternate #1 and Alternate #2 in the amount of \$93,200.00.

for this work.

**2011 RESOLUTION – DODD STREET & JFK DRIVE NORTH INTERSECTION IMPROVEMENTS – CHANGE ORDER NO. 1 - FINAL**

**WHEREAS**, the Township of Bloomfield entered into a contract for Dodd Street and JFK Drive North Intersection Improvements with Foggia Trinity Electrical Contracting, LLC, 1608 East Second Street, Suite 5, Scotch Plains, New Jersey, 07076 (hereinafter "the Contractor"); and

**WHEREAS**, during the course of construction, unforeseen, subsurface site conditions were encountered which required modifications to the scope of work; and

**WHEREAS**, the Township Engineer has reviewed and agrees with the changes as presented in Change Order No. 1 - Final; and

**WHEREAS**, Change Order No. 1 - Final represents a reduction in the cost of the contract in the amount of \$115.65; and

**WHEREAS**, the Mayor and Council, based on the recommendation of the Township Engineer is satisfied that the specified changes should be approved; and

**WHEREAS**, this Change Order was found to be beneficial and necessary.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that Change Order No. 1 - Final, is hereby approved and the Financial Officer of the Township of Bloomfield is hereby authorized to adjust payment for this work.

Councilwoman Maly moved, and Councilman Joanow seconded, the adoption of all 9 Resolutions listed above.

Vote on the above nine Resolutions showed:

Councilwoman Maly – Yes	Councilman Venezia – Abstained
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Venezia moved, and Councilwoman Dunigan seconded, the adoption of the following Resolution:

**2011 RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX DESIGNATING BLOOMFIELD CENTER URBAN RENEWAL, LLC AS THE REDEVELOPER OF A PORTION OF THE BLOCK 228 REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF A REDVELOPMENT AGREEMENT WITH RESPECT THERETO**

**WHEREAS**, by resolution adopted on October 12, 2010, the Mayor and Council of the Township of Bloomfield (the "Township Council") designated the properties known as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 & 35, and Block 220, Lot 40 on the Township's Tax Map (the "Redevelopment Area") as an area in need of redevelopment, in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "Redevelopment Law"); and

**WHEREAS**, the Bloomfield Planning Board (the "Board") caused to be prepared a redevelopment plan for the Redevelopment Area; and

**WHEREAS**, the redevelopment plan, known as the "Redevelopment Plan for Block 228 and Block 220, Lot 40" (the "Redevelopment Plan") was recommended for adoption by the Mayor and Council by the Board by resolution adopted on December 22, 2010; and

**WHEREAS**, by ordinance adopted on February 7, 2011, the Mayor and Council approved and adopted the Redevelopment Plan; and

**WHEREAS**, Bloomfield Center Urban Renewal, LLC (the "Redeveloper") proposes to redevelop a portion of the Redevelopment Area consisting of all of the tax lots on Block 228 on the Township's tax map, as well as portions of the Lackawanna Place and Washington Street Rights of Way, which portions are depicted in Exhibit A hereto (the "Additional Parcels" and, together with the lots on Block 228, the "Project Site", which is depicted in Exhibit B hereto); and

**WHEREAS**, the Redeveloper proposes to redevelop the Project Site by constructing thereon, a project consisting of: (i) (A) approximately 60,000 square feet of retail space, including approximately 10,000 square feet of restaurant space, and (B) approximately 224 residential units (together, the “Mixed-Use Project”) on the portion of the Project Site depicted in Exhibit C hereto (the “Mixed-Use Project Site”); and (ii) an approximately 450 space parking garage (the “Parking Garage”, and, together with the Mixed-Use Project, the “Redevelopment Project”, on the portion of the Project Site depicted in Exhibit D hereto (the “Parking Garage Property”); and

**WHEREAS**, the Mayor and Council has reviewed the qualifications and conceptual proposal submitted by the Redeveloper and, subject to the terms and conditions as set forth in the Redevelopment Agreement (hereinafter defined), the Mayor and Council has found that such proposal will substantially further the Township’s goals for redevelopment of the Redevelopment Area; and

**WHEREAS**, the Township has engaged in preliminary discussions with representatives of the Redeveloper regarding the potential redevelopment of the Project Site, including the discussion of terms and provisions of an agreement governing the Redevelopment Project, a form of which is on file with the Township Clerk; and

**WHEREAS**, the Township now desires to designate the Redeveloper as the redeveloper for the Project Site and to approve the form of a redevelopment agreement by and between the Township and the Redeveloper (the “Redevelopment Agreement”).

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of Township of Bloomfield, in the County of Essex and the State of New Jersey, as follows:

**Section 1.** The Mayor and Council hereby designates Bloomfield Center Urban Renewal, LLC as the redeveloper of the Project Site, subject to the execution of the Redevelopment Agreement.

**Section 2.** The Mayor is hereby authorized to execute the Redevelopment Agreement by and between the Township and the Redeveloper, in a form substantially similar to that on file with the Township Clerk, and the Township Clerk is hereby authorized and directed to attest the Mayor's execution of the Redevelopment Agreement.

**Section 3.** This resolution shall take effect immediately.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Dunigan moved, and Councilman Venezia seconded, the adoption of the following Resolution:

**2011 RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX EXPRESSING TOWNSHIP INTENT TO CANCEL TAXES OWED BY THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD**

**WHEREAS**, in order to, among other things, operate and/or manage parking facilities located within the Township of Bloomfield (the "Township"), the Township Council of the Township (the "Township Council"), pursuant to Ordinance 03-27 (the "Creation Ordinance") duly adopted August 4, 2003 and the Parking Authority Law of the State of New Jersey (the "State"), N.J.S.A. 40A:11A-1 *et seq.*, as amended and supplemented (the "Act"), created and established the Parking Authority of the Township of Bloomfield (the "Authority") as a public body corporate and politic of the State and an agency of the Township with all the powers, privileges, and authority conferred by the Creation Ordinance and the Act; and

**WHEREAS**, the Authority was created to operate and/or manage on-street and other parking facilities located within the Township and to enforce applicable law, ordinances and regulations as to the parking of vehicles in the Township, and the consequent promotion of free movement of traffic and relief of traffic congestion on the streets of the Township and improvement of conditions affecting the public safety and welfare therein; and

**WHEREAS**, by ordinance adopted on March 15, 2004, the Township agreed to guaranty the Authority's bonds, notes or other obligations issued to finance certain start-up costs of the Authority, as well as costs related to the financing of the design, development and construction of a parking garage (the "Parking Garage"), including the acquisition of properties necessary therefore; and

**WHEREAS**, pursuant to that certain Intra-Local Agreement by and between the Authority and the Township, dated July 1, 2004, the Authority pays a portion of its excess revenues to the Township at the end of each fiscal year; and

**WHEREAS**, activities undertaken by the Authority, in particular, those relating to the construction of parking facilities such as the Parking Garage, serve the interests of the Township and its residents; and

**WHEREAS**, by resolution adopted on October 12, 2010, the Township Council of the Township of Bloomfield (the "Township Council") designated the properties known as Block 228, Lots 1, 4, 5, 7 (formerly 7 & 8), 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24 (formerly 24 & 27), 28, 29, 31 (formerly 30 & 31) and 33 (formerly 33 & 35), and Block 220, Lot 40 on the Township's Tax Map (the "Redevelopment Area") as an area in

need of redevelopment, in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et. seq.* (the “Redevelopment Law”); and

**WHEREAS**, by ordinance adopted on February 7, 2011, the Township Council approved and adopted a redevelopment plan for the Redevelopment Area, known as the “Redevelopment Plan for Block 228 and Block 220, Lot 40” (the “Redevelopment Plan”); and

**WHEREAS**, the Redevelopment Plan contemplates the construction of the Parking Garage; and

**WHEREAS**, since September 15, 2010, the Authority has acquired a number of properties in Block 228 of the Township’s tax map, which properties are necessary for the construction of the Parking Garage, including the properties located at lots 4, 29, 31 (formerly 30 & 31) and 33 (formerly 33 & 35), which properties were all formerly owned by privately entities; and

**WHEREAS**, pursuant to the Act, specifically, N.J.S.A. 40:11A-19, properties owned by the Authority are generally exempt from real property taxation; and

**WHEREAS**, through lease agreements between tenants and the prior owners, and tenants and the Authority, the properties located at lots 4, 29, 31 (formerly 30 & 31) and 33 (formerly 33 & 35) on Block 228 were occupied and used by private parties as of October 1, 2010; and

**WHEREAS**, as a result, such properties are required to be listed as taxable properties on the Township’s tax rolls for the year 2011; and

**WHEREAS**, to the extent that the private parties occupying and using such properties as of October 1, 2010 have since or will soon vacate such properties, the

Township believes that it would be inequitable, unnecessary and unreasonable to require the Authority to pay property taxes to the Township for the periods of time after such private entities vacate the respective properties; and

**WHEREAS**, pursuant to applicable law, including N.J.S.A. 54:4-99, the Township now desires to express its intent to provide for the cancellation of property taxes due on properties owned by the Authority, as set forth in more detail below, for the periods of time during which such properties are no longer occupied and used by private parties, by official action to be taken after the tax rate for the year 2011 is determined.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of Township of Bloomfield, in the County of Essex and the State of New Jersey, as follows:

Section 1. The recitals hereof are incorporated herein as though set forth more fully herein.

Section 2. The Township hereby expresses its intent to cancel property taxes due on the properties set forth in Exhibit A, as of the dates set forth therein, by official action to be taken after the tax rate for the year 2011 is determined.

Section 3. The Mayor, tax collector, chief financial officer and all other Township personnel are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this resolution, consistent with the recommendation of the Township tax assessor.

Section 4. This resolution shall take effect immediately.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Maly moved, and Councilman Joanow seconded, the adoption of the following Resolution:

**2011 RESOLUTION - "WOMEN'S HISTORY MONTH – GENERATIONS OF WOMEN MOVING HISTORY FORWARD."**

**WHEREAS**, New Jersey women of every race, class, and ethnic background have made historic contributions to the growth and strength of our State in countless recorded and unrecorded ways; and

**WHEREAS**, New Jersey women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the State by constituting a significant portion of the labor force working inside and outside of the home; and

**WHEREAS**, New Jersey women have played a unique role throughout the history of the State by providing the majority of the volunteer labor force of the State; and

**WHEREAS**, New Jersey women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our State; and

**WHEREAS**, New Jersey women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS**, New Jersey women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**WHEREAS**, despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

**WHEREAS**, it is necessary and appropriate to remember and celebrate New Jersey women and to:

- ensure that NJ women are offered equal opportunities in education, the workforce and healthcare regardless of age, sexual orientation, income, ethnicity, race or religion,
- identify, implement, measure and coordinate programs that address the needs of NJ women,
- engage in continuous study and research on issues affecting NJ women and their families, develop policy papers and legislative recommendations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, hereby proclaim March 2011 as “Women’s History Month – Generations of Women Moving History Forward.”

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Dunigan moved, and Councilwoman Maly seconded, the adoption of the following Resolution:

**2011 RESOLUTION – GIRL SCOUT WEEK**

**WHEREAS**, March 6, 2011 through March 12, 2011 marks Girl Scout Week as designated by Girl Scouts of the USA, a movement founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

**WHEREAS**, throughout its long and distinguished history, Girl Scouting has inspired more than 50 million girls and women to strive for the highest ideals of courage, confidence and character; and

**WHEREAS**, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and

**WHEREAS**, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities which exist in the fields of math, science, sports, technology and other professional pursuits; and

**WHEREAS**, the Girl Scouts Heart of New Jersey was formed in 2008 and is capably delivering the optimal Girl Scout experience to over 28,000 young women and adults in Essex, Hudson, Hunterdon, Middlesex, Somerset, Union and Warren counties; and

**WHEREAS**, more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating and rejoicing in this great American tradition.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey do hereby proclaim March 6, 2011 through March 12, 2011 as Girl Scout Week.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilman Joanow moved, and Councilman Venezia seconded, the adoption of the following Resolution:

**2011 RESOLUTION - AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A ZONING PROFESSIONAL/CONSULTANT IN THE BLOOMFIELD INSPECTIONS DEPARTMENT**

**WHEREAS**, the Township of Bloomfield needs the services of a Zoning Professional/Consultant; and

**WHEREAS**, the Township desires to make this appointment under the provisions *N.J.S.A. 19:44A-20.5*, as a non-fair and open contract; and

**WHEREAS**, the Director of Inspections has determined that the value of these services will exceed \$17,500; and

**WHEREAS**, this contract will end on December 31, 2011; and

**WHEREAS**, Anthony Marucci, 87 North Belair Avenue, Cedar Knolls, New Jersey has indicated he is willing to provide these services at a cost not to exceed \$25,000; and

**WHEREAS**, Anthony Marucci has completed and submitted the attached Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Bloomfield in the previous one year, and that the contract will prohibit Anthony Marucci from making any reportable contributions through the duration of this contract; and

**WHEREAS**, the Director of Finance has certified that funds are available to cover the cost of this service.

**NOW, THEREFORE, BE RESOLVED**, that the Mayor and Council of the Township of Bloomfield authorizes the Township Administrator to enter into a contract with Anthony Marucci as described herein; and

**BE IT FURTHER RESOLVED**, that no minimum payment is implied or guaranteed; and

**BE IT FURTHER RESOLVED**, that the Business Entity Disclosure Certification, the Director of Inspection's Determination of Value, the proposal of Anthony Marucci and the contract itself be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that the above documents shall be available for public inspection at the office of the Township Clerk during regular business hours; and

**BE IT FURTHER RESOLVED**, that the Township reserves the right to cancel this contract upon thirty (30) days notice and the Professional shall only be paid for the work completed or on a pro-rated amount if the contracts calls for a monthly retainer; and

**BE IT FURTHER RESOLVED**, that a notice of this action shall be printed once in the official newspaper of the Township of Bloomfield.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – No	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Dunigan moved, and Councilwoman Maly seconded, the adoption of the following Resolution:

**2011 - RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE CONTRACTS PURSUANT TO THE FAIR AND OPEN PROCESS FOR PROFESSIONAL SERVICE CONSULTANTS**

**WHEREAS**, in the Calendar year 2010 the Township appointed Maser Consulting, P.A. for General Engineering services; and

**WHEREAS**, in the Calendar year 2010 the Township appointed Weiner Lesniak as the Township's Workers' Compensation Attorney; and

**WHEREAS**, in the Calendar year 2010 the Township appointed Maraziti, Falcon & Healey LLP as one of the Township's Redevelopment Attorneys; and

**WHEREAS**, none of the above professionals were reappointed for the 2011 calendar year; and

**WHEREAS**, all the above professionals have submitted bids in response to the Township's request for proposals seeking to be reappointed; and

**WHEREAS**, some cost savings will be recognized if the Township authorizes the above professionals to complete some of the work they previously started instead of having that work transferred to the new professionals appointed; and

**WHEREAS**, the Director of Finance has certified that funds are available to cover the cost of these services.

**NOW, THEREFORE, BE IT RESOLVED**, that Maser Consulting, P.A. (General Engineering Services), Weiner Lesniak (Workers' Compensation Attorney), and Maraziti, Falson & Healey LLP (Redevelopment Attorney) are hereby authorized to continue to work on the projects that they were previously assigned; and

**BE IT FURTHER RESOLVED**, that the Township Administrator is hereby authorized to enter into contracts/retainer agreements with the Professionals as described herein; and

**BE IT FURTHER RESOLVED**, that Chief Financial Officer is hereby authorized to pay the bills of the Professionals for all work completed after the Township Administrator reviews and approves the bills; and

**BE IT FURTHER RESOLVED**, that the contracts/retainers with these professionals are entered into in accordance with the Standardized Submission Requirements for Professional Services and no minimum payment is implied or guaranteed; and

**BE IT FURTHER RESOLVED**, that all of the terms contained in the Standardized Submission Requirements for Professional Services are incorporated into the Professional's contract/retainer unless specifically excluded; and

**BE IT FURTHER RESOLVED**, that in accordance with Standardized Submission Requirements the Township reserves the right to cancel this contract upon thirty (30) days notice

and the Professional shall only be paid for the work completed or on a pro-rated amount if the contract calls for a monthly retainer; and

**BE IT FURTHER RESOLVED**, that the Professional's response to the request for Professional Services shall be placed on file with this resolution and a copy of the contract/retainer agreement entered into; and

**BE IT FURTHER RESOLVED**, that the contract should incorporate the terms and conditions contained in Professional's response to the request for Professional Services.

Vote showed the following:

- |                         |                              |
|-------------------------|------------------------------|
| Councilwoman Maly – No  | Councilman Venezia – Yes     |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes   |
| Councilman Ruane – No   | Councilman Hamilton – Absent |
| Mayor McCarthy – Yes    |                              |

Councilman Venezia moved, and Councilwoman Dunigan seconded, the adoption of the following Resolution:

**2011 RESOLUTION - AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A PLANNER**

**WHEREAS**, the Township of Bloomfield needs the services of a Planner to complete four projects previously started utilizing funds from the Open Space Trust Fund; and

**WHEREAS**, the Township desires to make this appointment under the provisions *N.J.S.A. 19:44A-20.5*, as a non-fair and open contract; and

**WHEREAS**, the Township Administrator has determined that the value of these services will exceed \$17,500; and

**WHEREAS**, this contract will end on December 31, 2011; and

**WHEREAS**, Strauss and Associates/Planners (hereinafter "Professional") has submitted a proposal to provide the services; and

**WHEREAS**, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies they have not made any reportable contributions to a political or candidate committee in the Township of Bloomfield in the previous one year and that the contract will prohibit the Professional from making any reportable contributions during the term of the contract; and

**WHEREAS**, the Director of Finance has certified that funds are available to cover the cost of this service in the Open Space Trust Fund.

**NOW, THEREFORE, BE RESOLVED**, that the Mayor and Council of the Township of Bloomfield authorizes the Township Administrator to enter into a contract with the Professional as described herein; and

**BE IT FURTHER RESOLVED**, that no minimum payment is implied or guaranteed; and

**BE IT FURTHER RESOLVED**, that the Business Entity Disclosure Certification, the Township Administrator's Determination of Value, the proposal of the Professional and the contract itself be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that the above documents shall be available for public inspection at the office of the Township Clerk during regular business hours; and

**BE IT FURTHER RESOLVED**, that the Township reserves the right to cancel this contract upon thirty (30) days notice and the Professional shall only be paid for the work completed or on a pro-rated amount if the contracts calls for a monthly retainer; and

**BE IT FURTHER RESOLVED**, that a notice of this action shall be printed once in the official newspaper of the Township of Bloomfield.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – No	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

17 Councilman Venezia moved, and Councilwoman Dunigan seconded, the adoption of the following Resolution:

**2011 RESOLUTION – AUTHORIZATION – APPOINTING AUTHORITY**

**WHEREAS**, the Mayor and Council of the Township of Bloomfield hereby appoint Yoshi Manale to be the designated Appointing Authority to the New Jersey Civil Service Commission on behalf of the Township; and

**WHEREAS**, the Appointing Authority shall be authorized to be the contact signee for all documentation between the Township of Bloomfield and the New Jersey Civil Service Commission after receiving approval from the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby appoint Yoshi Manale as the Township's Appointing Authority as indicated herein.

Councilwoman Maly asked for clarification of some of the language contained in the Resolution, to which the Township Attorney responded.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Councilwoman Maly moved, and Councilman Joanow seconded, the adoption of the following Resolution:

**2011 RESOLUTION – AUTHORIZATION TO SIGN CONTRACT FOR BLOCK 792, LOT 130, 131 AND 132 (2, 4, AND 6 LION GATE)**

**WHEREAS,** the Township of Bloomfield and John DeSimone have negotiated a contract to purchase real property known as Block 792, Lots 130, 131 and 132 in the Township of Bloomfield, County of Essex, State of New Jersey also know as Lot 130, 131 and 132, Block 792 on the Tax Maps of the Township of Bloomfield.

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Township of Bloomfield hereby authorize the Mayor to sign and the Clerk to attest to the attached Contract of Sale for Commercial Real Estate after it has been amended as indicated herein; and

**BE IT FURTHER RESOLVED,** that the Finance Director is hereby authorized to pay for work done on the property in furtherance of the sellers obtaining a No Further Action Letter as long as the work to be done and the costs are approved by the Township Administrator or his designee and these costs should not exceed \$100,000.00 as outlined in the contract; and

**BE IT FURTHER RESOLVED,** this Resolution is being passed with the understanding that there shall be NO expiration of the contingencies that the Township of Bloomfield receive funds in the sum of \$1,800,000.00 from the New Jersey Green Acres Program and funds in the sum of \$100,000.00 from NY/NJ Baykeeper. Therefore, if for any reason the Township of Bloomfield does not, or is not able to receive the funds the Agreement shall be void and the Township will be under NO obligation to purchase the property.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – No	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Mayor McCarthy stated that there was no unfinished business to be discussed at the meeting.

Councilman Joanow moved that the following be awarded Licenses:

Licenses for February 22, 2011

**MASSAGE/BODY WORK/ SOMATIC THERAPIST LICENSE**

Ming Ji Jiang (New)  
33-36 Union Street  
Second Floor  
Flushing, New York 11354  
Working for Health Spa

Yu Shun OGrady (New)  
9 Hillside Avenue  
Apartment #3  
Rockaway, New Jersey 07866  
Working for Health Spa

Jin Lan Blesing (New)  
71 Woodlawn Avenue  
Clifton, New Jersey 07013  
Working for Health Spa

Chun Lan Li (New)  
85-B Lincoln Street  
Fairview, New Jersey 07022  
Working for Health Spa

**RAFFLE LICENSES**

Bloomfield Home & School  
160 Broad Street  
Bloomfield, New Jersey 07003  
On Premises Tricky Tray

Bloomfield Home & School  
160 Broad Street  
Bloomfield, New Jersey 07003  
On Premise 50/50

Fairview Home & School  
376 Berkeley Avenue  
Bloomfield, New Jersey 07003  
On Premise 50/50

Cystic Fibrosis Foundation of Greater NJ  
2 University Plaza  
Suite 312  
Hackensack, New Jersey 07601  
Golf Tournament 5/12/11 @ Forest Hill Field Club  
On Premise Raffle and On Premise Merchandise

**LANDSCAPERS' LICENSES**

R & J Landcare, LLC  
Jeffrey Baker  
56 Fenner Avenue  
Clifton, New Jersey 07013

Linderoth Landscaping  
Robert W. Linderoth  
20 Ruttan Place  
Bloomfield, New Jersey 07003

J. Lombardi Landscaping  
Joe Lombardi  
634 Mt. Hope Avenue  
Wharton, New Jersey 07885

A. Meola Landscaping  
Anthony Meola  
308 Walnut Street  
Nutley, New Jersey 07110

TKJ Landscaping, LLC  
Theodore Aiklingert, Jr.  
43 Oak Lane  
Verona, New Jersey 07044

Liberato Iannitelli  
38 Jannarone Street  
Belleville, New Jersey 07109

**OPEN AIR PARKING STATION LICENSE**

Neptune Auto Sales  
71 Heather Lane  
Colonia, New Jersey 07067  
Site: 154 Bloomfield Avenue, Bloomfield, NJ

**TAXICAB OPERATOR'S LICENSE**

Kenneth Dean Wilfrid  
99 W. Milton Avenue  
Rahway, New Jersey 07065

Daniel W. Williams, Jr.  
398 Park Avenue  
Apartment 9  
East Orange, New Jersey 07017

**JUNK SHOP LICENSE**

Bloomfield Auto Wreckers, Inc.  
186 Grove Street  
Bloomfield, New Jersey 07003

Said motion was seconded by Councilman Ruane and carried.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Mayor McCarthy called for Ad Authorizations. Councilman Ruane moved, and Councilman

Venezia seconded, the following Ad Authorizations:

- a. Municipal Building Boiler House Asbestos Abatement

- b. Intersection Improvements Liberty Street and J.F. Kennedy Drive
- c. Purchase of Water System Fittings and Supplies

Councilman Venezia asked if the advertisements go to local businesses, to which The Township Engineer informed the Councilman that all of the advertisements are placed in local newspapers.

Vote showed the following:

Councilwoman Maly – Yes	Councilman Venezia – Yes
Councilman Joanow – Yes	Councilwoman Dunigan – Yes
Councilman Ruane – Yes	Councilman Hamilton – Absent
Mayor McCarthy – Yes	

Mayor McCarthy, after stating that there was no additional business to discuss, asked for a motion to Adjourn.

Councilman Venezia motioned, and Councilwoman Dunigan seconded, the Adjournment of the meeting. The meeting adjourned at 8:11 p.m.

Respectfully submitted,

  
Louise M. Palagano, Municipal Clerk