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Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldwpnj.com>

Meeting: 04/13/15 07:00 PM

15-24

2015 ORDINANCE AMENDMENT

ORDINANCE TO REPEAL AND AMEND CHAPTER 497, STREETS & SIDEWALKS, ARTICLE IX. PARKLETS

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that CHAPTER 497, STREETS & SIDEWALKS, ARTICLE IX.

PARKLETS be repealed and amended as follows:

Section 1. Chapter 497 - Streets and Sidewalk, Article IX. Streetscapes:

- I. **PURPOSE:** The purpose of this ordinance is to establish a permit process and design requirements for excavation, construction and restoration within the public right of way of County-Owned and Township-Owned, public right-of ways designated as "Streetscapes" as provided in Schedule A of this ordinance.
- II. **BACKGROUND:** Certain street improvements within the Township of Bloomfield, notably in areas of redevelopment and commercial business districts have been constructed to provide amenities beyond typical roadway construction. These amenities include, but are not limited to, concrete sidewalks scored or pressed with a surface pattern; concrete or brick paver strips; curbed islands or extensions; street plantings; street furniture; decorative lighting; textured crosswalks and striping. If construction of any type that requires excavation and restoration within the sidewalk or street area of a streetscape, the party responsible for the work shall fully restore the streetscape to its pre-construction condition to the satisfaction and approval of the Bloomfield Engineering Department.
- III. **GENERAL REQUIREMENTS:**
 - 1. The installation, repair or replacement of curbs and sidewalks within an area designated as a Streetscape is the responsibility of the fronting property owner or business owner.
 - 2. No sidewalk, curb, driveway, gutter or drain across the sidewalk space shall be laid in any street in the Township until a written permit, signed by the Township Engineer, shall have been issued. All such permits shall be valid for three months from the date of issuance.
 - 3. This Ordinance shall not pertain to any newly constructed streetscape projects that are under a Performance or Maintenance Bond held by the Township related to a construction contract. Under such circumstances, the party requesting or responsible for the R.O.W. opening shall apply for a permit; perform the necessary work or construction and backfill the excavation with properly compacted quarry process stone or dense graded aggregate up to the finished, adjacent grade. The township will then complete the restoration under the current performance or maintenance bond held for the streetscape project.

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

Bill [Signature]
of Law - Township Attorney

IV. PERMIT REQUIREMENTS

1. Prior to any disturbance or excavation of a streetscape area, the responsible party shall apply for a right-of way (R.O.W.) opening permit from the Township Engineering Department.
2. Each application for a road opening in a streetscape area shall be accompanied by a detailed plan, sketch or drawing indicating the location of the excavation; the materials that will be disturbed during the construction or excavation as well as specifications of the materials that will be used for restoration.
3. All disturbed areas of a streetscape will be restored to match the preconstruction conditions. For example, colored or scored concrete shall be reinstalled to match the existing or adjacent streetscape; brick or stone pavers shall be installed to match the pre-construction pavers; traffic striping shall be replaced to match the existing patterns.
4. All applications for a R.O.W. opening in a streetscape area shall be accompanied by a performance bond in the amount of \$10,000. Performance bonds shall be in a form acceptable to the engineering department and shall not be posted as cash or checks.
5. Qualifications of the Contractor:
 - a. All work performed in a streetscape area shall be performed by a Contractor who possesses a valid New Jersey Certificate of Business Registration.
 - b. The contractor shall provide a valid N.J Certificate of Business registration at the time that the R.O.W. Opening application is submitted. Failure to provide the certificate will result in denial of the application.

V. CONSTRUCTION REQUIREMENTS:

1. Upon approval of a R.O.W. opening application within a streetscape, the contractor shall notify the engineering department within forty-eight (48) hours of the proposed construction.
2. The contractor shall be responsible for safety, maintenance and protection of traffic and pedestrians during construction and shall arrange for police traffic directors through the township traffic division.
3. The contractor shall be responsible to schedule inspection of the work by the engineering department. Failure to have the work properly inspected by the Bloomfield Engineering Department may result in rejection of the work and a requirement to re-do the work under proper inspection.
4. Shop drawing and/ or specification sheets for any new streetscape material installed at the site shall be submitted to the engineering department for approval prior to installation.

5. Installation of streetscape materials that are not approved by the Bloomfield Engineering Department and are found to be out of compliance with the department's specifications shall be removed and replaced with compliant materials at the expense of the contractor or permit holder.
6. Once the work is completed, and the area properly restored, the contractor or permit holder shall schedule a final inspection of the work with the Bloomfield Engineering Department. If the work is found to be in compliance with the requirements of the Engineering Department the department will recommend release of the Performance Bond for the work.
7. Prior to release of the performance bond, the permit holder shall post a 1-year maintenance bond in the amount of \$2,000.00. The bond shall be effective from the date of approval by the engineering department and shall expire three-hundred-sixty-five (365) calendar days after.
8. Maintenance Bonds shall be in a form acceptable to the engineering department and shall not be posted as cash or checks.

VI. EMERGENCY REPAIRS

1. The Engineering Department recognizes the need to perform emergency work such as water service breaks, sewer back-ups and collapses and other such incidents that require immediate repair for health and safety reasons.
2. If a property owner or business owner feels a repair is an emergency, they shall first contact the engineering department to get an assessment and determination of an emergency situation related to a repair. If the engineering department determines a situation to be an emergency they shall direct the property owner or business owner to proceed with the repair.
3. Once an emergency repair is completed, the contractor shall backfill the excavation to the adjacent, surrounding, grades with quarry processed stone or dense graded aggregate. If the excavation is within a roadway, the last four inches of the backfill shall be made with bituminous asphalt base course.
4. Within thirty (30) days of the completion of an emergency repair, the responsible party shall submit a R.O.W. opening permit in accordance to Paragraph IV of this ordinance and complete the restoration in accordance to this chapter. If weather conditions do not allow for construction of the restoration within thirty days, the responsible party shall request, in writing, for an extension of time to complete the work. All requests for an extension of time shall be made to the Bloomfield Engineering Department. No requests shall be considered by the engineering department unless they are formally requested in writing.

VII. VIOLATIONS & PENALTIES

If a business owner or property owner fails to make or perform the excavation and restoration of a road opening in a streetscape area to the satisfaction of the Engineering Department, the township may perform the work and back-charge or assess the responsible party for the repairs after giving thirty (30) days' notice.

BE IT FURTHER ORDAINED, that schedule A shall be amended to read as follows:

SCHEDULE A - LOCATIONS DESIGNATED AS STREETSCAPES

Broad Street - From a location approximately sixty (60) feet south of its centerline intersection with James/Pitt Street to a location approximately fifty (50) feet north of its intersection with Hoover Avenue, including all curb and sidewalk improvements along intersecting side streets within this limit.

Section 2. All ordinances inconsistent herewith are hereby amended.

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

* * * * *

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 *MAY 4, 2015*.

Louise P. Palazzo

Municipal Clerk of the Township of Bloomfield

Mr. Ugg

Mayor of the Township of Bloomfield

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

✓ Vote Record - Ordinance					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt					

<input type="checkbox"/> Deny	Elias N. Chalet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/> Approve	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor					
<input type="checkbox"/> Discussion					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Discussion No Vote					