

# MINUTES FOR BLOOMFIELD TOWNSHIP REGULAR MEETING

Monday, June 22, 2020

7:00 PM – Council Chambers, 1 Municipal Plaza, 2nd Floor, Municipal Building



Notice is hereby given that the June 22, 2020 Regular Council meeting of the Township of Bloomfield, will now be open to the general public. The meeting will be held in the Council Chambers, 1 Municipal Plaza, at 7:00 pm. Social distance rules must be maintained and will necessarily limit seating capacity. However, all who wish to make a public comment before the Mayor and Council will be given the opportunity to speak. Township Council Meetings will be streaming live on Channel 35, (Comcast), Channel 30 (Verizon), or Facebook Live. A link for the livestream will be posted on the township website, [www.bloomfieldtwpnj.com](http://www.bloomfieldtwpnj.com).

## I. Call to Order

Sixth Regular Meeting of the Township Council.

Mayor Venezia called the Meeting to Order at 7:00 P.M.

Notice of the 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 Meeting Act).

1. By posting such notice on the bulletin board in the Municipal Building, and
2. By email notification generated by IQM2 to the offices of the Independent Press, Bloomfield Life, the Star Ledger, Patch, Baristanet and TAPinto Bloomfield.

This was followed by the Pledge of Allegiance.

Roll Call showed the following:

Attendee Name	Title	Status	Arrived
Jenny Mundell	First Ward Councilwoman	Present	
Nicholas Joanow	Second Ward Councilman	Present	
Sarah Cruz	Third Ward Councilwoman	Present	
Wartyna Davis	Councilwoman	Present	
Ted Gamble	Councilman	Present	
Richard Rockwell	Councilman	Present	
Michael J. Venezia	Mayor	Present	

**Also present:** Also present: Louise Palagano, Municipal Clerk; Michael Parlavecchio, Township Attorney; Catherine Finkler, Deputy Municipal Clerk; Jean-Guy Lauture, IT Director; Carmine Sarno, Comptroller, Kimberly Duva, Personnel Director; Sam DeMaio, Public Safety Director; Lou Venezia, Fire Chief

## II. Proclamations

There were no proclamations at this time.

## III. Presentation

There was no presentation at this time.

#### **IV. Minutes Approval**

Mayor Venezia called for the approval of Minutes from previous meetings, which were moved by Councilwoman Mundell and seconded by Councilman Joanow:

1. Minutes of May 4, 2020 Conference Meeting
2. Minute of May 18, 2020 Regular Meeting

Vote showed the following:

Councilwoman Mundell – Yes	Councilwoman Davis - Yes
Councilman Joanow - Yes	Councilman Gamble - Yes
Councilwoman Cruz - Yes	Councilman Rockwell – Yes
Mayor Venezia – Yes	

#### **V. Opening and Reading of Bids**

There were no opening and reading of bids at this time.

#### **VI. Administrative Agenda Presented by the Township Administrator**

There was no administrative agenda at this time.

#### **VII. Reports of Special Council Committees**

There were no reports from the Special Council Committees at this time.

#### **VIII. Communications**

1. NJDEP No Further Action Letter and Covenant Not to Sue:
  - a. May 13, 2020 – 166 Leslie Street
  - b. May 26 – 186 Ampere Parkway
2. Notice from NJDEP received June 3, 2020: Final Discharge to Surface Water Permit Action issued for the Sciliano Building as prepared by the Bureau of Surface Water Permitting.
3. Legal Notice of Intent to Appear Before The Bloomfield Zoning Board of Adjustment – Application requesting development approval for 17 Warren Street.
4. Notice of filing to Public Service Electric and Gas (PSE&G) Company Electric Customers in the matter of the petition of PSE&G Company for approval of the recovery of associated costs related to the Transition Renewable Energy Certificate Program (“TREC”).
5. Notice from PSE&G dated June 1, 2020 – Informing of their application to the NJDEP for a Flood Hazard Area Individual Permit Extension in support of PSE&G Electric Overhead Transmission Rights-Of-Way Maintenance to Permit the Continued use of Selective Herbicide Application within Riparian Zones.
6. Notice from Garden State Municipal Joint Insurance Fund (GSMJIF) dated June 15, 2020 that the GSMJIF will conduct its monthly meeting on June 24<sup>th</sup>, 2020 at 11:00 am.
7. Notice from NJDOT dated June 15, 2020 – Reminder that the FY 2021 applications are due on Wednesday, July 1<sup>st</sup>, 2020 for Municipal Aid, Bikeways, Safe Streets to Transit and Transit Village programs.

8. Notice from the North Jersey District Water Supply Commission dated June 15, 2020 – The Wednesday, June 24, 2020 monthly meeting is being held as scheduled. A call in number is available to participate.
9. Notice of Public hearing from the City of Clifton Planning Board dated June 11, 2020 that on June 25, 2020 at 8:00 P.M. and thereafter, the “Board” will hold a virtual continued public hearing regarding the applications of PB Nutclif Master, LLC for Preliminary and Final Major Subdivision approval.
10. Notice of remote hearing from the Township of Bloomfield Zoning Board of Adjustment that the Special Meeting of June 25, 2020 regarding an application from 26 Baldwin Street will be held via Zoom Webinar.

Norm Sutaria of Bloomfield, NJ, took to the microphone to thank the Mayor and Council for celebrating Juneteenth. He also thanked Director DeMaio for updating the Bloomfield Police Department website with the policies. He talked about the need for a Community Advisory Committee, efforts to help the community understand complicit bias training/de-escalation training and asked about how the township budget can be modified to help remove some of the non-emergency, non-law enforcement task load from the Police Department.

#### **IX. Introduction of Proposed Ordinances on First Reading**

Mayor Venezia called for the Introduction of Proposed Ordinances on First Reading, after which the following were introduced:

#### **AN ORDINANCE TO AMEND CHAPTER 254, “VEHICLES AND TRAFFIC”, ARTICLE III, “Parking, Standing and Stopping”, §254-18 “Parking prohibited at all times”**

**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 254 “VEHICLES AND TRAFFIC”, Article III Parking, Standing and Stopping, § 254-18, “Parking Prohibited at All Times”, of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended by the addition of the following to § 254-54 Schedule XIV: Parking Prohibited at All Times:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Rowe Place	North	From the corner of Rawson Place and running 16 feet therefrom

**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.

Vote showed the following:

<b>RESULT:</b>	<b>APPROVE [UNANIMOUS]</b>	<b>Next: 7/27/2020 6:30 PM</b>
<b>MOVER:</b>	Sarah Cruz, Third Ward Councilwoman	
<b>SECONDER:</b>	Wartyna Davis, Councilwoman	
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia	

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

**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 387-4, "Enumeration of restricted parking areas", of the Code of the Township of Bloomfield is hereby amended by the deletion of the following:

- 1) Beardsley Avenue, north side starting at a point 180 feet east of the eastern curb line of Grove Street and running 20 feet east therefrom (437 Beardsley Avenue)

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.

Vote showed the following:

<b>RESULT:</b>	<b>APPROVE [UNANIMOUS]</b>	<b>Next: 7/27/2020 6:30 PM</b>
<b>MOVER:</b>	Wartyna Davis, Councilwoman	
<b>SECONDER:</b>	Ted Gamble, Councilman	
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia	

**X. Hearing Upon, Adoption or Amendment of Proposed Ordinances on Second Reading**

Mayor Venezia called for the Hearing, Adoption or Amendment of Proposed Ordinances on Second Reading. Mayor Venezia asked that the following ordinance regarding the M1 Zone be tabled until the July 27, 2020 Council Meeting. Due to the COVID-19 pandemic and cancellation of various meeting, the Zoning Board had not been able to review. Mayor Venezia asked for a motion to table. Councilman Gamble moved and Councilman Rockwell seconded tabling the vote until July 27, 2020. Roll call showed the following:

**ORDINANCE AMENDING CHAPTER 315, ARTICLE V. ZONING, § 315-34 "ESTABLISHMENT OF ZONES" OF THE TOWNSHIP OF BLOOMFIELD CODE, REVISING THE ZONING MAP TO PLACE BLOCK 224, LOTS 7, 9, 10 AND 11 IN THE M-1 ZONE**

**WHEREAS**, Chapter 315, Article V. Zoning, § 315-34 "Establishment of Zones", of the Township of Bloomfield Code (**the "Code"**) acknowledged in §315-34(B) that the Zoning Map of the

Township of Bloomfield was adopted on July 25, 2005, and that the Map depicts the location and boundaries of the 17 zones, two overlay districts and the designated redevelopment areas within the territory of the Township of Bloomfield (the “**Township**”); and

WHEREAS, following a reexamination of the Township Master Plan, the Township adopted an amended Zoning Map on October 6, 2014; and

**WHEREAS**, §315-34 (A) (15) of the Code established the M-1 Zone - General Industrial (“**M-1 Zone**”) within the Township, which is reflected on the 2014 Zoning Map; and

**WHEREAS**, §315-38 (K) of the Code sets forth the intent of the M-1 Zone is to establish areas within which industrial uses may be established and expanded under suitable controls; and

**WHEREAS**, PSE&G operates their Toney’s Brook Substation located at Block 224 Lot 11 in the Township’s PI or Private Institutional Zone; and

**WHEREAS**, PSE&G has advised the Township of its needs to upgrade and expand their facility due to increased usage and safeguarding from future flood events. The substation was originally built in 1965 with no significant work or upgrade to the site since then; and

**WHEREAS**, the Township has been made aware that PSE&G is under contract to purchase Lots 7, 9 and 10 for the purpose of upgrading the Toney’s Brook Substation on Lot 11, with the four lots totaling 1.32 acres; and

**WHEREAS**, PSE&G has requested the Township review its land use standards; and

**WHEREAS**, Lots 7, 9 and 10 are in the R1B Zone and contain existing non-conforming uses, with Lots 7 and 9 consisting of mixed-use buildings with two dwelling units each and Lot 10 consisting of a two dwelling unit home; and

**WHEREAS**, Lot 11 is in the PI Zone, which does permit public utilities, but the bulk standards of the zone render the property non-conforming; and

**WHEREAS**, the M-1 Zone is considered the general industrial zone and includes public utilities as a permitted use along with other non-industrial uses; and

**WHEREAS**, the bulk standards of the M-1 Zone more closely match the smaller scale of the area, as the M-1 Zone has a minimum lot area of 1 acre versus the P1 Zone minimum lot area of 10 acres; and

**WHEREAS**, the M-1 Zone includes public utilities as a permitted use and the bulk standards would enable any future expansion without the need for variances; and

**WHEREAS**, it is recommended that the triangular-shaped area (Block 224, Lots 7, 9, 10 and 11) should be rezoned to M-1 to recognize the existing non-conformity and the expansion/upgrade of the PSE&G Toney’s Brook Substation located on Lot 11; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-26 and the Municipal Land Use Law (“**MLUL**”), all ordinances constituting a development regulation must be referred to the Planning Board for review to determine whether there are any inconsistencies between the proposed ordinance and the Township Master Plan and for any other recommendations the Board may deem necessary.

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

**Section 1.** The Zoning Map of the Township of Bloomfield dated October 6, 2014 and adopted pursuant to §315-34(B) of the Code, shall be amended to include Block 224, Lots 7, 9, 10 and 11 within the Township of Bloomfield’s M-1 Zone.

**Section 2.** If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining part of this Ordinance.

**Section 3.** All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

**Section 4.** This Ordinance shall take effect in accordance with applicable law.

<b>RESULT:</b>	<b>TABLE</b>	<b>Next: 7/27/2020 6:30 PM</b>
<b>MOVER:</b>	Ted Gamble, Councilman	
<b>SECONDER:</b>	Nicholas Joanow, Second Ward Councilwoman	
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia	

Township Attorney Michael Parlavecchio explained to the Mayor and Council, he had spoken about this Ordinance at an earlier conference meeting and that the Planning Board reviewed this Ordinance at their

May 5 meeting and in its resolution recommended that the Council adopt it. He also explained its reason for doing so, notwithstanding any inconsistencies with the Master Plan. He said that, later in the meeting, there is a consent resolution that will accompany the adoption of this Ordinance. Mr. Parlavecchio then read on record some of the recommendations, reasoning and conclusions proposed by the Planning Board for their consideration.

Roll call showed the following and the following Ordinance was then adopted.

**AMENDMENT TO CHAPTER 315, ARTICLE V. ZONING, § 315-34 “ESTABLISHMENT OF ZONES” OF THE TOWNSHIP OF BLOOMFIELD CODE, REVISING THE ZONING MAP TO MODIFY THE BOUNDARY LINE OF THE CC - COMMUNITY COMMERCIAL ZONE**

**WHEREAS**, Chapter 315, Article V. Zoning, § 315-34 “Establishment of Zones”, of the Township of Bloomfield Code (**the “Code”**) acknowledged in §315-34(B) that the Zoning Map of the Township of Bloomfield was adopted on July 25, 2005, and that the Map depicts the location and boundaries of the 17 zones, two overlay districts and the designated redevelopment areas within the territory of the Township of Bloomfield (**the “Township”**); and

**WHEREAS**, following a reexamination of the Township Master Plan, the Township adopted an amended Zoning Map on October 6, 2014; and

**WHEREAS**, §315-34 (A) (10) of the Code established the CC-Community Commercial Zone (**“CC Zone”**) within the Township, which is reflected on the 2014 Zoning Map; and

**WHEREAS**, §315-38 (J) of the Code sets forth that the intent of the CC Zone is to accommodate large-scale shopping facilities that contain a supermarket or other anchor store, and smaller commercial uses. More than one principal building and/or use may be permitted on a lot; and

**WHEREAS**, amongst the permitted uses within the CC Zone are shopping centers with no more than 200,000 square feet of gross leasable floor area and with no single establishment larger than 125,000 square feet of gross leasable floor area; and

**WHEREAS**, representatives of the Brookdale Shop Rite, operators of a family owned supermarket in the Township, contacted the Mayor and Township Council regarding its proposed expansion and remodel of the supermarket to provide additional store space, additional checkouts, expanded offerings, and expanded capacity to meet the demands of online customer orders; and

**WHEREAS**, Brookdale Shop Rite originally proposed to construct a 1-story addition to the rear of its present store at 1347-1381 Broad Street, Bloomfield, New Jersey, also known as Lot 43, Block

1231 on the Township's Tax Map ("**Existing Shop Rite**"); and

**WHEREAS**, the addition was to be constructed on a portion of the adjacent property known as Lot 46, Block 1231 under a long-term lease ("**Leased Area**"), and will consist of approximately 23,814 square feet, which will bring the store size to a total of approximately 84,912 square feet; and

**WHEREAS**, On May 21, 2018 the Mayor and Township Council adopted Ordinance 18-18, which amended the Zoning Map to extend the CC Zone boundary line to encompass the proposed addition to the Existing Shop Rite and Leased Area; and

**WHEREAS**, representatives of the Brookdale Shop Rite subsequently contacted the Mayor and Township Council in early 2020 regarding a revised plan for expansion and leased area; and

**WHEREAS**, the revised leased area ("**Revised Leased Area**") and modified building expansion of the approved addition ("**Modified Expansion**") are depicted on the attached Sheet SP-1, referred to as "MODIFIED BUILDING AND 400 BROADACRE LEASE AREA" dated March 4, 2020 and drawn by Petry Engineering, LLC ("**SP-1**"), and incorporated herein by reference; and

**WHEREAS**, the Revised Leased Area is described on the attached, Substitute Exhibit A-1 dated January 16, 2020, referred to as "DESCRIPTION OF PROPOSED LEASE AREA, BEING PART OF LOT 46 IN BLOCK 1231, SITUATE IN THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX AND STATE OF NEW JERSEY." and drawn by Keller & Kirkpatrick, Inc. ("**A-1**"), and incorporated herein by reference; and

**WHEREAS**, the Revised Leased Area Metes and Bounds are described as follows:

- A. South 32 degrees 58'03" East, a distance of 51.80 feet to a point; thence
- B. South 77 degrees 50'53" East, a distance of 7.79 feet to a point; thence
- C. South 32 degrees 58'03" East, a distance of 52.92 feet to a point; thence
- D. South 12 degrees 09'07" West, a distance of 278.88 feet to a point on the southerly property line of Lot 46 Block 1231; thence
- E. Along said property line, South 86 degrees 32'07" West, a distance of 85.14 feet to the South Easterly property corner of Lot 35 Block 1231 (n/f Shop Rite Realty LLC); thence
- F. Along the dividing line between Lot 46 and Lot 35 in Block 1231, North 12 degrees 09'07" East,



a distance of 375.70 feet to the point of place of BEGINNING; and

**WHEREAS**, while the existing Shop Rite is a permitted use located within the CC Zone, the Leased Area is located within the Township's RO - Regional Office Zone; and

**WHEREAS**, Brookdale Shop Rite requests the Mayor and Council amend the Zoning Map to modify the CC Zone boundary line to encompass the Revised Leased Area; and

**WHEREAS**, the Mayor and Council request the Township of Bloomfield Planning Board determine whether amending the Zoning Map to extend the CC Zone as requested by Brookdale Shop Rite and further described herein would be consistent with the Township Master Plan, and to make any other recommendations the Board may deem necessary.

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

**Section 1.** The Zoning Map of the Township of Bloomfield, dated October 6, 2014, and adopted pursuant to §315-34(B) of the Code, shall be amended to include the following portion of Lot 46, Block 1231, and as depicted in SP-1 and described in A-1, within the Township of Bloomfield's CC-Community Commercial Zone:

- A. South 32 degrees 58'03" East, a distance of 51.80 feet to a point; thence
- B. South 77 degrees 50'53" East, a distance of 7.79 feet to a point; thence
- C. South 32 degrees 58'03" East, a distance of 52.92 feet to a point; thence
- D. South 12 degrees 09'07" West, a distance of 278.88 feet to a point on the southerly property line of Lot 46 Block 1231; thence
- E. Along said property line, South 86 degrees 32'07" West, a distance of 85.14 feet to the South Easterly property corner of Lot 35 Block 1231 (n/f Shop Rite Realty LLC); thence
- D. Along the dividing line between Lot 46 and Lot 35 in Block 1231, North 12 degrees 09'07" East, a distance of 375.70 feet to the point of place of BEGINNING.

**Section 2.** If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining part of this Ordinance.

**Section 3.** All ordinances and resolutions or parts thereof inconsistent with this Ordinance

are hereby rescinded.

**Section 4.** This Ordinance shall take effect in accordance with applicable law.

Mayor Venezia then asked the Municipal Clerk to call the Roll.

Roll Call showed the following:

<b>RESULT:</b>	<b>ADOPT [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Rockwell, Councilman
<b>SECONDER:</b>	Jenny Mundell, First Ward Councilwoman
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia

**AN ORDINANCE TO AMEND CHAPTER 254, “VEHICLES AND TRAFFIC”, ARTICLE II § 254-11 “Traffic Regulations” §254-48 SCHEDULE VIII: “Stop Intersection”**

**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 254 “VEHICLES AND TRAFFIC”, VEHICLES AND TRAFFIC”, ARTICLE II § 254-11 “Traffic Regulations” §254-48 SCHEDULE VIII: “Stop Intersection”, of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended by the addition of the following:

<u>Stop sign on</u>	<u>Direction of Travel</u>	<u>At Intersection of</u>
Liberty Street and Walnut Street	Liberty St (East and West), Walnut St (North and South)	Walnut Street at Liberty Street
Spruce Street	East and West	Beach Street

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

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

Mayor Venezia then asked the Municipal Clerk to call the Roll.

Roll Call showed the following:

<b>RESULT:</b>	<b>ADOPT [UNANIMOUS]</b>
<b>MOVER:</b>	Jenny Mundell, First Ward Councilwoman
<b>SECONDER:</b>	Nicholas Joanow, Second Ward Councilman
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia

#### **XI. Consent Resolutions**

Mayor Venezia called for the Consent Agenda Resolutions, Councilwoman Cruz moved the following consent agenda and Councilwoman Davis seconded. All present agreed on Resolutions 1-10 and then 12-19. Councilman Joanow who abstained on Resolution Number 11.

**RESOLUTION IN THE MATTER OF A PROPOSED ORDINANCE AMENDING CHAPTER 315, ARTICLE V, SECTION 34(B), THE ZONING MAP OF THE TOWNSHIP OF BLOOMFIELD, FACILITATING AN EXPANSION OF BROOKDALE SHOP RITE, LOCATED AT 1409 BROAD STREET, BLOCK 1231, LOT 43, ONTO PROPERTY LOCATED AT 400 BROADACRES DRIVE, BLOCK 1231, LOT 46 (PARCEL 3 IN THE BROADACRES OFFICE COMPLEX).**

**WHEREAS**, at its meeting held on June 12, 2018, the Township of Bloomfield Planning Board reviewed a proposed Ordinance, as required by N.J.S.A. 40:55D-26(a), which would amend the Township Zoning Map by modifying the zone boundary line separating Brookdale Shop Rite, 1409 Broad Street in the Township of Bloomfield, Block 1231, Lot 43, and one of the parcels in the Broadacres office complex located at 400 Broadacres Drive, Block 1231, Lot 46 (the "2018 Ordinance"); and

**WHEREAS**, the Planning Board recommended adoption of the Ordinance and on May 21, 2018, the Mayor and Council of the Township of Bloomfield adopted Ordinance 18-18, which effectuated the modification of the zone line separating the CC and R-O Zones and Lots 43 and 46 (the "2018 Ordinance"); and

**WHEREAS**, on March 30, 2020, the governing body introduced an ordinance which would adjust the area of Lot 46 within the CC Zone to conform with the new plans for the Shop Rite expansion (the "2020 Ordinance"), and referred it to the Planning Board for review; and

**WHEREAS**, at its regular meeting on May 5, 2020, the Planning Board reviewed the proposed 2020 Ordinance, as required by N.J.S.A. 40:55D-26(a), to determine consistency with the Master Plan and to make any other comments the Board may deem appropriate; and

**WHEREAS**, at the public hearing, the Planning Board heard sworn testimony from Paul Phillips, with the firm Phillips, Preiss, Grygiel, Leheny, Hughes, LLC, its consulting planners, who explained the details of the proposed modification to the previously approved zone line amendment and the reasons

therefore; and

**WHEREAS**, the Planning Board stated in its resolution: "The expansion envisioned by Brookdale Shop Rite would allow it to service the substantial increase in on-line orders with an enlarged storage area and an improved area to pick-up the orders. The building currently is set back only ten feet from the easterly lot line that it shares with Lot 46, which is part of the Broadacres office complex. An addition also cannot be constructed on the north side of the building because that is where the loading docks are located. Constructing an addition to the south or west of the building would result in the elimination of essential parking and would bring the building too close to Broad Street. Thus, expanding to the east into the parking area of Lot 46 is the only feasible site for an addition to the Shop Rite building."; and

**WHEREAS**, the Planning Board concluded: "While the 2002 Master Plan contemplated an expansion of the Brookdale Shop Rite, it did not contemplate that any such expansion would encroach into what is now the R-O Zone. [A]ny inconsistency between the moving of the CC Zone boundary line and the Master Plan should not be a deterrent to adopting the proposed Ordinance, since adoption will promote the viability of Brookdale Shop Rite, an important community resource, while imposing no perceptible detriments on 400 Broadacres Drive or, more generally, the R-O Zone."; and

**WHEREAS**, the Planning Board further concluded in its resolution: "Modifying the CC Zone boundary is, in some respects, inconsistent with the 2002 Master Plan, and not among the zone changes recommended by the 2104 Reexamination Report. Nonetheless, the Planning Board finds that the proposed boundary change to the CC Zone is supported by the acknowledgment in the 2002 Master Plan that the 'big box' stores in the CC Zone may need to expand, and will therefore effectuate that component of the Land Use Element of the 2002 Master Plan. Moreover, the facts established before the Board demonstrated that adjusting the zone boundary line is the only practical means of facilitating the desirable expansion of Brookdale Shop Rite."; and

**WHEREAS**, the Planning Board recommended that the Township Council adopt the proposed 2020 Ordinance, and simultaneously adopt a resolution explaining its reasons for doing so, notwithstanding any inconsistency with the Master Plan, as required by N.J.S.A. 40:55D-62(a).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Bloomfield that it accepts the reasoning and conclusions adopted by the Planning Board, finding that the proposed boundary change to the CC Zone is supported by the acknowledgment in the 2002 Master Plan that the 'big box' stores in the CC Zone may need to expand, and will therefore effectuate that component of the Land Use Element of the 2002 Master Plan; and

**BE IT FURTHER RESOLVED**, the facts established before the Planning Board demonstrated that adjusting the zone boundary line is the only practical means of facilitating the desired expansion of Brookdale Shop Rite, notwithstanding any inconsistency with the Master Plan.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENTS DUE TO NJ STATE APPEALS**

**WHEREAS**, property taxes have been overpaid due to NJ State appeals; and,

**WHEREAS**, the property taxes have been satisfied for the fiscal years 2016, 2017, 2018, and 2019 and the overpayments require a refund in a total of \$21,600.56 for 2016, \$31,606.78 for 2017, \$32,092.54 for 2018, and \$42,182.68 for 2019 on block 1231, lot 46, 400 Broadacres Drive.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, hereby authorize the Township Treasurer to issue a refund check in a total amount of \$127,482.56 made payable to Chiesa Shahinian & Giantomasi Trust Account, Attn: John R. Lloyd, Esq., One Boland Drive, West Orange, NJ 07052.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENTS DUE TO NJ STATE APPEALS**

**WHEREAS**, property taxes have been overpaid due to NJ State appeals; and,

**WHEREAS**, the property taxes have been satisfied for the fiscal years 2016, 2017, 2018, and 2019 and the overpayments require a refund in a total of \$32,678.76 for 2016, \$33,051.26 for 2017, \$43,469.22 for 2018, and \$43,655.65 for 2019 on block 1231, lot 51, 200 Broadacres Drive.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, hereby authorize the Township Treasurer to issue a

refund check in a total amount of \$152,854.89 made payable to Chiesa Shahinian & Giantomasi Trust Account, Attn: John R. Lloyd, Esq., One Boland Drive, West Orange, NJ 07052.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENTS DUE TO NJ STATE APPEALS**

**WHEREAS**, property taxes have been overpaid due to NJ State appeals; and,

**WHEREAS**, the property taxes have been satisfied for the fiscal years 2016, 2017, 2018, and 2019 and the overpayments require a refund in a total of \$42,008.38 for 2016, \$52,247.23 for 2017, \$62,960.21 for 2018, and \$63,230.22 for 2019 on block 1233, lot 45, 300 Broadacres Drive.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, hereby authorize the Township Treasurer to issue a refund check in a total amount of \$220,446.04 made payable to Chiesa Shahinian & Giantomasi Trust Account, Attn: John R. Lloyd, Esq., One Boland Drive, West Orange, NJ 07052.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION - PURCHASE & INSTALLATION OF CUSTOMER WATER METERS - CHANGE ORDER NO. 1**

**WHEREAS**, the Township of Bloomfield entered into a contract for the Purchase & Installation of Customer Water Meters with Core & Main, LP, 61 Gross Avenue, Edison, NJ 08837 (hereinafter “the Contractor”) for a total contract amount \$4,459,226.50; and

**WHEREAS**, during the course of the work, additional valving and metering materials were required at the Bloomfield High School and Middle School to properly install the new meters; and

**WHEREAS**, Change Order No. 1 represents an increase in the contract amount of \$20,852.00 or less than one-half of one percent of the original contract price; and

**WHEREAS**, the Change Order request was reviewed by the project consultant and determined to be necessary; and

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

**WHEREAS**, funding is available within the bond ordinance established for this program; and

**WHEREAS**, the Mayor and Council, based on the recommendation of the Township Engineer is

satisfied that the Change Order should be approved.

**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. is hereby approved and the Financial Officer of the Township of Bloomfield is hereby authorized to adjust payment for this work.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2021 TRANSIT VILLAGE APPLICATION FOR THE LACKAWANNA STATION IMPROVEMENT PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council for the Township of Bloomfield formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “TV-2021-Lackawanna Station Improvement Proje-00016” to the New Jersey Department of Transportation on behalf of the Township of Bloomfield.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bloomfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2021 SAFE STREETS TO TRANSIT APPLICATION FOR THE WATSESSING STATION SIDEWALK IMPROVEMENT PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council for the Township of Bloomfield formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “SST-2021-Watsessing Station Sidewalk Improve-00027” to the New Jersey Department of Transportation on behalf of the Township of Bloomfield.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bloomfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BROUGHTON AVENUE IMPROVEMENTS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Bloomfield formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Broughton Avenue Improvements-00429, to the New Jersey Department of Transportation on behalf of the Township of Bloomfield.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement of behalf of the Township Of Bloomfield and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$1,100,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWNSHIP OF BLOOMFIELD IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK.**

**WHEREAS**, the Township of Bloomfield (the “Local Unit”), in the County of Essex, New Jersey, has determined that there exists a need within the Local Unit to, as applicable, acquire, construct, renovate or install a project consisting of, among other things, replacement of lead service lines (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

**WHEREAS**, the Local Unit has determined to temporarily finance, as applicable, the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

**WHEREAS**, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to



the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$1,100,000 (the “Note”);

**WHEREAS**, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

**WHEREAS**, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance number 19-30 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF LEAD SERVICE LINES, BY AND IN THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY; APPROPRIATING \$1,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on July 22, 2019, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$1,100,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB-CFP-2020-01”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The Note shall be substantially in the form attached hereto as Exhibit A.

**Section 6.** The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

**Section 7.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers of the Local Unit, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

**Section 8.** This resolution shall take effect immediately.

**Section 9.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Lisa A. Gorab, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

**RESULT: APPROVED BY CONSENSUS**

**AUTHORIZING THE BLOOMFIELD TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72**

**WHEREAS**, the Township of Bloomfield has adopted their budget for the year 2020; and

**WHEREAS**, the Essex County Board of Taxation has not certified Bloomfield's tax rate and the Bloomfield Township Collector will be unable to mail the Township's 2020 tax bills on a timely basis; and

**WHEREAS**, the Bloomfield Township Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54-4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, in the County of Essex, State of New Jersey, on this 22<sup>nd</sup> day of June, 2020 as follows:

1. The Bloomfield Township Tax Collector is hereby authorized and directed, in the event that the State of New Jersey fails to approve a budget by July 1, 2020, the option to prepare and issue estimated tax bills for the Township for the Third Installment of 2020 taxes. The Tax Collector

shall proceed and take such actions as are permitted and required by L. 1994 C.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The entire estimated tax levy for 2020 is hereby set as \$163,991,788.52
3. The estimated tax rate (based on the estimated levy) is hereby set at \$3.096
4. The SID Estimated tax rate is hereby set at \$0.191
5. Open Space Tax established by Ordinance is set at \$0.005
6. In accordance with law, the Third Installment of 2020 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT PURSUANT TO THE FAIR AND OPEN PROCESS FOR GENERAL CONTRACTOR FOR THE FIELDHOUSE AT LIONGATE PARK**

**WHEREAS**, the Township of Bloomfield requires a general contractor for Lionsgate Fieldhouse Project and has advertised the need for this professional service on the Township of Bloomfield's website as part of the fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Township Administrator has certified in writing that the value of the service will exceed \$17,500; and

**WHEREAS**, Vision General Construction, (hereinafter "Professional") has submitted the attached proposal to provide services; and

**WHEREAS**, after publicly advertising for bids, receiving bids and rejecting all bids on two occasions, a contract for the services was negotiated with, and is now recommended be awarded to, Vision General Construction in an amount not to exceed \$460,000.00; and

**WHEREAS**, this contract will take effect immediately and will end on December 31, 2020 or until a successor is appointed; and

**WHEREAS**, the Director of Finance is certified that funds are available to cover the cost of these services in account # C-04-55-884-990.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield authorizes and directs the Township Administrator to enter into a contract/retainer agreement with the Professional within 10 days as described herein; and

**BE IT FURTHER RESOLVED**, that this contract/retainer agreement is entered into in accordance with the Standardized Submission Requirements for Professional Services and no minimum payment is implied or guaranteed; and

Mayor Venezia asked for a motion. Councilwoman Cruz moved and was seconded by Councilwoman Davis. Roll call showed the following:

<b>RESULT:</b>	<b>ADOPTED [6 TO 0]</b>
<b>MOVER:</b>	Sarah Cruz, Third Ward Councilwoman
<b>SECONDER:</b>	Wartyna Davis, Councilwoman
<b>AYES:</b>	Mundell, Cruz, Davis, Gamble, Rockwell, Venezia
<b>ABSTAIN:</b>	Nicholas Joanow

**RESOLUTION: AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT PURSUANT TO THE FAIR AND OPEN PROCESS FOR ENGINEERING FOR RECREATION PROJECTS**

**WHEREAS**, the Township of Bloomfield requires an Engineer for Recreation Projects and has advertised the need for this professional service on the Township of Bloomfield’s website as part of the fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Township Administrator has certified in writing that the value of the service will exceed \$17,500; and

**WHEREAS**, Premier Product Development, LLC (ppd), (hereinafter “Professional”) has submitted the attached proposal to provide services; and

**WHEREAS**, after review and evaluation of the proposals it is recommended that a contract for the services be awarded to Premier Product Development, LLC (ppd) in the amount not to exceed \$100,000.00; and

**WHEREAS**, this contract will take effect immediately and will end on December 31, 2020 or until a successor is appointed; and

**WHEREAS**, the Director of Finance is certified that funds are available to cover the cost of these services in account #C-04-55-732-007.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield authorizes and directs the Township Administrator to enter into a contract/retainer agreement with the Professional within 10 days as described herein; and

**BE IT FURTHER RESOLVED**, that this contract/retainer agreement is entered into in accordance with the Standardized Submission Requirements for Professional Services and no minimum payment is implied or guaranteed; and

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

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

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

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

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: APPROVING COMMUNITY FORESTRY MANAGEMENT PLAN FOR THE TOWNSHIP OF BLOOMFIELD**

**WHEREAS**, recognizing that trees help improve the quality of urban life, the Township of Bloomfield has developed this Community Forestry Management Plan (CFMP) in accordance with statewide efforts to preserve and promote sustainable community forest resources and the goals and objectives of the Township's Master Plan; and

**WHEREAS**, this CFMP and its attachments will be, after approval by the Township and by the Community Forestry Council of the NJ State Department of Environmental Protection, is the Third Five-Year Community Forestry Management Plan for the Township of Bloomfield; and

**WHEREAS**, during the current management period, the Township will continue to enhance programs for managing its public street trees to help ensure a beneficial and sustainable resources.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that they do hereby approve the Township of Bloomfield Community Forestry Plan dated March 2020, attached to and made a part of this document, and authorize its filing with the New Jersey Forest Service.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AUTHORIZING THE ADOPTION OF THE 2020 ESSEX COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, all jurisdictions within Essex County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Essex County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Essex County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Bloomfield:

- 1) Adopts in its entirety, the 2020 Essex County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: RESCINDING CONTRACT AWARD TO AMERICAN RAMP CORPORATION FOR MEMORIAL PARK - JOSEPH TISEO RAMP PARK IMPROVEMENT PROJECT**

**WHEREAS**, on January 27, 2020 the Mayor and Council of the Township of Bloomfield authorized the Township Administrator to enter into a contract with American Ramp Corporation; and

**WHEREAS**, it was subsequently determined that the vendor could not complete the services needed by the Township at the current bid cost.

**NOW THEREFORE BE ITS RESOLVED**, that the Mayor and Council of Township of Bloomfield, County of Essex, State of New Jersey rescinds Resolution ID # 8356 that was awarded in the above reference.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: AWARD OF CONTRACT FOR THE MEMORIAL PARK - JOSEPH TISEO RAMP PARK IMPROVEMENT PROJECT to AMERICAN RAMP CORPORATION**

**WHEREAS**, the existing wood ramp park equipment at Memorial Park has become antiquated and needs repairs; and

**WHEREAS**, in accordance to N.J.S.A. 40A:11-1 et seq., "Local Public Contracts Law" the Township may without advertising for bids purchase any goods or services under contract entered into on behalf of the state and through a specified federal procurement programs; and

**WHEREAS**, American Ramp Corporation, 601 McKinley, Joplin, MO 64801 is part of the Sourcewell National Co-Op; and

**WHEREAS**, American Ramp Corporation has provided a proposal in an amount not to exceed \$352,599.36 to provide demolition and to install new steel ramp park equipment at Memorial Park, 225 Belleville Ave, Bloomfield; and

**WHEREAS**, the Director of Finance has indicated that funding is available in Township Account Number B-19-19-471-001.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby accepts the recommendation of the Director of Bloomfield Parks, Recreation & Cultural Affairs and he may enter into a contract for the demolition and to install new steel ramp park equipment at Memorial Park, 225 Belleville Ave.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: RATIFYING RESIGNATION, RETIREMENT, SEPARATION, OR TERMINATION OF TOWNSHIP EMPLOYEE/BOARD AND COMMISSION OF KATHERIN VALENTIN, KEVIN O'CONNELL, PENNY GREGOROWICZ AND CYNTHIA PROCHILO**

**WHEREAS**, the following employees have retired, resigned or is no longer working for the Township of Bloomfield:

<u>Name</u>	<u>Department/Commission</u>	<u>Effective</u>
Katherin Valentin	Police	April 23, 2020
Kevin O'Connell	Police	June 10, 2020
Penny Gregorowicz	Animal Shelter	June 20, 2020
Cynthia Prochilo	Tax and Water	August 1, 2020

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that the Governing Body of the Township of Bloomfield hereby accepts and recognizes the retirement, resignation or ceasing of employment or board membership of the above named individual effective on the date indicated.

**RESULT: APPROVED BY CONSENSUS**

**RESOLUTION: ADOPTING BOARDS AND COMMISSIONS FOR THE TOWNSHIP OF BLOOMFIELD**



**WHEREAS**, the Mayor and Council of the Township of Bloomfield have the duty and responsibility to appoint members of the following Board and Commissions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby acknowledges the following appointments:

<b>Board and Commission</b>	<b>Name</b>	<b>Term</b>
Animal Shelter	Angie Garma	12/31/2021

**RESULT: APPROVED BY CONSENSUS**

#### **TOWNSHIP OF BLOOMFIELD APPROVAL BILL LIST FOR JUNE 22, 2020**

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, hereby approves and authorizes the Finance Department to release the attached/or listed below invoices for payment.

**RESULT: APPROVED BY CONSENSUS**

#### **XII. Public Budget Hearing 2020/ Resolutions**

##### **AMENDED PUBLIC NOTICE ON THE CY 2020 BUDGET**

Notice is hereby given that the June 22, 2020 Regular Council meeting of the Township of Bloomfield, which will also have a public hearing on the budget and tax resolution, will now be open to the general public. The meeting will be held in the Council Chambers, 1 Municipal Plaza, at 7:00 pm. Social distance rules will necessarily limit seating capacity. However, all who wish to participate in the hearing or make a public comment before the Mayor and Council will be given the opportunity to speak. Monday's Township Council Meeting will be streaming live on Channel 35, (Comcast), Channel 30 (Verizon), or Facebook Live. A link for the livestream will be posted on the township website, [www.bloomfieldtwpnj.com](http://www.bloomfieldtwpnj.com).

Mayor Venezia called the Budget Hearing to Order and asked the Municipal Clerk to call the Roll.

Roll Call showed:

Councilwoman Mundell - Present	Councilwoman Davis - Present
Councilman Joanow – Present	Councilman Gamble - Present
Councilwoman Cruz - Present	Councilman Rockwell - Present
Mayor Venezia - Present	

Municipal Clerk Louise M. Palagano informed the Mayor that now was the time for the public hearing on the 2020 Municipal Budget and stated that the Budget had been advertised on June 2, 2020 in the Independent Press. An amended note about the in-person meeting was sent via email to the media on June 17, 2020. She also stated that printed copies had been made available to the public and that a supply of the copies were available for anyone desiring a copy. Copies were also available on the township's website for those watching the council meeting online or on television.

Mayor Venezia stated that anyone who had not secured a copy of the Budget could do so now.

Mayor Venezia went on to state that before closing this hearing he wished to outline the procedure. Each person desiring to be heard should rise and give his or her name and address before speaking. He would recognize one speaker at a time, in order of rising. He asked that all speakers address all questions to the Chair and where necessary, the speaker would be referred to individual members of the Township Council, Municipal officials or advisors.

Mayor Venezia stated that questions must be confined solely to the municipal budget - school or county matters are not proper subjects of this hearing and could not be discussed or answered.

Mayor Venezia then declared the public hearing on the Municipal Budget for 2018 open.

Norm Sutaria of Bloomfield, NJ took to the microphone to ask about the funds being given to Pedestrian Safety. Mayor Venezia said this was for crosswalks, studies, lights, etc. There were no callers on the phone.

With no one else wishing to speak, Mayor Venezia, called for a vote on the following resolutions.

The following resolutions were adopted by roll call votes.

**RESOLUTION TO AMEND CY 2020 BUDGET**

**WHEREAS**, the local municipal budget for the year 2020 was approved on the 18th day of May, 2020, and,

**WHEREAS**, the public hearing on said budget has been held as advertised on June 22nd, 2020, and

**WHEREAS**, it is desired to amend said approved as described below,

**THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Bloomfield, of the County of Essex, that the following amendments to the approved 2020 budget be made:

	<u>From</u>	<u>To</u>
<b>PARKING UTILITY APPROPRIATIONS</b>		
Operating - Other Expenses	990,254.00	913,254.00
<b>Total Operating Expenses</b>	<b>1,340,254.00</b>	<b>1,263,254.00</b>
<b>Debt Service</b>		
Payment on Bond Anticipation Notes & Capital Notes	-	77,000.00
<b>Total Debt Service</b>	<b>798,971.00</b>	<b>875,971.00</b>
<b>Total Parking Utility Appropriations</b>	<b>2,166,000.00</b>	<b>2,166,000.00</b>

**BE IT FURTHER RESOLVED**, that three certified copies of this resolution be filed forthwith with the Director of the Division of Local Government Services for approval.

**IT IS HEREBY CERTIFIED** that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 22nd day Of June, 2020

Certified by me, this 22nd day of June, 2020

\_\_\_\_\_  
Clerk

**IT IS HEREBY CERTIFIED** that the Adopted Budget Amendment annexed hereto and hereby made a part of the 2020 Budget is a copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this 22nd day of June, 2020

\_\_\_\_\_  
Registered Municipal Accountant

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Wartyna Davis, Councilwoman
<b>SECONDER:</b>	Ted Gamble, Councilman
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia

## **RESOLUTION TO ADOPT THE CY 2020 BUDGET**

### **ADOPTION OF 2020 BUDGET**

Be it resolved by the Governing Body of the Township of Bloomfield, County of Essex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 60,347,369.81 (Item 2 below) for municipal purposes; and
- (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation; and
- (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 264,891.84 Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

(e) \$ 1,662,025.87 Sheet 38) Minimum Library Levy.

**RECORDED VOTE**                      Ayes                      Nays                      Abstained                      Absent

**SUMMARY OF REVENUES**

1. GENERAL REVENUES

Surplus Anticipated	08-100	\$12,045,098.22
Miscellaneous Revenues Anticipated	13-099	\$ 14,066,740.18
Receipts from Delinquent Taxes	15-499	\$ 1,975,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$ 60,347,369.81
3. AMOUNT TO BE RAISED BY TAXATION FOR <u>SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY</u> : Item 6, Sheet 42	07-195	\$ 0.00      0.00
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$ 0.00
Total Amount to be Raised by Taxation for Schools in Type 1 School Districts Only		
4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR <u>SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY</u> : Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	07-192	1,662,025.87
Total Revenues	13-299	\$ 90,096,234.08

Sheet 41  
**SUMMARY  
OF  
APPROPRIATIONS**

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXX
	XXXXXX	XXXXXXXXXXXX
	X	
Within "CAPS"	XXXXXX	XXXXXXXXXXXX
	XXXXXX	XXXXXXXXXXXX
	X	
(a&b) Operations Including Contingent	30001	\$
	-00	62,805,032.

		94
(e) Deferred Charges and Statutory Expenditures - Municipal	30004 -00	\$ 9,009,349.8 4
(g) Cash Deficit	46-88 5	\$ 0.00
Excluded from "CAPS"	xxxxxx xxxxxx x	xxxxxxxxxxxx xxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"	60023 -00	\$ 7,398,570.2 4
(c) Capital Improvements	60002 -00	\$ 100,000.00
(d) Municipal Debt Service	60003 -00	\$ 5,758,281.0 6
(e) Deferred Charges - Municipal	60024 -00	\$ 300,000.00
(f) Judgments	37-48 0	\$ 0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-40 5	\$ 0.00
(g) Cash Deficit	46-88 5	\$ 0.00
(k) For Local District School Purposes	60008 -00	\$ 0.00
(m) Reserve for Uncollected Taxes	50-89 9	\$ 4,725,000.0 0
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	60010 -00	\$
Total Appropriations	30000 -00	\$ 90,096,234. 08

Sheet 42

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ted Gamble, Councilman
<b>SECONDER:</b>	Richard Rockwell, Councilman
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia

**XIII. Unfinished Business**

There was no unfinished business at this time.

**XIV. New Business**

Mayor Venezia called for New Business. Councilman Joanow read the following licenses aloud.

**Outdoor/Sidewalk Café License**

Carlos Goyanes  
La Santa  
412 Bloomfield Avenue  
Bloomfield, NJ 07003

James Nissirios  
Nevada Diner  
293 Broad Street  
Bloomfield, NJ 07003

Sal Siconolfi  
Bella Napoli  
1640 Broad Street  
Bloomfield, NJ 07003

Victor Chacon  
Gloria's Bar and Grill  
36 Broad Street  
Bloomfield, NJ 07003

Rami Korio  
Town Pub  
378 Broad Street  
Bloomfield, NJ 07003

Keith Janes  
Obal's Inn  
439 Broad Street  
Bloomfield, NJ 07003

Philip Sannitti  
BGR Bloomfield  
56 Broad Street  
Bloomfield, NJ 07003

Philip Moon  
State Street Grill  
9 State Street  
Bloomfield, NJ 07003

Thomas Accomando  
Ash Bar and Grill  
142 Bloomfield Ave  
Bloomfield, NJ 07003

Antonio Cuzzo  
Six Points Pub  
574 Bloomfield Ave  
Bloomfield, NJ

Marco Torres  
El Matador 2  
418 Broad Street  
Bloomfield, NJ 07003

Konstantine Gizas  
Plaza Diner  
126 Bloomfield Avenue  
Bloomfield, NJ 07003

Pradip Gandhi  
International House of Pancakes  
1129 Broad Street  
Bloomfield, NJ 07003

Anthony Lauro  
Anthony's Cheesecake and Restaurant  
71 Washington Street  
Bloomfield, NJ 07003

Themiszoklis Nissirios  
Stamna Greek Taverna  
1055 Broad Street  
Bloomfield, NJ 07003

Alexios Nissirios  
Agora by Stamna  
1045 Broad Street  
Bloomfield, NJ 07003

Frank Bucco and Jennifer DenBoer  
Buccos  
61 Washington Street  
Bloomfield, NJ 07003

Frankie Lo Piccolo  
Sweetberry Bowls  
56 Broad Street  
Bloomfield, NJ 07003

Charles Grande  
Angelo's Pizzeria  
303 Broad Street  
Bloomfield, NJ 07003

Vote showed the following:

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Nicholas Joanow, Second Ward Councilman
<b>SECONDER:</b>	Sarah Cruz, Third Ward Councilwoman
<b>AYES:</b>	Mundell, Joanow, Cruz, Davis, Gamble, Rockwell, Venezia

#### **XV. Miscellaneous**

There were no miscellaneous items at this time.

#### **XVI. Adjournment**

There being no further business before the Council, Mayor Venezia asked for a motion to adjourn the meeting, which was moved by Councilwoman Davis, seconded by Councilman Gamble and agreed to by all of the Councilmembers who were present. The Meeting was adjourned at 7:24 P.M.

Respectfully submitted,

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Louise M. Palagano