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(1)



**Township Council**  
1 Municipal Plaza  
Bloomfield, NJ 07003

**Louise M. Palagano**  
*Municipal Clerk*

<http://www.bloomfieldtnj.com>

Meeting: 04/02/12 07:00 PM

12-26

**2012 ORDINANCE AMENDMENT**

**ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD,  
COUNTY OF ESSEX, NEW JERSEY AMENDING CHAPTER 254  
OF THE TOWNSHIP CODE**

**WHEREAS**, on October 3, 1988, the Township Council (the "Township Council") of the Township of Bloomfield (the "Township") adopted an ordinance that was subsequently codified in Chapter 254 of the Township Code ("Chapter 254"), relating to the parking of motor vehicles in on and off-street parking facilities within the Township; and

**WHEREAS**, on August 4, 2003, the Township Council adopted Ordinance No. 03-27 (the "Creation Ordinance"), which was subsequently codified in Chapter 64 of the Township Code ("Chapter 64"), pursuant to the Parking Authority Law of the State of New Jersey (the "State"), N.J.S.A. 40A:11A-1 *et seq.*, as amended and supplemented (the "Act"), creating and establishing the Parking Authority of the Township of Bloomfield (the "Authority") as a public body corporate and politic of the State and an agency of the Township with all the powers, privileges, and authority conferred by the Creation Ordinance and the Act including, but not limited to the management and operation of all parking meters and related facilities located within the Township; and

**WHEREAS**, the purposes of the Authority are, among other things, the construction, provision or operation of off-street parking projects within the Township, the management and operation of on-street and other parking meters and related facilities, the enforcement of applicable law, ordinances and regulations as to the parking of vehicles in the Township and the consequent promotion of free movement of traffic and relief of traffic congestion on the streets of the Township, and improvement of conditions affecting the public safety and welfare therein;

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

*Bill A. Acosta*  
Director of Law - Township Attorney

and

**WHEREAS**, the Authority's Parking Consultant, Level G Associates, LLC (the "Parking Consultant") prepared a Parking Master Plan (the "Parking Master Plan"), which included the review and evaluation of all aspects of the Authority's operations, and the preparation of a series of recommendations and strategies that act as a roadmap for the continued development of the Authority; and

**WHEREAS**, among other things, the Parking Consultant recommended, in the Parking Master Plan, that the Authority pursue the installation of on-street parking meters in certain areas of the Township, including along portions of Broad Street, which will result in a more even parking distribution and minimize the existing disruption to normal parking and traffic activity; and

**WHEREAS**, as set forth in Resolution No. 2011-11-22-6 adopted by the Authority, a copy of which was submitted to the Township Clerk, the Authority found that the absence of on-street parking meters in certain areas of the Township, particularly along portions of Broad Street, results in an uneven distribution of parking which, in turn, disrupts normal parking and traffic activities and it agreed with the Parking Consultant's findings and recommendations, and, accordingly, the Authority has requested that the Township Council take such action, including the adoption thereby of an appropriate ordinance, as may be necessary to approve the installation of on-street parking meters along the East and West sides of Broad Street, between Belleville Avenue and the Railroad Trestle/Maple Street, and along the South side of State Street, in accordance with the map attached hereto as **Exhibit A**; and

**WHEREAS**, in light of advances in technology relating to parking meters and similar

equipment, in light of the creation of the Authority and its role in parking-related matters, and in light of the conversion of certain metered parking facilities to permit-controlled parking facilities, certain definitions and other provisions contained in Chapter 254 the Township Code should also be amended; and

**WHEREAS**, the Township Council desires to amend Chapter 254 of the Township Code to establish additional on-street parking meter zones and to amend certain provisions relating to the parking of motor vehicles in public parking facilities in the Township.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The following definitions in Section 254-31, entitled "Definitions", are hereby amended as follows:

- (a) The definition of the term "PARKING METER" is hereby amended as follows:
  - a. In the second sentence, the phrase "Township Council" is hereby deleted and replaced with the following phrase: "Parking Authority of the Township of Bloomfield pursuant to Chapter 64-3D".
  - b. In the second sentence, the phrase "at all time" shall be deleted.
- (b) The definition of the term "PARKING METER SPACE" is hereby amended as follows:
  - a. The phrase "adjacent to a parking meter and which is duly" is hereby deleted.
  - b. The phrase "painted or otherwise durably marked on the curb or on the surface of the street or lot adjacent to or adjoining the parking meters" is hereby deleted and replaced with the following phrase: ", signs, or other markings".

**Section 3.** Section 254-32, entitled "Designation of parking spaces", is hereby

amended as follows:

- (a) In the first sentence, the phrase “painted or marked on the curbing or surface of the street or lot” shall be deleted and replaced with the phrase “, signs, or other markings”.
- (b) In the second sentence, the phrase “so marked off” shall be deleted.

**Section 4.** Section 254-33, entitled “Installation of parking meters”, is hereby deleted and replaced with the following:

“In said parking meter zones, the Parking Authority of the Township of Bloomfield shall cause parking meters to be installed upon the curb, sidewalk or areas proximate to the parking spaces provided in §254-32 of this article. No parking meters shall be installed in areas where parking is prohibited pursuant to the provisions of N.J.S.A. 39:4-138. Each device shall be so set as to display a signal or issue customer receipts or paper slips showing legal parking upon the deposit of the appropriate U.S. currency or valid credit or debit card, for the period of time determined by the Parking Authority. Each device shall be capable of providing information to parking enforcement officers and parking customers that upon expiration of the lawful time limit, the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease, and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.”

**Section 5.** Section 254-34, entitled “Operation of parking meters”, is hereby amended as follows:

- (a) In the first sentence, the phrase “alongside or next to which a parking meter is located” shall be deleted and replaced with the following: “which is controlled by a parking meter”.
- (b) In the first sentence, the phrase “coin of the United States of America” shall be deleted and replaced with the following: “U.S. currency or valid credit or debit card”.
- (c) The word “coin”, wherever appearing, shall be deleted and replaced with the word “fee”.
- (d) In the second sentence, the phrase “or parking lot” shall be inserted after the word “street”.

**Section 6.** Section 254-35, entitled “Manner of parking”, is hereby amended as follows:

- (a) In the phrase beginning with the language “When a parking meter space is parallel with the adjacent curb or sidewalk”, immediately after such language the following

language shall be added: "and controlled by a single-headed meter".

- (b) Immediately after the first semi-colon appearing in the first sentence, the following phrase shall be added: "when a parking meter space is parallel with the adjacent curb or sidewalk and is controlled by a double-headed parking meter, no person shall park or permit the parking of any vehicle in such parking space in any other position than with the foremost or rearmost part of such vehicle nearest to the parking meter;"

**Section 7.** Section 254-36, entitled "Violations", is hereby amended as follows:

- (a) In paragraph A, the word "coin" shall be deleted and replaced with the following phrase: "U.S. currency, or valid credit or debit card".
- (b) In paragraph B:
  - a. the phrase "Adjacent to" shall be deleted and replaced with the following phrase: "controlled by"; and
  - b. the following phrase shall be inserted after the word "signal": "or has provided evidence".
- (c) In paragraph C, the phrase "such lines or markings" shall be deleted and replaced with the following phrase: "lines, markings or signage".
- (d) In paragraph E, the word "coins" shall be deleted and replaced with the word "currency".

**Section 8.** Section 254-37, entitled "Reports of violations; citations", is hereby amended as follows:

- (a) In paragraph A, the phrase "or parking enforcement officers" shall be added immediately after the phrase "Chief of Police,".
- (b) In paragraph A(1), the phrase "adjacent to" shall be deleted and replaced with the phrase "controlled by".
- (c) In paragraph B, the phrase "or parking enforcement officer" shall be added immediately after the phrase "police officer".

**Section 9.** Section 254-39, entitled "Purpose of meter deposits" and Chapter 254-40, entitled "Collection of coins from meters; disposition thereof" are hereby deleted in their entirety.

**Section 10.** Chapter 254-64, entitled "Schedule XXIV: Parking Meter Zones",

Subsection A, entitled “On-street parking meter zones”, is hereby amended as follows:

- (a) The first paragraph shall be deleted and replaced with the following: “Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours, and upon the deposit of such amounts as may be determined and specified, from time to time, by the Parking Authority of the Township of Bloomfield pursuant to Chapter 64-3D:”
- (b) The column entitled “Rate/Time Limit” shall be deleted in its entirety.
- (c) Immediately beneath the line

<b>“Name of Street</b>	<b>Side</b>	<b>Location</b>
Broad Street	East	From Hoover Avenue to a point opposite Waverly Terrace”

the following shall be added:

“Broad StreetEastFrom Belleville Avenue to Maple Street		
Broad Street	West	From Belleville Avenue to a point opposite Maple Street”

- (d) Immediately beneath the line

“State StreetWestFrom Bloomfield Avenue to 150 feet north of Liberty Street”		
--	--	--

the following shall be added:

“State StreetSouthFrom Broad Street to 310 feet west of Broad Street”		
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- (e) The following lines shall be deleted in their entirety:

"Lackawanna Plaza North From Glenwood Avenue to the driveway of Lackawanna lot		
Lackawanna Plaza	North	From Lackawanna lot to Washington Street
Lackawanna Plaza	South	From Glenwood Avenue to Washington Street"

**Section 11.** Chapter 254-64, entitled "Schedule XXIV: Parking Meter Zones", Subsection B, entitled "Off-street parking meter zones", is hereby amended as follows:

- (a) The first paragraph shall be deleted and replaced with the following: "Parking or standing a vehicle in a parking meter space in off-street parking meter zones owned or controlled by the Parking Authority of the Township of Bloomfield shall be lawful only when not in excess of the maximum time, and only upon the deposit of such amounts, as may be determined, from time to time, by the Parking Authority of the Township of Bloomfield pursuant to Chapter 64-3D."
- (b) The balance of Subsection B shall be deleted.

**Section 12.** All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

**Section 13.** If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

**Section 14.** This ordinance shall take effect in accordance with applicable law.

**EXHIBIT A**

\* \* \* \* \*

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

*Louise M. Palapano*  
 \_\_\_\_\_  
 Municipal Clerk of the Township of Bloomfield

*Raymond Dunigan*  
 \_\_\_\_\_  
 Mayor of the Township of Bloomfield

✓ Vote Record -						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt	Elias 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	Michael Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/> First Reading	Bernard Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						

✓ Vote Record -						
		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/> Adopt	Elias 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	Michael Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Bernard Hamilton	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						



**ESSEX COUNTY BOARD OF CHOSEN FREEHOLDERS**

HALL OF RECORDS, ROOM 558  
465 DR. MARTIN LUTHER KING, JR., BLVD.  
NEWARK, NJ 07102

(973) 621-4486  
(973) 621-5695 (FAX)

Email:

DDAVISFORD@FREEHOLDERS.ESSEXCOUNTYNJ.ORG

**Deborah Davis Ford**  
Clerk of the Board

July 16, 2012

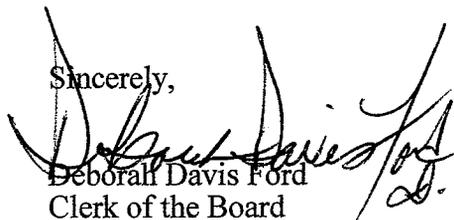
James Paganelli  
Essex County Counsel  
Hall of Records, Room 530  
Newark, NJ 07104

Resolution No's: R-2012-00548, 00549, 00550, 00551,  
00552, 00553, 00554, 00560, 00561, 00562, 00565,  
00567, 00570  
With Attachments  
Meeting Date: July 11, 2012

Dear Mr. Paganelli:

Enclosed please find certified copies of the above-noted resolution which were adopted by the Essex County Board of Chosen Freeholders on July 11, 2012.

Sincerely,

  
Deborah Davis Ford  
Clerk of the Board

DDF:lt

Enclosures: Cert. Copies of Resolution with Attachment

cc:

RECEIVED  
TOWNSHIP OF ALDENFIELD  
BLANCHFIELD, NEW JERSEY  
07043  
2012 JUL 23 A 9:19  
COUNTY OF ESSEX  
CLERK OF BOARD OF CHOSEN FREEHOLDERS  
465 DR. MARTIN LUTHER KING, JR. BLVD.  
NEWARK, NJ 07102

<b>TO</b>	<b># of Copies</b>	<b>Res – Ord #</b>
Mark Acker, Dir. Dept. of Administration & Finance	AS PER RESOLUTION	R-2012-00548, 00549, 00550, 00551, 00552, 00553, 00554, 00560,00561, 00562, 00565, 00567,00570
Norman Willis, Chief Financial Officer of Accounts & Controls	AS PER RESOLUTION	R-2012-00548, 00549, 00550, 00551, 00552, 00553, 00554, 00560,00561, 00562, 00565, 00567,00570
Sanjeev Varghese, Dir. Dept. of Public Works	AS PER RESOLUTION	R-2012-00570
Daniel K. Salvante, Dir. Parks, Recreation & Cultural Affairs	AS PER RESOLUTION	R-2012-00565, 00567
Dolores Capetola, Assistant County Counsel	AS PER RESOLUTION	R-2012-00548
Carolyn A. Murray, A/ Essex County Prosecutor	AS PER RESOLUTION	R-2012-00548
Proact, Inc. c/o David B. Warner,	AS PER RESOLUTION	R-2012- 00549
Ralph J. Ciallella, County Administrator	AS PER RESOLUTION	R-2012-00549
Frank DelGuadio, County Risk Manager	AS PER RESOLUTION	R-2012-00550, 00551, 00552, 00553, 00554
Jim Jorgenson, Dir. Purchasing Dept.	AS PER RESOLUTION	R-2012-00550, 00551, 00552, 00553, 00554
George F. Serio, Jr., Deputy Dir. Division of Housing and Community Development	AS PER RESOLUTION	R-2012-00560, 00561, 00562
Louise M. Palagano, Township Clerk, Township of Bloomfield	AS PER RESOLUTION	R-2012-00570



COUNTY OF ESSEX, NEW JERSEY  
BOARD OF CHOSEN FREEHOLDERS

State of New Jersey, }  
County of Essex } ss

I Deborah Davis Ford Clerk of the Board of Chosen

Freeholders of the County of Essex in the State of New Jersey

Do Hereby Certify, the foregoing to be a true copy of a resolution adopted at a

meeting of said Board on Wednesday

the 11th day of July 2012, together with the

certification, signatures and endorsements thereon.

RESOLUTION NO: R-2012-00548, 00549, 00550, 00551, 00552, 00553, 00554, 00560, 00561,  
00562, 00565, 00567, 00570

*In Testimony WHEREOF, I have hereunto set my  
hand and affixed the official seal of said County at  
Newark this 16th day of  
July A.D. 2012*

Clerk

RESOLUTION OF THE BOARD OF FREEHOLDERS  
COUNTY OF ESSEX

#33

RESOLUTION NO. 2012-00570 AUTHORITY FOR RESOLUTION: N.J.S.A. 40:41A-38(n)

PROPOSED BY: COUNTY EXECUTIVE

AUTHORITY FOR ACTION: N.J.S.A. 40:41A-36(i)

**SUBJECT:** DEPARTMENT OF PUBLIC WORKS, DIVISION OF ENGINEERING –  
RESOLUTION CONSENTING TO THE TOWNSHIP OF BLOOMFIELD  
ORDINANCE #12-26 – PARKING

**WHEREAS**, on April 16, 2012, the Township of Bloomfield adopted Ordinance #12-26 which seeks to establish additional on street parking meter zones on Broad Street and to amend certain provisions relating to the parking of motor vehicles in public parking facilities in the Township; and

**WHEREAS**, the Township's Ordinance insofar as it affects a County road, has been approved by the Office of the County Engineer; and

**WHEREAS**, the Township's Ordinance does not conflict with any County regulations; and

**WHEREAS**, it is recommended the Board of Chosen Freeholders adopt a Resolution consenting to the provisions set forth in the Township of Bloomfield Ordinance as it pertains to County roads, now, therefore, be it.

**RESOLVED**, by the Board of Chosen Freeholder of the County of Essex as follows:

1. That the Resolution is approved, insofar as it affects the County roads in the Township of Bloomfield.
2. That the Clerk of the Board is hereby directed to forward one (1) certified copy of this Resolution to the Clerk, Township of Bloomfield and two (2) copies to Sanjeev Varghese, Director, Department of Public Works and County Counsel

Approved as to form and legality *[Signature]* Date 6/21/12

ESSEX COUNTY COUNSEL

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved By Freeholder *Johnson*  
 Second by Freeholder *Beasley*

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
Beasley	X				Luciano				X
Bobadilla				X	Payne, Jr.				X
Clark	X				Sebold, V.P.	X			
Gill	X				Watson, Pres.	X			
Johnson	X								

It is hereby certified that the foregoing Resolution was  adopted ( ) defeated ( ) tabled by roll call vote at a Regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on July 11, 2012.

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

*Blonnie R. Watson*  
 Blonnie R. Watson, President

RECEIVED  
 CLERK OF THE BOARD  
 2012 JUL -3 P 14:33  
 ESSEX COUNTY  
 BOARD OF  
 CHOSN FREEHOLDERS

Township of Bloomfield