



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 09/18/17 07:00 PM

17-36

2017 ORDINANCE AMENDMENT

AN ORDINANCE THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, CREATING A PARKING UTILITY

WHEREAS, the Township Council of the Township of Bloomfield, in the County of Essex, State of New Jersey, (the "Township"), has determined that it is in the best interests of the residents of the Township to dissolve the Parking Authority of the Township of Bloomfield ("BPA") and merge the duties and responsibilities thereof into a newly formulated municipal parking utility; and

WHEREAS, pursuant to statute, a municipality is permitted to operate municipal utilities; and

WHEREAS, pursuant to N.J.S.A. 40A:1-1, a municipal public utility is defined as any enterprise from which a municipality anticipates it will receive fees, rents or other charges; and

WHEREAS, a municipal utility is required for accounting and budgetary purposes, to be treated as a separate and distinct entity pursuant to N.J.S.A. 40A:4-62; and

WHEREAS, in light of the dissolution of the BPA, the Township wishes to create a municipal utility encompassing its parking operations to accurately and properly budget and account for the expenses and revenues relating thereto in a manner which is permitted by statute and which is separate and distinct from the usual operations of municipal government.

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

Section 1. Establishment. There is hereby created under the terms of this ordinance a public utility for the purpose of managing its parking operations within the Township of Bloomfield, County of Essex, State of New Jersey. For budgetary and accounting purposes, this utility shall be a separate entity, having its own separate accounts and its own separate property, whether it be real, personal or mixed.

Section 2. Official Name. The name by which the Utility shall be known is "The Bloomfield Parking Utility", and hereinafter the "Utility".

Section 3. Functions. It shall be the function of the Utility to budget and account for the parking operations undertaken by the Township; to preserve, care for, lay out, construct, maintain, improve and operate lands, buildings, and facilities used for the provision of public parking and the enforcement of the Township's laws and regulations concerning parking; to construct, reconstruct, alter, provide, renew and maintain buildings or other structures and equipment and provide for the care, custody and control thereof in the operation of the Utility; to raise money necessary to pay for the lands, rights or interest therein acquired for parking

APPROVED AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH

DIRECTOR OF LAW-TOWNSHIP ATTORNEY

activities, and for improving and equipping the same; to pay or make provision for the payment of the reasonable expenses in each fiscal year of the Utility; to pay to those persons entitled thereto the interest and principal on notes and bonds of the Utility, and to deposit and accumulate reserve funds or reserves.

Section 4. Governing Regulations. The Utility shall be governed by the ordinances, the Administrative Code, and the resolutions adopted by the Township Council and by administrative directives.

Section 5. Financial Affairs. The financial affairs of the Utility shall be governed in accordance with the statutes applying to the financial affairs of the municipality and utilities in general.

Section 6. Acquisition of Property. The Utility may, from time to time, acquire such real property as may be authorized by the Township Council by duly adopted ordinances according to the laws of the State of New Jersey.

Section 7. Appointment of Certain Employees, Salaries and Compensation. The Mayor shall have the full authority to appoint and employ all necessary employees for the Utility. Salaries of the employees will be in accordance with classification and salary ordinances duly adopted by the Township Council. Portions of salaries of existing employees may be pro-rated based on the amount of time spent on parking operations compared to the employees' full time Township responsibilities.

Section 8. Utility Charges. The Utility shall have authority to charge and collect monies for the use of the utilities facilities whether they be user charges, rental fees, or lease payments, and to use these monies to defray the cost of acquisition of lands, buildings and facilities, rights and interests therein, to equip the facilities, to pay the Utility's current expenses and to pay the interest and principal on notes and bonds all in accordance with such duly adopted ordinances and/or resolutions of the Township Council. The initial rates and fees shall be as currently on file with the Parking Authority.

Section 9. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 10. Repeal of All Inconsistent Ordinances. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 11. Effective Date. This ordinance shall take effect as of the dissolution of the Parking Authority.

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I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on SEPTEMBER 18, 2017.

Louise M. Pellegrino

 Municipal Clerk of the Township of Bloomfield

ME VJg

 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Carlos Bernard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Wartyna Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Ted Gamble	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Approve	Carlos Pomares	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

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<input type="checkbox"/> Adopt						
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