

Fourteenth 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 Litterio – Absent | Councilman Venezia – Present |
| Councilman Joanow – Present | Councilwoman Dunigan – Present |
| Councilman Ruane – Present | Councilman Hamilton – Present |
| Mayor McCarthy – Present | |

Also present were the following:

Municipal Clerk Louise M. Palagano
Township Attorney Brian Aloia
Township Engineer Paul Lasek, also acting as Township Administrator

Mayor McCarthy then read aloud the following Proclamation:

TURN THE TOWN TEAL

WHEREAS, there is NO early detection test for ovarian cancer; and

WHEREAS, Ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle; and

WHEREAS, Ovarian cancer is the fifth leading cause of cancer deaths among women and the leading cause of gynecologic cancer deaths in the United States; each year, more than 22,000 women are diagnosed with the disease and approximately 16,000 die from it; and

WHEREAS, if detected in its early stages, survival from ovarian cancer is 90-95 percent. Yet the five-year survival rate for the disease is only 28 percent, because it is so difficult to detect early; and

WHEREAS, The *Turn The Towns Teal*® campaign was launched by Gail MacNeil, of Chatham, NJ during her 10 year battle ovarian cancer.

WHEREAS, Turn The Towns Teal® Inc. and the National Ovarian Cancer Coalition (NOCC) are partnering to promote awareness of ovarian cancer through the *Turn The Towns Teal* campaign.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Bloomfield, New Jersey, declare September as Ovarian cancer Awareness month and support the *Turn The Towns Teal*® awareness campaign.

Mayor McCarthy asked for a motion to approve the Minutes of previous meetings. As such, Councilman Joanow moved, and Councilman Venezia seconded, the approval of the following:

August 8, 2011 Regular Meeting Minutes
July 25, 2011 Conference Meeting Minutes
February 28, 2011 Conference Meeting Minutes
September 8, 2008 Conference Meeting Minutes

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

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

Under Reports of Special Council Committees, Mayor McCarthy stated that there were two appointments to be made.

Councilman Hamilton moved to appointment Jill Montaque to the Recycling Commission, which was seconded by Councilwoman Dunigan.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Thereafter, Ms. Montaque was sworn in as a member of the Recycling Commission by Councilman Hamilton.

Councilman Ruane moved to appoint Kevin Lindahl to the Rent Advisory Committee, which was seconded by Councilman Joanow.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Thereafter, Kevin Lindahl was sworn in as a member of the Rent Advisory Committee by Councilman Ruane.

Mayor McCarthy then stated that a Resolution would be introduced commending the Police Department.

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

2011 RESOLUTION - POLICE DEPARTMENT COMMENDATION

WHEREAS, during the summer months of the calendar year 2011 several female victims were sexually assaulted in and around the Township of Bloomfield; and

WHEREAS, from the first incident, the Police Department's Administration identified the need to pro-actively address the crime;

WHEREAS, the Bloomfield Police Department immediately notified the Essex County Prosecutors Office and surrounding Police Departments of the nature of the crime(s); and

WHEREAS, the Bloomfield Police Department spearheaded a task force and formulated an aggressive method of investigative procedures, both covert and selectively overt in nature to find, identify and arrest the perpetrator; and

WHEREAS, the officers of the entire Bloomfield Police Department were given specific duties and assignments to aggressively utilize police procedures in their attempt to identify the suspect; and

WHEREAS, numerous Patrol Officers stopped and identified various individuals that matched the description of the suspect and forwarded the information to the Criminal Investigation Division, (Detective Bureau), for follow up; and

WHEREAS, the Patrol Officers acted professionally and in doing so preserved the civil rights and dignity of the citizens that they interacted with; and

WHEREAS, the Bloomfield Police Department's Detective Bureau examined and investigated many leads, suspects and evidence and as a result of their investigation they identified certain patterns and modus operandi, (M. O.), of the suspect; and

WHEREAS, teams of Detectives conducted covert surveillance in targeted geographic areas and in specific time frames as identified through their investigation; and

WHEREAS, on August 6th 2011, at approximately 2:30AM members of the Bloomfield Police Department's Detective Bureau, with the assistance of a Belleville Detective and an Essex County Prosecutors Detective, were conducting surveillance in a target area; and

WHEREAS, the Bloomfield Detectives observed and targeted a suspect from their concealed locations and tracked his movements; and

WHEREAS, Bloomfield Detectives then directed that the suspect be stopped and investigated using probable cause due to his actions; and

WHEREAS, the subsequent investigation produced actual physical evidence at the scene that matched certain physical elements of the previous crimes. The suspect was then investigated further; and

WHEREAS, through proper interview and interrogation techniques the suspect confessed to the previous sexual assaults on the female victims and was sub sequentially charged criminally according to New Jersey State Criminal Law; and

WHEREAS, due to the Police Departments immediate, pro-active and professional response to the emerging sexual assault crime pattern a suspect was identified and arrested and this dangerous serial felon was removed from the streets of the Township of Bloomfield and the State of New Jersey so that no other female victim shall fall prey to his crimes of sexual assault and he shall be held accountable for his actions in a Court of Law.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and the Council of the Township of Bloomfield, County of Essex, State of New Jersey, that on behalf of the Mayor and Council, we do hereby commend and congratulate all the members of the Bloomfield Police Department who worked so professionally and diligently in their determination and dedication to

their duties and this Body of Government also recognizes their commitment to the Citizens of the Township of Bloomfield as demonstrated by their actions during the summer of 2011; and

BE IT FURTHER RESOLVED, that this resolution shall be spread in full upon the minutes of this meeting and that a certified copy hereby signed by the Mayor be presented to representative members of the Bloomfield Police Department.

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Thereafter, members of the Bloomfield Police Department were presented with copies of the Resolution and congratulated by Mayor McCarthy.

Mayor McCarthy then returned to the Agenda and called for written communications, to which the Municipal Clerk responded there were none.

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

Gabe Fisch, 40 Conger Street, Bloomfield, New Jersey, took the microphone to comment upon the creation of the Rent Advisory Committee, and to make general comments about the management of Troy Towers by the owners.

Mayor McCarthy thanked Mr. Fisch and asked the Council for a motion to close the oral portion of the meeting. Councilman Ruane so moved and the motion was seconded by Councilman Hamilton.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy then called for the Introduction of Ordinances for First Reading.

Councilman Joanow submitted the following Ordinance on first reading:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 387 OF THE BLOOMFIELD TOWNSHIP CODE, PROVIDING PARKING FOR PHYSICALLY LIMITED PERSONS (21 DONALD STREET AND 48 HILL 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:

- (413) Donald Street, east side, starting at a point 559 feet south of the southerly curb line of Davey Street and running 20 feet south there from (21 Donald Street).
- (414) Bloomfield Avenue, north side, starting at a point 105 feet east of the easterly curb line of Hill Street and running 20 feet east there from (48 Hill).

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 Joanow, and seconded by Councilman Ruane, same was passed on first reading.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Councilman Venezia submitted the following Ordinance on first reading:

AN ORDINANCE TO AMEND THE TOWNSHIP OF BLOOMFIELD ORDINANCE ADOPTING TITLES FOR EMPLOYEES AND FIXING SALARY RANGES (DEPUTY MUNICIPAL CLERK)

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 THEREFORE, FIXING THEIR DUTIES AND QUALIFICATIONS AND FIXING SALARIES, ADOPTED JULY 21, 1941" that has been amended and supplemented previously multiple times, is hereby further amended and supplemented adjusting the salaries of the positions listed below to read as follows:

| <u>POSITION TITLE</u> | <u>Salary Range</u> <u>Per Annum</u> <u>Effective</u> <u>October 1, 2011</u> |
|---|---|
| <u>MUNICIPAL CLERK/PLANNING</u> Deputy Municipal Clerk | 54,854 63,492 |

Section 2. All employees hired after January 1, 1977 shall have a salary range of seven steps, except those positions indicated or those positions without a salary range.

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 Venezia, and seconded by Councilwoman Dunigan, same was passed on first reading.

Councilman Ruane asked the Mayor and Council if the Deputy Municipal Clerk would be receiving back pay, to which the Township Attorney responded that the individual would not.

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Councilwoman Dunigan submitted the following Ordinance on first reading:

AN ORDINANCE TO AMEND TOWNSHIP OF BLOOMFIELD’S ORDINANCE ADOPTING TITLES FOR EMPLOYEES AND FIXING SALARY RANGES (DIRECTOR OF PUBLIC WORKS AND PARKS)

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 THEREFORE, 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:

| <u>POSITION TITLE</u> | <u>Salary Range Per Annum Effective September 19, 2011</u> |
|---|--|
| <u>DEPARTMENT OF PUBLIC WORKS & PARKS</u> Director of Public Works & Parks | 120,000 – 130,000 |

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 Councilwoman Dunigan, and seconded by Councilman Hamilton, same was passed on first reading.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Councilman Hamilton submitted the following Ordinance on first reading:

AN ORDINANCE TO AMEND CHAPTER 491, “SOLID WASTE,” ARTICLE II “RECYCLING” § 491-4 “Definitions.” WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD

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 491, entitled, “Solid Waste” Article II, Recycling, § 491-4 “Definitions” of the Code of the Township of Bloomfield, County of Essex, State of New Jersey as to the definitions of ELECTRONICS only is hereby altered to read as follows:

§ 491-4. Definitions.

ELECTRONICS – Computers, monitors, keyboards, wires/cables, telephones, TVs, VCRs, DVD players, stereos and microwaves

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 Hamilton, and seconded by Councilman Joanow, same was passed on first reading.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy stated that there were no Ordinances listed for Hearing, Adoption or Amendment of Proposed Ordinances on Second Reading.

Mayor McCarthy called for the Consent Agenda Resolutions.

Councilman Joanow moved, and Councilman Venezia seconded, the adoption of the following fourteen (14) Consent Agenda Resolutions:

2011 RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2010, 2011 AND 2012 TAX APPEAL ENTITLED FREQAK ASSOCIATES V. TOWNSHIP OF BLOOMFIELD, DOCKET NO.: 006540-2010 and 003303-2011 OF THE TAX ASSESSMENT OF BLOCK 272, LOTS 11 AND 15, KNOWN AS 47 OAKLAND AVENUE, 32 FREMONT ANVENUE AND 33-39 OAKLAND AVENUE, IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2010 and 2011, involving Block 272, Lots 11 and 15, has been filed by the Taxpayer, Freqoak Associates; and

WHEREAS, the attached proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, the Finance Director has certified that funding is available; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Bloomfield, New Jersey, as follows:

1. Settlement of the 2010 tax appeal is hereby authorized as follows:

47 Oakland & 32 Fremont
Block 272, Lot 15
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$850,00 | N/A | \$850,000 |
| Imprvts: | \$1,347,900 | N/A | \$1,328,300 |
| Total: | \$2,197,900 | N/A | \$2,178,300 |

2. Settlement of the 2010 tax appeal is hereby authorized as follows:

33-39 Oakland Avenue
Block 272, Lot 11
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$850,00 | N/A | \$850,000 |
| Imprvts: | \$1,347,900 | N/A | \$1,328,300 |
| Total: | \$2,197,900 | N/A | \$2,178,300 |

3. Settlement of the 2011 tax appeal is hereby authorized as follows:

47 Oakland & 32 Fremont
Block 272, Lot 15
Year: 2011

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$850,00 | N/A | \$850,000 |
| Imprvts: | \$1,347,900 | N/A | \$1,218,400 |
| Total: | \$2,197,900 | N/A | \$2,069,400 |

4. Settlement of the 2011 tax appeal is hereby authorized as follows:

33-39 Oakland Avenue
Block 272, Lot 11
Year: 2011

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$850,00 | N/A | \$850,000 |
| Imprvts: | \$1,347,900 | N/A | \$1,219,400 |
| Total: | \$2,197,900 | N/A | \$2,069,400 |

- 5. The parties hereby agree that the total 2012 assessment Block 272, Lot 11 shall not exceed \$3,900,000 and the Taxpayer may only file an appeal in 2012 for the purpose of obtaining a judgment affirming the assessment.
- 6. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation as provided by Taxpayer.

2011 RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2010 AND 2011 TAX APPEAL ENTITLED DELLANO, RONALD & JANET V. TOWNSHIP OF BLOOMFIELD, DOCKET NO.: 011395-2010 and 001436-2011 OF THE TAX ASSESSMENT OF BLOCK 691, LOTS 25 KNOWN AS 526 BROAD STREET, IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2010 and 2011, involving Block 691, Lot 25, has been filed by the Taxpayer, Dellano, Robert & Janet; and

WHEREAS, the attached proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, the Finance Director has certified that funding is available; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Bloomfield, New Jersey, as follows:

1. Settlement of the 2010 tax appeal is hereby authorized as follows:

526 Broad Street
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$680,200 | N/A | \$680,200 |
| Imprvts: | \$408,800 | N/A | \$308,800 |
| Total: | \$1,089,000 | N/A | \$989,000 |

2. Settlement of the 2011 tax appeal is hereby authorized as follows:

526 Broad Street
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$680,200 | N/A | \$680,200 |
| Imprvts: | \$408,800 | N/A | \$208,800 |
| Total: | \$1,089,000 | N/A | \$889,000 |

3. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation as provided by Taxpayer.

2011 RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2010 TAX APPEAL ENTITLED TILDEN ENTERPRISES, LLC V. TOWNSHIP OF BLOOMFIELD, DOCKET NO.: 020145-2010 OF THE TAX ASSESSMENT OF BLOCK 20, LOTS 18 KNOWN AS 54 BLOOMFIELD AVENUE(32), IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2010, involving Block 20, Lot 18, has been filed by the Taxpayer, Tilden Enterprises, LLC; and

WHEREAS, the attached proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, the Finance Director has certified that funding is available; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Bloomfield, New Jersey, as follows:

- 1. Settlement of the 2010 tax appeal is hereby authorized as follows:

54 Bloomfield Avenue (32)
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$163,100 | \$163,100 | \$163,100 |
| Imprvts: | \$149,800 | \$149,800 | \$136,900 |
| Total: | \$312,900 | \$312,900 | \$300,000 |

- 2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation as provided by Taxpayer.

2011 RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2009, 2010 AND 2011 TAX APPEAL ENTITLED NOBEL REAL ESTATE V. TOWNSHIP OF BLOOMFIELD, DOCKET NO.: 007479-2009, 011216-2010 AND 004118-2011 OF THE TAX ASSESSMENT OF BLOCK 241, LOT 47, KNOWN AS 1-9 BROAD STREET, IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2009, 2010 and 2011 involving Block 241, Lot 47, has been filed by the Taxpayer, Nobel Real Estate; and

WHEREAS, the attached proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, the Finance Director has certified that funding is available; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Bloomfield, New Jersey, as follows:

1. Settlement of the 2009 tax appeal is hereby authorized as follows:

1-9 Broad Street
Year: 2009

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$126,500 | N/A | \$126,500 |
| Imprvts: | \$673,500 | N/A | \$573,500 |
| Total: | \$800,000 | N/A | \$700,000 |

2. Settlement of the 2010 tax appeal is hereby authorized as follows:

1-9 Broad Street
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$340,700 | N/A | \$340,700 |
| Imprvts: | \$1,487,300 | N/A | \$1,159,300 |
| Total: | \$1,828,000 | N/A | \$1,500,000 |

3. Settlement of the 2011 tax appeal is hereby authorized as follows:

1-9 Broad Street
Year: 2011

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$340,700 | N/A | \$126,500 |
| Imprvts: | \$1,487,300 | N/A | \$1,009,300 |
| Total: | \$1,828,000 | N/A | \$1,350,000 |

4. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation as provided by Taxpayer.

2011 RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF BLOOMFIELD IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2010 AND 2011 TAX APPEAL ENTITLED BELLEVILLE BLOOMFIELD V. TOWNSHIP OF BLOOMFIELD, DOCKET NO.: 004907-2010 AND 003302-2011 OF THE TAX ASSESSMENT OF BLOCK 461, LOT 21, KNOWN AS 200 BELLEVILLE AVENUE, IN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2010 and 2011 involving Block 461, Lot 21, has been filed by the Taxpayer, Belleville Blfd Assoc/Affiliated; and

WHEREAS, the attached proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, the Finance Director has certified that funding is available; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Bloomfield, New Jersey, as follows:

- 1. Settlement of the 2010 tax appeal is hereby authorized as follows:

200 Belleville Avenue
Year: 2010

| | Original Assessment | County Board Judgment | Settlement Amount |
|----------|---------------------|-----------------------|-------------------|
| Land: | \$400,000 | N/A | \$400,000 |
| Imprvts: | \$723,700 | N/A | \$691,700 |
| Total: | \$1,123,700 | N/A | \$1,091,000 |

- 2. Settlement of the 2011 tax appeal is hereby authorized as follows:

200 Belleville Avenue
Year: 2011

| | Original Assessment | County Board Judgment | Settlement Amount |
|-------|---------------------|-----------------------|-------------------|
| Land: | \$400,000 | N/A | \$400,000 |

| | | | |
|----------|-------------|-----|-------------|
| Imprvts: | \$723,700 | N/A | \$604,400 |
| Total: | \$1,123,700 | N/A | \$1,004,000 |

3. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation as provided by Taxpayer.

2011 RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE AND APPROPRIATION IN THE BUDGET CHAPTER 159/2

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any items of appropriation for an equal amount; and

WHEREAS, after the 2011 budget was adopted, the Township of Bloomfield became informed of the availability of revenue in the amount of \$50,000.00 from the State of NJ Department of Community Affairs - Account # 1-01-08-348-000.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Bloomfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2011 in the sum of \$50,000.00 as an anticipated revenue from the State of NJ Department of Community Affairs - Account # 1-01-08-348-000; and

BE IT FURTHER RESOLVED, that a like sum of \$50,000.00 be and the same is hereby appropriated under the Budget of the Township of Bloomfield Smart Future 2008 Grant - Account # 0-01-40-348-028; and

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services, Department of Community Affairs.

2011 RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE AND APPROPRIATION IN THE BUDGET CHAPTER 159/3

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any items of appropriation for an equal amount; and

WHEREAS, after the 2011 budget was adopted, the Township of Bloomfield became informed of the availability of revenue in the amount of \$4,400.00 from the State of New Jersey Division of Highway Traffic Safety - Account # 1-01-08-335-000.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Bloomfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2011 in the sum of \$4,400.00 as an anticipated revenue from the State of New Jersey Office of Highway - Account # 1-01-08-335-000; and

BE IT FURTHER RESOLVED, that a like sum of \$4,400.00 be and the same is hereby appropriated under the Budget of the Township of Bloomfield Over the Limit Under Arrest Statewide Crackdown Grant - Account # 1-01-40-338-000; and

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services, Department of Community Affairs.

2011 RESOLUTION TO REFUND PROPERTY TAX OVERPAYMENTS

WHEREAS, property taxes on certain properties in the Township have been overpaid;
and

WHEREAS, the overpayments require a refund in a total of \$5,390.98 for 2010 and \$5,766.46 made in 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby authorizes the Township Treasurer to issue refund checks totaling of \$5,390.98 for 2010 and \$5,766.46 made in 2011.

2011 RESOLUTION - OBSOLETE VEHICLES AND EQUIPMENT (EXCESS TOWNSHIP OWNED PROPERTY)

WHEREAS, the Township of Bloomfield is the owner of the following Obsolete Vehicles and Equipment, which are no longer needed for public use:

| Year | Vehicle Make | Vehicle Model | Serial Number |
|------|--------------|---------------------|---------------------------|
| 1993 | Ford | Lincoln Continental | ILNLM82W2PY610359 |
| 2006 | Ford | Crown Victory | 2FAFP71W26X102336 |
| 1996 | Dodge | Dump Truck | 1B6MF3659T5698822 |
| 2008 | Ford | Crown Victory | 2FAFP71V38X134318 |
| 2004 | Ford | Crown Victory | 2FAFP71W24X172027 |
| 1997 | Ford | Crown Victory | 2FALP71W2YX213910 |
| 1992 | Chevy | Blazer | 1GNEK18K3NJ343339 |
| 1998 | Ford | Crown Victory | 2FAP71W3WX143106 |
| 2001 | Chevy | Impala | 2G1WF55K119367702 |
| 1986 | Ford | LTD | 2FABP43F2GX214291 |
| 2006 | Ford | Crown Victory | 2FAFP71W46X1022290 |
| 1993 | Chevy | Pick Up 4 x 4 | 1GTGK24KOPE509969 |
| 2004 | Ford | Crown Victory | 2FAFP71W04X172009 |
| 1996 | Jeep | Cherokee | 1J4FJ6859TL210383 |
| 2004 | Ford | Crown Victory | 2FAFP71W54X172023 |
| 1989 | Chevy | Celebrity | 2GAW51R7K2112074 |
| 2004 | Ford | Crown Victory | 2FAFP71W24X1172013 |
| 1999 | Ford | Crown Victory | 2FAFP71W3XX207792 |
| 1998 | Jeep | Cherokee | 1J4FJ685X5L569708 |
| 1989 | Rayco | Stump Cutter | 1620065789 |
| 1968 | John Deere | Bull Dozer | MODEL #JD450C - SER#49527 |

| | | | |
|------|------------|------------------|--------------------------------------|
| 1974 | Dynahoe | Back Hoe | MODEL #140-B SERIAL # D140CD13786 |
| 1991 | Volvo | Dump Truck 10 cy | 4V2JABMO4MR811941 |
| 2001 | Chevy | Capri | 1G1BL547XLA14837 |
| 2001 | Chevy | Impala | 2G1WF55K19366729 |
| 1997 | Ford | Crown Victory | 2FALP71W4VX213925 |
| 1987 | Chevy | Blazer | 1GKCT18R5H0520112 |
| 2001 | Chevy | Impala | 2G1WF55K519366763 |
| 1987 | Ford | Grand Marquis | 2MEBM74FOHX651872 |
| 1996 | John Deere | Skid Steer | MODEL 5575 |

WHEREAS, the Township of Bloomfield desires to authorize sell said obsolete vehicles and equipment at public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder.

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

1. The Township of Bloomfield hereby declares that the obsolete vehicles and equipment are not needed for public use.
2. The Township of Bloomfield, its officers and attorney, are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said vehicles and equipment.
3. A notice of the date, time and place of the public sale together with a description of said obsolete vehicles and equipment parts and conditions of sale, shall be published in the Independent Press with the sale being held not less than seven (7) nor more than fourteen (14) days after publication of said notice. The vehicles will be sold to the highest bidder above the minimum bid price.
4. No limit shall be placed on the numbers of vehicles and equipment that can be purchased by any one bidder.
5. This resolution shall take effect immediately.

2011 RESOLUTION – MAYOR AND COUNCIL SECRETARY REVISED

WHEREAS, on Monday August 22, 2011, the Mayor and Council considered a resolution to appoint Rosemary Brown to become the Secretary to the Mayor and Council; and

WHEREAS, the resolution failed to reflect the hire date of August 23, 2011; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby confirm that Rosemary Brown was appointed Secretary to Mayor and Council of the Township of Bloomfield at Step 1 in the salary range set forth in the ordinance for that position effective August 23, 2011.

2011 RESOLUTION – LEASE AGREEMENT

WHEREAS, the Board of Education passed a resolution approving to enter into a Lease agreement with the Township of Bloomfield; and

WHEREAS, the Township desires to enter into the Lease agreement with the Board of Education.

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 the Mayor to execute the attached Lease agreement between the Township of Bloomfield and the Board of Education.

2011 RESOLUTION – MUNICIPAL BUILDING BOILER HOUSE ABATEMENT – CHANGE ORDER NO. 1- FINAL

WHEREAS, the Township of Bloomfield entered into a contract for the Municipal Building Boiler House Abatement with Savic Construction Corporation, 205 Route 46, Suite 15, Totowa, New Jersey 07512 (hereinafter “the Contractor”); and

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

WHEREAS, the Township Engineer has reviewed the changes enumerated in Change Order No. 1 – Final and recommends the Change Order be approved; and

WHEREAS, Change Order No. 1 - Final represents a decrease in the cost of the contract in the amount of \$8,950.00 or 13.3%; 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.

2011 RESOLUTION – UPPER MEMORIAL PARK IMPROVEMENTS - CHANGE ORDER NO. 1- FINAL

WHEREAS, the Township of Bloomfield entered into a contract for the Upper Memorial Park Improvements with D & S land Development, 13 Alida Place, Ramsey, New Jersey 07446 (hereinafter “the Contractor”); and

WHEREAS, during the course of construction, unforeseen, site conditions were encountered which included excessive wear within the parking lot area as well as excessive wear on the existing playground equipment; and

WHEREAS, the changes were reviewed and authorized by the project consultant, Birdsall Services Group; and

WHEREAS, the Township Engineer has reviewed the changes enumerated in Change Order No. 1 – Final and recommends the Change Order be approved; and

WHEREAS, Change Order No. 1 - Final represents an increase in the cost of the contract in the amount of \$13,389.30 or 2.9%; 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 within Capital Account Numbers C-04-55-989-947; C-04-55-923-947 and C-04-55-810-947 which is reimbursable through a grant and loan from the New Jersey Green Acres Program.

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.

2011 RESOLUTION – AUTHORIZATION FOR PAYMENT OF SEWER AND WATER SERVICE WORK & REPAIRS AT 1617-1627 BROAD STREET

WHEREAS, on September 15, 2010 the Township of Bloomfield Engineering Department was inspecting sewer and water supply work that was being performed by Oakdale Excavation (hereinafter “the Contractor”) to rectify improperly constructed water service work and sewer work at three residential properties known as 1617, 1621 and 1627 Broad Street; and

WHEREAS, this work was required by the developer of these properties to rectify improperly installed sewer pipe and water service work that was discovered through investigation of complaints by the current resident of 1617 Broad Street; and

WHEREAS, the Contractor was hired by the developer of this property, 1627, LLC, to make the necessary repairs; and

WHEREAS, the Contractor was the same contractor who performed the original installation of the water and sewer facilities that were deemed improper through the investigation by the Engineering Department; and

WHEREAS, after posting the appropriate bonds with the Township the Contractor commenced with this work on September 15, 2010; and

WHEREAS, on the afternoon of September 15, 2010, the Township Engineer, after inspecting the work being performed ordered the Contractor to cease operation, cover the excavation and remove themselves from the site; and

WHEREAS, the developer was notified of the removal of the Contractor based upon the following opinions and observations of the Township Engineer:

- The excavation which exceeded a depth of six feet was observed to have unstable sides and the contractor provided no sheeting or bracing.
- The lack of sheeting or bracing was causing continued collapse of the sides of the excavation thereby enlarging the excavation which was severely impacting the adjacent public walkways as well as posing a risk to the adjacent, inhabited structures.
- The contractor demonstrated a complete lack of knowledge related to proper construction and safety procedures including permitting himself to stand on the bucket of his backhoe, inside the excavation, with no operator, no sheeting, no harnesses, no ladder or any other method of acceptable, utility construction work practices.
- This was the same contractor who performed the original, defective work thereby causing the Township Engineer to have zero confidence in their ability to perform the required work safely and to proper completion; and

WHEREAS, after removal of the Contractor, the township engineer declared to work an emergency based upon the following:

- There was no sewer service to 1617 and 1621 Broad Street after removal of the contractor.
- The construction area, while backfilled, was left in a hazardous condition that jeopardized the safety of the general public as well as the residents of the impacted residences; and

WHEREAS, it was the decision of the Township Engineer to acquire the services of an experienced utility contractor; and

WHEREAS, at the time of this incident, Carner Brothers, P.O. Box 116, Roseland, New Jersey was in town working on an unrelated utility project for the Township in which they were hired based upon the lowest cost proposal; and

WHEREAS, the Township Engineer directed Carner Brothers to postpone their work at this location and perform the necessary emergency work at 1617-1627 Broad Street on a time and material basis; and

WHEREAS, Carner Brothers satisfactorily performed and completed the required work despite unforeseen subsurface conditions which required the jack hammering of bedrock which increased the time and materials for completion of this work; and

WHEREAS, the Engineering Department inspected the work being performed by Carner Brothers and reviewed all hours, personnel and equipment utilized to complete the work; and

WHEREAS, the Engineering Department hereby recommends payment to Carner Brother, P.O. Box 116, Roseland, New Jersey in the amount of \$40,844.13; and

WHEREAS, the Director of Finance certifies that funding is available within the Townships Sewer Capital Account and Capital Water Utility account.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby authorize the Director of Finance to issue payment to Carner Brothers, P.O. Box 116, Roseland, New Jersey 07068 in the amount of \$40,844.13 for the performance of the sanitary and water supply work.

Vote on the preceding fourteen (14) Consent Agenda Resolutions showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy called for Resolutions.

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

2011 RESOLUTION – APPROVAL OF COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE BLOOMFIELD FIREMEN’S BENEVOLENT ASSOCIATION LOCAL UNION 19

WHEREAS, the Mayor and Council of the Township of Bloomfield and the Bloomfield Firemen’s Benevolent Association Local Union 19 have entered into negotiations for a Collective Negotiations Agreement for the period of August 1, 2011 through December 31, 2014; and

WHEREAS, the Bloomfield Firemen Benevolent Association Local Union 19 have met with their Union members and have voted to accept the terms and conditions outlined in the attached agreement; and

WHEREAS, the Mayor and Council have reviewed the agreement and believe it is in the best interest of the Township to approve the terms and conditions outlined therein; and

WHEREAS, the Director of Finance has certified funding is available.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign, and the Clerk to attest and affix the seal of the Township of Bloomfield to the attached agreement and to agreements drafted between the Township of Bloomfield and the Firemen’s Benevolent Association Local Union 19 for the period August 1, 2011 through December 31, 2014 that incorporate the terms and conditions outlined in the attached agreement.

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Anthony Diaz appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Anthony Diaz be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Anthony Diaz be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has

any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Damian A. Franqui appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Damian A. Franqui be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Damian A. Franqui be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to

certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Robert W. Lee Jr. appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Robert W. Lee Jr. be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Robert W. Lee Jr. be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Jarrett T. Francisco appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Jarrett T. Francisco be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Jarrett T. Francisco be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Joseph M. Calleros appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Joseph M. Calleros be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Joseph M. Calleros be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – FIRE APPOINTMENT

WHEREAS, a vacancy exists in the Bloomfield Fire Department in the position of Firefighter; and

WHEREAS, the Department of Civil Service Commission of the State of New Jersey has promulgated a list of eligible candidates, who have qualified by competitive examination, for appointment to the position of Firefighter in the Bloomfield Fire Department; and

WHEREAS, Patrick J. Fazzini appears on the list of eligible candidates; and

WHEREAS, the Finance Director has certified that funding is available to hire this candidate; and

WHEREAS, the Fire Chief recommends that Patrick J. Fazzini be appointed to the position of Firefighter, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that Patrick J. Fazzini be and is hereby appointed Firefighter in the Fire Department of the Township of Bloomfield effective immediately at the annual salary in effect as reflected in the Union Agreement, subject to certification by the Civil Service Commission, residency verification, successful medical review and criminal background check.

BE IT FURTHER RESOLVED, that if the Fire Chief in consultation with the Township Administrator and Township Attorney find that the above candidate does not meet the Township's residency requirement or the candidate does not receive medical clearance or has

any criminal history this conditional offer of employment will automatically be withdrawn without further action of the council.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION - FOR A PERSON TO PERSON LIQUOR LICENSE TRANSFER

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 0702-44-060-00, currently issued to Bloomfield Wines, Inc., for premises located at 339 Broad Street, Bloomfield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license is current for the 2011-2012 license term.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey does hereby approve, effective September 6, 2011, that a Person-to-Person Transfer of the aforesaid Plenary Retail Distribution licensed premises, from Bloomfield Wines, Inc., License # 0702-44-060-009 to 888 Route 22, Inc., to the location at 339 Broad Street, Bloomfield, New Jersey 07003, and does hereby direct the Township Clerk/ABC Board Secretary to endorse the license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to 888 Route 22, Inc., at the premises located at 339 Broad Street, Bloomfield, New Jersey.”

Vote showed the following:

| | |
|--------------------------------|---------------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Abstained |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – PLENARY RETAIL CONSUMPTION LICENSE

BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that a Plenary Retail Consumption License, expiring June 30, 2011, shall not be renewed for the year 2011 – 2012 until the licensee is granted relief under N.J.S.A. 33:1-12:39 from the Director of the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control to the following named person or corporation for the location set opposite their respective names:

| | |
|---|------------------------|
| DISERIO, INC. d/b/a Parkside Pizzeria – | 455 Broad Street |
| Casa Turano Resturant | Bloomfield, New Jersey |
| License # 0702-33-046-008 | |

Councilman Ruane inquired why the Resolution was needed, to which the Municipal Clerk responded.

Vote showed the following:

| | |
|--------------------------------|---------------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Abstained |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION AFFIRMING THE TOWN COUNCIL'S SUPPORT OF THE BIAS INTIMIDATION STATUTE IN NEW JERSEY AND RESOLVING TO TAKE AFFIRMATIVE STEPS TO GUARANTEE ITS IMPLEMENTATION IN THE TOWNSHIP OF BLOOMFIELD

WHEREAS, the Township of Bloomfield wishes to honor the memory of all those who died as a result of the September 11, 2001, attacks; and

WHEREAS, the Township of Bloomfield has among its residents many who were affected by the tragic events of September 11, 2001; and

WHEREAS, the Township of Bloomfield believes that it is fitting to honor the memory of all those who died or were injured as a result of the September 11, 2001 terrorist attacks, by both protecting national security and by honoring the fundamental constitutional freedoms and protections guaranteed to all persons living in the United States; and

WHEREAS, "*An America for All of Us*" is a national campaign to mark the 10-year anniversary of September 11, 2001 that seeks to reaffirm a commitment to the fundamental American values of justice and equality for all, to ensure racism, xenophobia and anti-immigrant rhetoric have no place in our society against any community, and the diversity of all communities is embraced; and

WHEREAS, over the past 10 years, a post-9/11 backlash has affected communities of color and immigrant communities. "*An America for All of Us*" aims to reaffirm our unique American strength of bringing people from all communities together in order to build a truly inclusive and fair America; and

WHEREAS, the Township of Bloomfield is a rich and vibrant community that prides itself and draws strength from its very American diversity; and

WHEREAS, the Township of Bloomfield has been and remains committed to the fundamental American values of justice and equality for all, to ensure racism, xenophobia and anti-immigrant rhetoric have no place in our society against any community, and the diversity of all communities is embraced; and

WHEREAS, over the course of years, there has been a history of bias crimes in New Jersey that run contrary to our belief in a fair and equal society, and the Township of Bloomfield is committed to ensuring its residents are free from intimidation, bias and/or subject of a crime based upon race, color, religion, gender, handicap, sexual orientation or ethnicity; and

WHEREAS, the State of New Jersey, in 2002, passed the Bias Intimidation statute, N.J.S.A. 2C:16-1, which affords equal protection to all residents; and

WHEREAS, for the Bias Intimidation statute, to be meaningful, it must be enforced and all incidents of suspected bias crimes must be thoroughly investigated and prosecuted where such crimes have been committed; and

NOW, THEREFORE BE IT RESOLVED, the Township of Bloomfield hereby expresses its full support, as a governing body, of the implementation and enforcement of the State of New Jersey's Bias Intimidation Statute; and

BE IT FURTHER RESOLVED, the officers of the Bloomfield Police Department and relevant law enforcement agencies of Township of Bloomfield shall be fully trained in identifying and investigating bias crimes; and

BE IT FURTHER RESOLVED, where officers of the Bloomfield Police Department have police reports and accounts by a victim indicating the crime may be motivated by bias, those reports shall be submitted for review and handled by a law enforcement officer trained in identifying and investigating bias crimes; and

BE IT FURTHER RESOLVED, the relevant law enforcement agencies of Township of Bloomfield shall gather data on bias crimes reported over a specified period and further make accessible data on the number of bias crimes prosecuted based on these reports and prepare a periodic bias crimes report; and

BE IT FURTHER RESOLVED, the law enforcement agencies of Township of Bloomfield shall make accessible resources and literature to its residents informing them of their rights under the NJ Bias Intimidation Statute. They shall further outline the relevant department that handles bias crimes and how, where and when the residents can report bias crimes, and the procedure that follows; and

BE IT FURTHER RESOLVED, law enforcement agencies of Township of Bloomfield shall engage communities affected by bias crimes through community outreach and consider providing higher protection during periods of anticipated violence or harassment against that community where applicable; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be delivered by the City Clerk to the Chief of Police of the Township of Bloomfield.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – TOWNSHIP OF BLOOMFIELD JOINING THE NATIONAL MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH

WHEREAS, the Mayor and Council of Township of Bloomfield expresses their support of the United States Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED, that on the 10th anniversary of this tragic day in United States history the Mayor and Council of the Township of Bloomfield calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED, that the Mayor and Council of Township of Bloomfield encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

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

2011 RESOLUTION – RE-APPOINTMENT CHIEF JUDGE BLOOMFIELD MUNICIPAL COURT

WHEREAS, a John A. Paparazzo currently holds the position of Chief Judge of the Bloomfield Municipal Court; and

WHEREAS, the Chief Judge’s original three year appointment has come to an end; and

WHEREAS, the Mayor and Council desire to reappoint John A. Paparazzo as the Chief Judge of the Bloomfield Municipal Court for another three year term in accordance with N.J.S.A. 2B:12-4.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby re-appoints John A. Paparazzo as Chief Judge of the Bloomfield Municipal Court for a three year term in accordance with N.J.S.A. 2B:12-4.

Councilman Ruane asked if either a complaint or lawsuit had been filed by Court personnel, to which Brian Aloia responded that none in fact had been filed.

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy stated that there was no Unfinished Business.

Under New Business, Councilman Ruane moved that the following individuals be issued Licenses, which was seconded by Councilman Hamilton:

LICENSES FOR SEPTEMBER 6, 2011

MASSAGE/BODY WORK/SOMATIC THERAPIST LICENSE (Individual)

Yves Armand Albaret
(Flic Spa)
149 Central Avenue
West Caldwell, New Jersey

LANDSCAPER LICENSE

Dean's Greens
664 Valley Road
Gillette, New Jersey 07933

Vote showed the following:

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|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy called for Ad Authorizations, to which Township Engineer Paul Lasek asked that approval be given for an Ad for the Wright's Field Play Area and an Ad for the purchase of sewer camera equipment. Councilwoman Dunigan moved, and Councilman Joanow seconded, the request for the Ad Authorizations.

Vote showed the following:

| | |
|--------------------------------|----------------------------|
| Councilwoman Litterio – Absent | Councilman Venezia – Yes |
| Councilman Joanow – Yes | Councilwoman Dunigan – Yes |
| Councilman Ruane – Yes | Councilman Hamilton – Yes |
| Mayor McCarthy – Yes | |

Mayor McCarthy stated that there was no Miscellaneous Business to be discussed, but the Mayor took the opportunity to thank Township Engineer Paul Lasek for acting as the Township Administrator while the Administrator was on vacation.

There being no further business to discuss, Mayor McCarthy called for a Motion to Adjourn the meeting.

Bloomfield, New Jersey 07003
September 6, 2011
Regular Meeting

Councilman Hamilton moved, and Councilman Joanow seconded, the Adjournment of the meeting. The meeting adjourned at 8:17 p.m.

Respectfully submitted,


Louise M. Palagano, Municipal Clerk