

Eighth Regular Meeting of the Township Council.

The meeting commenced at 7:37 PM at the Bloomfield Public Library Theatre.

Mayor McCarthy opened the meeting with the following brief statement.

"Notice of time, date, location and agenda of this meeting, to the extent then known was provided at least forty eight (48) hours prior to the commencement of this meeting in the following manner pursuant to the provisions of Chapter 231 of the Law of 1975 (The Open Public Meetings Act).

1. By posting such notice on the bulletin board in the Municipal Building, and
2. By mailing such notice to the offices of the Independent Press, Bloomfield Life and the Star Ledger.

At this time, Mayor McCarthy led the audience in the Pledge of Allegiance.

Roll call showed Councilmembers present: Janice Maly, Ray Tamborini, Patricia Ritchings, Patricia Barker, Bernard Hamilton, and Mayor Raymond J. McCarthy. Patricia Spychala absent.

In attendance at the commencement of the meeting were the following: Louise M. Palagano, Administrator/Municipal Clerk, Bonita Triola, Deputy Municipal Clerk, Paul Lasek, Township Engineer and Brian Aloia, Township Attorney.

At this time, Mayor McCarthy stated that he would like to read a Proclamation entitled,

“NJ Peace Action”

WHEREAS; New Jersey Peace Action celebrated its 50th Anniversary last year and will be embarking on a new half century of activism in the community; and

WHEREAS; on April 27, 2008, New Jersey Peace Action will celebrate its 51st Annual Dinner where they will pay special tribute to some wonderful young people who are members of the Amnesty International Chapter at Bloomfield High School; and

WHEREAS; these young people in our community have been working to bring a new sense of political consciousness to their school and community, and they have brought great energy and an idealistic vision to New Jersey Peace Action; and

WHEREAS; some of their outstanding accomplishments to date include:

- Assisting in the clean up following Hurricane Katrina in New Orleans
- Working with local groups such as the Rutgers-Newark SDS to fight the racist and sexist remarks of Don Imus
- Marching in the Historic August 25th Anti-War March in Newark attended by over 2,000 people

- Volunteering numerous hours in the NJ Peace Action Office helping with data entry, mass mailings, and other office work
- Standing up for human rights at home and abroad

NOW, THEREFORE, I, RAYMOND J. McCARTHY, as Mayor of the Township of Bloomfield, along with the members of the Township Council do hereby recognize and commend the dedicated activism of the student members of the Amnesty International Chapter at Bloomfield High School and wish the New Jersey Peace Action Group continued successful growth in their second half century of operation.

At this time, Mayor McCarthy gave the Proclamation to Councilwoman Ritchings, as she is Council Liaison, and asked that Councilwoman Ritchings give it to the students at Bloomfield High School.

Councilwoman Maly moved the approval of previous minutes of the Regular Council Meeting, April 7, 2008, which was seconded by Councilman Tamborini and carried.

Councilman Tamborini moved the Appointment of Russ Moserowitz to the Bloomfield Parking Authority, which was seconded by Councilwoman Ritchings and carried.

At this time, Mayor McCarthy stated that before we move on to the Communications portion of the meeting, he would like to move to Resolution 9(1) Appointments, Police Department, Anthony Batelli, Police Officer and Daniel Varano, Police Officer, and asked Councilman Hamilton to read the resolution.

2008 RESOLUTION – POLICE APPOINTMENTS

WHEREAS, there are two vacancies in the Bloomfield Police Department; and

WHEREAS, the New Jersey Department of Civil Service has promulgate a list of eligible candidates, who have qualified by competitive examination for appointment to the position of Police Officers; and

WHEREAS, Anthony Batelli and Daniel Varano appear on the list of eligible candidates; and

WHEREAS, the Chief of Police recommends that Anthony Batelli and Daniel Varano be appointed to the position of Police Officer, effective April 22, 2008; and

WHEREAS, the Director of Finance has certified that funding is available to hire these two candidates.

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

Anthony Batelli
Totowa, NJ

Daniel Varano
Wayne, NJ

be and are hereby appointed Police Officers, in the Police Department of the Township of Bloomfield, effective April 22, 2008, at the annual salary in effect in the salary ordinance, subject to the certification by the New Jersey Department of Personnel.

At this time, Mayor McCarthy called Police Officer Anthony Batelli, and his family, up to the podium to be sworn-in.

At this time, Mayor McCarthy swore in Anthony Batelli as Police Officer in the Bloomfield Police Department.

At this time, Mayor McCarthy called Police Officer Daniel Verano, and his family, up to the podium to be sworn-in by Councilman Hamilton.

At this time, Councilman Hamilton swore-in Daniel Verano as Police Officer in the Bloomfield Police Department.

At this time, Mayor McCarthy stated that he would like to welcome Police Officers Anthony Batelli and Daniel Verano to Bloomfield. He stated that they are coming to what he believes is the best police force in the entire county, under great direction, with a great group of men and women who work for this Township. He then asked them to please be safe, thank you.

Ms. Triola stated that no written communications were received.

At this time, Mayor McCarthy opened the oral portion of the meeting to the public.

Nick Joanow, 226 Lakewood Drive, stated that he would just like to bring to the Mayor and Council's attention the Recycling Committee had their 2nd Annual Celebration of Earth Day at Brookside Park, and he would like to commend Anthony Nesto, and the Recreation Department for doing such a spectacular job. He stated that he is here this evening to discuss with the Mayor and Council the urgency and the necessity of recycling, and as a member of the Recycling Committee, he would like to educate people as to our mandate to recycle. He stated that in times of economic necessity, when we think about putting material out to the curb at \$82.00 per ton, which is an enormous amount of money, one of our main goals is to get people to think smart, act smart, and recycle. He stated that as the recycling goes on and increases our level of education, we will look to be one of the best communities in terms of recycling. He then thanked the Mayor and Council and Mr. MacIntyre for their efforts. He then stated that he would like to invite the Mayor and Council, and the public, to Clark's Pond Thirteenth Annual Clean-up at the Preserve on Sunday, April 27, 2008 between 11:00am and 2:00pm. He stated that it should be a good time out, thank you.

Councilwoman Ritchings moved to close the Oral Portion of the meeting, which was seconded by Councilwoman Barker and carried.

Councilwoman Barker submitted the following ordinance on first reading:

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

BE IT ORDAINED and enacted by the Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

§ 1-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Township of Bloomfield of a general and permanent nature adopted by the Council of the Township of Bloomfield, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 675, together with an Appendix, are hereby approved, adopted, ordained and enacted as the “Code of the Township of Bloomfield,” hereinafter known and referred to as the “Code.”

§ 1-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede the 1987 Code and all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Bloomfield by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Township, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the “Code of the Township of Bloomfield” shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-6. Publication; filing.

The Clerk of the Township of Bloomfield, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Township. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-8. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Township. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-9. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Bloomfield to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-12. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent

of such inconsistency, and any valid legislation of the Township of Bloomfield which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

§ 1-13. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-12 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to 3-3-2008.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-14. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth below, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

Changes, Amendments and Revisions

[Strikeouts indicate deletions; underlining indicates additions.]

(1) Chapter 1, General Provisions, Art. II, General Penalty.

Section 1-15A is amended to read as follows:

- A. Whenever in the Code adopted by this ordinance or in any other ordinance or resolution of the Township or in any rule, regulation or order promulgated by any officer or agency of the Township under authority duly vested in him or if any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of such Code or any other ordinance or resolution of the Township or such rule, regulation or order shall be punished by a fine not exceeding \$1,500 \$2,000 or imprisonment for a term not exceeding 90 days, ~~or by both such fine and imprisonment~~ or a period of community service not exceeding 90 days, or by any combination of such fine, imprisonment and/or community service.

The following sections have been updated to reference the general penalty in Chapter 1, § 1-15: §§ 5-27E, 116-15; 122-15; 122-19; 122-21; 122-24; 122-30C; 128-43; 134-9; 134-32; 134-41; 144-3; 149-5; 155-7; 159-3; 159-5; 159-8; 159-11; 185-5; 196-2; 201-19; 228-15; 245-2; 250-8; 264-2; 279-9; 285-5; 285-12; 290-3; 307-17; 313-8; 318-9; 334-6; 345-6; 353-14; 358-2; 374-8; 380-7; 393-14; 399-9; 404-9; 404-12; 404-19; 413-10; 417-4; 423-16; 431-20; 443-21; 443-29; 443-40; 454-18; 454-24B; 460-8; 466-10; 478-5; 484-24; 491-3; 491-9A; 494-11; 497-5; 497-7; 497-11; 497-15B; 497-32; 497-38; 497-49; 497-53B; 508-17; 514-11; 526-17; 526-27; 535-12; 535-24; 540-5; 556-51; 562-3; 562-5; 562-7.

(2) Chapter 5, Administration of Government.

Section 5-61A is amended to add the following to the end of the subsection: "...and must hold a Tax Assessor certificate."

(3) Chapter 75, Police Department.

- (a) Section 75-4A, the first sentence, is amended as follows:

The Township shall provide the members of the Police Department with badges or shields, wreaths, signal box keys, locker keys, nightsticks, handcuffs and ~~revolvers~~ weapon.

- (b) Section 75-4B is amended as follows:

Members of the Police Department, at their own expense, shall provide themselves with uniforms and uniform caps, as specified by the ~~Township Council~~ Chief, flashlights, whistles, ~~day sticks~~, notebooks and pencils, ~~rubber coats~~, outerwear and suitable ~~rubber~~ footwear and ~~pocket or~~ wrist watches of standard make.

- (c) Section 75-4E is amended as follows:

Members of the Police Department, while off duty, except on vacation, sick or disability leave, shall carry their badges, ~~whistles, signal box keys, day sticks~~ and ~~revolvers~~ weapons.

(4) Chapter 155, Numbering of Buildings and Lots.

Section 155-3 is amended as follows:

The owner, occupant or lessee of each and every house, store or other building which now fronts or may front upon any public or private street within the Township of Bloomfield shall ascertain from the respective postal authority the numbers applicable to said building or property and display them in compliance with this chapter. In the case of a new structure built upon the land to replace an existing building or a new structure as the result of a subdivision, the owner, occupant or lessee shall ascertain from the Tax Assessor the numbers applicable to said building or property. Said owner, occupant or lessee shall, within 90 days after the adoption of this chapter, cause the assigned number of such house or building to be permanently and conspicuously placed in accordance with the specifications set forth herein.

(5) Chapter 185, Cruising

Section 185-5 is amended as follows:

Any person who violates any one or more of the provisions of this chapter shall be subject to a fine ~~of not more than \$500 for each separate offense and/or confinement in the Essex County Jail for a period of not more than 90 days as provided in § 1-15 of the Code.~~ In the case of a continuing violation or violations, a fine of not more than \$500 the fine provided in § 1-15 of the Code may be assessed for each day that said violation or violations continue unabated until such time as said violations are corrected. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(6) Chapter 239, Fire Prevention and Protection

- (a) Section 239-37A is amended by changing the section title to add “and carbon monoxide detectors” and adding the following language as Subsection A(2):

(2) As per the regulation at N.J.A.C. 5:70-4.19(d), carbon monoxide alarms are required to be provided in the immediate vicinity of all sleeping rooms in all buildings of Use Groups I-1, R-1, R-2, R-3 and R-4 that contain fuel-burning appliances or have attached garages.

(b) Section 239-37C, the fourth sentence, is amended as follows:

A fee of ~~\$25~~ \$35 will accompany each application for ~~smoke detector compliance~~ certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC).

(7) Chapter 254, Vehicles and Traffic.

(a) Section 254-16.1 (Ord. No. 06-53) is added to read as follows:

§ 254-16.1. Speed humps.

Streets designated in Schedule XIIA are approved for installation of speed humps in accordance with N.J.S.A. 39:4-8.10 and 39:4-8.11, having met the following criteria:

- A. The streets are totally self-contained within the municipality and have no direct connection with any street in any other municipality or the streets are totally self-contained one-way streets that connect to a county road.
- B. The streets have a traffic volume under 3,000 vehicles per day.
- C. The streets have a posted speed limit of 30 miles per hour or less.

(b) The introductory paragraph of § 254- 53.1 is amended as follows:

§ 53.1. Schedule XIIA: Speed Humps.

In accordance with § 254-16.1, the following streets shall be designated for the installation of speed humps and Chapter 254 is amended to include a schedule of these streets as follows:

(8) Chapter 423, Property Maintenance

(a) Article II, Adoption of International Code, § 423-17, is amended as follows:

[1] This Chapter 203 423 of the Code of the Township of Bloomfield, ~~entitled "Building Maintenance,"~~ is hereby amended by adopting the International Property Maintenance Code, which reads as follows.

[2] This Chapter 423 of the Code of the Township of Bloomfield is hereby amended by adopting the International Property Maintenance Code, which reads as follows.

On motion of Councilwoman Barker seconded by Councilman Hamilton same was passed on first reading: Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Maly submitted the following ordinance on first reading:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 185 OF THE BLOOMFIELD TOWNSHIP CODE, PROVIDING PARKING FOR PHYSICALLY LIMITED PERSONS (18 Pettit Street)

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

Section 1. Chapter 185, entitled: "PARKING FOR HANDICAPPED", Section 185-4, Enumeration of restricted parking areas, of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended by the addition of the following:

(344) Pettit Street, south side, starting at a point 220 feet east of the westerly curb line of Broughton Avenue and running 20 feet west there from.(18 Pettit 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.

On motion of Councilwoman Maly seconded by Councilman Tamborini same was passed on first reading: Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilman Hamilton submitted the following ordinance on first reading:

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN OFFICERS AND MEMBERS OF THE FIRE DEPARTMENT OF THE TOWNSHIP OF BLOOMFIELD, NEW JERSEY (Fire Superiors)

BE IT ORDAINED by the Township Council of the Township of Bloomfield, New Jersey:

SECTION 1. Effective January 1, 2007, as hereinafter indicated, the salaries of certain officers and members of the Fire Department of the Township of Bloomfield are hereby fixed and determined as follows:

EFFECTIVE
JAN. 1, 2007

EFFECTIVE
JAN. 1, 2008

<u>Deputy Chief</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
<u>Step 1</u>	<u>105,951.00</u>	<u>9,323.69</u>	<u>110,624.00</u>	<u>8,816.73</u>
Max *	109,661.00	9,650.14	114,498.00	<u>9,125.49</u>

* Upon completion of a 6 month (180 day) Officer Training period at Step 1

<u>Deputy Chief</u>	<u>EFFECTIVE</u>		<u>EFFECTIVE</u>	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	<u>JULY 1, 2008</u>		<u>JAN. 1, 2009</u>	
<u>Step 1</u>	<u>113,390.00</u>	<u>9,037.18</u>	<u>115,658.00</u>	<u>9,217.94</u>
Max *	<u>117,360.00</u>	<u>9,353.59</u>	<u>119,707.00</u>	<u>9,540.65</u>

* Upon completion of a 6 month (180 day) Officer Training period at Step 1

<u>Deputy Chief</u>	<u>EFFECTIVE</u>		<u>EFFECTIVE</u>	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	<u>JULY. 1, 2009</u>		<u>JAN. 1, 2010</u>	
<u>Step 1</u>	<u>118,549.00</u>	<u>9,448.36</u>	<u>123,172.00</u>	<u>9,816.81</u>
Max *	<u>122,670.00</u>	<u>9,776.80</u>	<u>127,454.00</u>	<u>10,158.08</u>

* Upon completion of a 6 month (180 day) Officer Training period at Step 1

<u>Deputy Chief</u>	<u>EFFECTIVE</u>	
	<u>BASE</u>	<u>HOLIDAY PAY</u>
	<u>JAN. 1, 2011</u>	
<u>Step 1</u>	<u>127,976.00</u>	<u>10,199.69</u>
Max *	<u>132,425.00</u>	<u>10,554.27</u>

* Upon completion of a 6 month (180 day) Officer Training period at Step 1

SECTION 2. ***Effective January 1, 2001 a stipend for Holiday Pay/Senior Officers stipend shall be included in the base pay for purpose of pension entitlements. Also, the base pay without the Holiday Pay/Senior Officers stipend will be used for the calculation of overtime, acting officer pay and terminal leave.

SECTION 3. All ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect according to law.

On motion of Councilman Hamilton seconded by Councilwoman Maly same was passed on first reading: Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilman Tamborini submitted the following ordinance on first reading:

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN OFFICERS AND MEMBERS OF THE FIRE DEPARTMENT OF THE TOWNSHIP OF BLOOMFIELD, NEW JERSEY (Fire Superiors Local 219)

BE IT ORDAINED by the Township Council of the Township of Bloomfield, New Jersey:

SECTION 1. Effective January 1, 2007, as hereinafter indicated, the salaries of certain officers and members of the Fire Department of the Township of Bloomfield are hereby fixed and determined as follows:

<u>Current Captain</u>	<u>EFFECTIVE</u> <u>JAN. 1, 2007</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2008</u>	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	95,492.00	8,403.30	99,704.00	7,946.41

<u>EFFECTIVE</u> <u>JULY 1, 2008</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2009</u>	
<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
102,197.00	8,145.10	104,241.00	8,308.01

<u>EFFECTIVE</u> <u>JULY. 1, 2009</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2010</u>	
<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
106,847.00	8,515.71	111,014.00	8,847.82

<u>EFFECTIVE</u> <u>JAN. 1, 2011</u>	
<u>BASE</u>	<u>HOLIDAY PAY</u>
115,344.00	9,192.92

<u>Current Fire Official/Fire Protection</u>	<u>EFFECTIVE</u> <u>JAN. 1, 2007</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2008</u>	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	102,224.05	8,995.72	106,732.99	9,392.50

<u>EFFECTIVE</u> <u>JULY 1, 2008</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2009</u>	
<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
109,401.75	8,627.35	111,589.84	8,819.91

<u>EFFECTIVE</u> <u>JULY. 1, 2009</u>		<u>EFFECTIVE</u> <u>JAN. 1, 2010</u>	
<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
114,379.56	10,065.40	118,840.33	10,457.95

<u>EFFECTIVE</u> <u>JAN. 1, 2011</u>	
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Current Lieutenant Promoted to Captain or Fire Fighter promoted to Captain before December 31, 2008 or during any extension of current promotional list

<u>BASE</u>	<u>HOLIDAY PAY</u>
123,475.59	10,865.85

<u>EFFECTIVE</u> JAN. 1, 2007		<u>EFFECTIVE</u> JAN. 1, 2008	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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89,242.00	7,853.30	93,454.00	7,448.28
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<u>EFFECTIVE</u> JULY 1, 2008		<u>EFFECTIVE</u> JAN. 1, 2009	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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95,947.00	7,646.98	97,991.00	7,809.88
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<u>EFFECTIVE</u> JULY. 1, 2009		<u>EFFECTIVE</u> JAN. 1, 2010	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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100,597.00	8,017.58	103,698.00	8,264.73
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<u>EFFECTIVE</u> JAN. 1, 2011	
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<u>BASE</u>	<u>HOLIDAY PAY</u>
111,552.00	8,890.69

Fire Official Promoted before December 31,2008 or during, any extension of current promotional list.

<u>EFFECTIVE</u> JAN. 1, 2008		<u>EFFECTIVE</u> JULY 1, 2008	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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93,454.00	7,448.28	95,947.00	7,646.98
100,042.38	8,803.73	102,711.13	8,186.08

<u>EFFECTIVE</u> JAN. 1, 2009		<u>EFFECTIVE</u> JULY. 1, 2009	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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97,991.00	7,809.88	100,597.00	8,017.58
104,899.23	8,360.47	107,688.95	8,582.81

<u>EFFECTIVE</u> JAN. 1, 2010		<u>EFFECTIVE</u> JAN. 1, 2011	
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<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
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103,698.00	8,264.73	111,552.00	8,890.69
111,008.56	8,847.38	119,416.26	9,517.48

	<u>EFFECTIVE</u> JAN. 1, 2009		<u>EFFECTIVE</u> JULY. 1, 2009	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
<u>Firefighters promoted to Captain after December 31, 2008 or after expiration of current promotional list</u>				
Step 1	90,443.00	7,208.31	92,729.00	7,390.50
Step 2	93,892.00	7,483.19	96,258.00	7,671.76
Step 3	97,341.00	7,758.08	99,787.00	7,953.02
Step 4	100,790.00	8,032.96	103,316.00	8,234.29
Step 5	104,241.00	8,308.01	106,847.00	8,515.71

	<u>EFFECTIVE</u> JAN. 1, 2010		<u>EFFECTIVE</u> JAN. 1, 2011	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	96,384.00	7,681.80	100,182.00	7,984.51
	100,041.00	7,973.27	103,972.00	8,286.57
	103,698.00	8,264.73	107,762.00	8,588.63
	107,100.00	8,535.87	111,552.00	8,890.69
	111,014.00	8,847.82	114,500.00	9,125.65

	<u>EFFECTIVE</u> JAN. 1, 2009		<u>EFFECTIVE</u> JULY. 1, 2009	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
<u>Fire Officials Fire Protection promoted after December 31, 2008 or during any extension to current promotional list</u>				
	104,241.00	8,308.01	106,847.00	8,515.71
	111,589.84	8,893.71	114,379.56	9,116.05

	<u>EFFECTIVE</u> JAN. 1, 2010		<u>EFFECTIVE</u> JAN. 1, 2011	
	<u>BASE</u>	<u>HOLIDAY PAY</u>	<u>BASE</u>	<u>HOLIDAY PAY</u>
	111,014.00	8,847.82	114,500.00	9,125.65
	118,840.33	9,471.57	122,572.09	9,769.00

SECTION 2. ***Effective January 1, 2001 a stipend for Holiday Pay/Senior Officers stipend shall be included in the base pay for purpose of pension entitlements. Also, the base pay without the Holiday Pay/Senior Officers stipend will be used for the calculation of overtime, acting officer pay and terminal leave.

SECTION 3 All ordinances inconsistent herewith are hereby repealed.

SECTION 4 This ordinance shall take effect according to law.

On motion of Councilman Tamborini seconded by Councilwoman Ritchings same was passed on first reading: Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton, and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilwoman Ritchings submitted the following ordinance on first reading:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Township of Bloomfield in the County of Essex finds it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$453,474.84 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, in the County of Essex, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2007 budget year, the final appropriations of the Township of Bloomfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,587,161.94 and that the CY 2008 municipal budget for the Township of Bloomfield be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

On motion of Councilwoman Ritchings seconded by Councilwoman Barker same was passed on first reading: Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, and Mayor McCarthy voting "aye". (Mr.) Hamilton voting "nay", (Ms.) Sychala absent.

The Municipal Clerk read the following ordinance by title:

AN ORDINANCE TO AMEND CHAPTER 70, ALCOHOLIC BEVERAGES, ARTICLE I, GENERAL PROVISIONS, §70-2 LICENSE FEES, WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD

Mayor McCarthy asked if there were any objections to the ordinance just read by the Municipal Clerk.

Councilwoman Barker moved the ordinance just read by the Municipal Clerk be adopted on final reading, which motion was seconded by Councilwoman Ritchings: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Maly moved and Councilman Tamborini seconded the adoption of the following resolution:

2008 RESOLUTION - BUDGET INTRODUCTION RESOLUTION

WHEREAS, the Director of Finance recommends that the Mayor and Council introduce the attached budget; and

WHEREAS, based upon the Director of Finance's recommendation the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey desires to approve the local municipal budget for the Fiscal Year 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield hereby approves the following as the Budget for the Fiscal Year 2008; and

BE IT FURTHER RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2008; and

BE IT FURTHER RESOLVED, that the Clerk shall publish the budget as required by law.

	<u>AYES:</u>	<u>NAYS:</u>	<u>ABSTAINED:</u>	
RECORDED VOTE	Maly			
	Tamborini			
	Ritchings			
	Barker			
		Hamilton		
	McCarthy		<u>ABSENT:</u>	Spychala

A Hearing on the Budget and Tax Resolution will be held in the Council Chambers, Municipal Building on May 19, 2008 at 7:30 o'clock p.m. at which time and place objection to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

General Appropriation for: Municipal Appropriations within "CAPS"	\$47,052,821.70
Municipal Appropriations Excluded from "CAPS"	\$13,000,578.97
Reserve for Uncollected Taxes	<u>\$ 3,046,900.00</u>
TOTAL GENERAL APPROPRIATIONS	<u>\$63,100,300.67</u>
Less: Anticipated Revenues Other Than Current Property Taxes	<u>\$18,147,295.02</u>
Amount to be Raised by Taxes for Support of Municipal Budget	<u>\$44,953,005.65</u>

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, and Mayor McCarthy voting "aye". (Mr.) Hamilton voting, "nay". (Ms.) Spychala absent.

Councilman Hamilton moved and Councilwoman Maly seconded the adoption of the following resolution:

2008 RESOLUTION – FIREARMS RANGE

WHEREAS, the Township of Bloomfield, through its police department, attends, participates and uses several of the generated programs, classes and/or equipment of the Firearms Training Facility of the Borough of North Arlington; and

WHEREAS, North Arlington requires that the Township of Bloomfield execute and file an Indemnification and Hold Harmless Agreement prior to using of the Firearms Training Facility; and

WHEREAS, it is in the best interest of the Township of Bloomfield to provide the prescribed Indemnification and Hold Harmless Agreement in order to continue to participate in, and use the aforementioned programs, classes and/or equipment of the Firearms Training Facility of the Borough of North Arlington.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that the Mayor is hereby authorized to sign and the Clerk to attest to the prescribed Indemnification and Hold Harmless Agreement.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilwoman Ritchings moved and Councilwoman Barker seconded the adoption of the following resolution:

2008 RESOLUTION - APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A PEDESTRIAN SAFETY ENFORCEMENT AND EDUCATION GRANT ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY IN THE YEAR 2009.

WHEREAS, the Township of Bloomfield has applied for funding for a project under the Pedestrian Safety Enforcement and Education Grant; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Bloomfield for the purpose described in the application; and

WHEREAS, the Mayor and Council have reviewed the application and approve of the Township's participation in the Pedestrian Safety Enforcement and Education Grant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that:

1. As a matter of public policy the Township of Bloomfield wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Division of Highway Traffic Safety shall be responsible for the receipt and review of the applications for said funds.
3. The Division of Highway Traffic Safety shall initiate allocations to each applicant as authorized.
4. If the Division of Highway Traffic Safety awards the Township's request for funding, the Chief of Police shall be responsible to ensure said funding is utilized in accordance with the Pedestrian Safety Enforcement and Education Grant.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilwoman Barker moved and Councilman Hamilton seconded the adoption of the following resolution:

2008 RESOLUTION – SPRING TREE PLANTING

WHEREAS, after the required legal advertising was published, sealed bids were received in the Council Chambers of the Municipal Building, Bloomfield, New Jersey on Tuesday, March 25, 2008 at 10:00 a.m. by the Purchasing Committee of the Township of Bloomfield in accordance with N.J.S.A. 40A:11-1 et seq., “Local Public Contracts Law” for the 2008 Spring Tree Planting; and

WHEREAS, the bids received were referred to the Township Engineer for review; and

WHEREAS, after review of the bids submitted the Township Engineer hereby recommends that the contract be awarded to the lowest responsible bidder, Louis Barbato Landscaping, Inc., 1600 Rockwell Avenue, Holbrook, New York for a total contract cost of \$34,221.00; and

WHEREAS, the Director of Finance has indicated that funding is available in Capital Account C-04-55-992-988.

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 Township Engineer and he may enter into a contract for the above tree planting program with Louis Barbato Landscaping, Inc., 1600 Rockwell Avenue, Holbrook, New York for a total contract cost of \$34,221.00.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spsychala absent.

Councilwoman Maly moved and Councilman Tamborini seconded the adoption of the following resolution:

2008 RESOLUTION – IMPROVEMENTS TO SUMMIT AVENUE, VALENTINE ROAD AND GARDEN STATE PARKWAY RAMP #150, SOUTHBOUND

WHEREAS, after the required legal advertising was published, sealed bids were received in the Council Chambers of the Municipal Building, Bloomfield, New Jersey on Thursday, April 3, 2008 at 10:00 a.m. by the Purchasing Committee of the Township of Bloomfield in accordance with N.J.S.A. 40A:11-1 et seq., “Local Public Contracts Law” for the Improvements to Summit Avenue, Valentine Road and Garden State Parkway Ramp #150, Southbound; and

WHEREAS, the bids received were referred to the Township Engineer for review; and

WHEREAS, after review of the bids submitted the apparent low bidder, 4 Clean-Up, P.O. Box 5098, North Bergen, New Jersey, were found to be deficient in their bid submission by failing to list all subcontractors to be used on the project; and

WHEREAS, based upon the rejection of the bid submitted by 4 Clean-Up, the lowest responsive and responsible bidder was English Paving Co., Inc., 1087 Edgewater Avenue, Ridgefield, New Jersey; and

WHEREAS, the Township Engineer hereby recommends that the contract be awarded to the lowest responsive and responsible bidder, English Paving Co., Inc., 1087 Edgewater Avenue, Ridgefield, New Jersey in the amount of \$232,325.63; and

WHEREAS, the Director of Finance has indicated that funding is available in Capital Account C-04-55-990-965.

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 Township Engineer and he may enter into a contract for the above roadway program with English Paving Co., Inc., 1087 Edgewater Avenue, Ridgefield, New Jersey in the amount of \$232,325.63.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spsychala absent.

Councilman Tamborini moved and Councilwoman Ritchings seconded the adoption of the following resolution:

2008 RESOLUTION – 2006 ROADWAY IMPROVEMENTS – CHANGE ORDER - FINAL

WHEREAS, the Township of Bloomfield entered into a contract for the 2006 Roadway Improvement Program with DLS Contracting, Inc., 633 Franklin Avenue, Suite 170, Nutley, New Jersey 07110 (hereinafter “the Contractor”); and

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

WHEREAS, the Township Engineer has reviewed and agrees with the changes as presented in Change Order - Final; and

WHEREAS, Change Order - Final represents a reduction in the cost of the contract in the amount of \$92,453.94; and

WHEREAS, the Mayor and Council, based on the recommendation of the Township Engineer is satisfied that the specified changes should be approved; and

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

WHEREAS, the Director of Finance has certified that the funds are available.

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 - Final, is hereby approved and the Director of Finance of the Township of Bloomfield is hereby authorized to adjust payment for this work.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilman Hamilton moved and Councilwoman Maly seconded the adoption of the following resolution:

2008 RESOLUTION – SWEEPER BROOM REFILLS

WHEREAS, after the required legal advertising was published, sealed bids were received in the Council Chambers of the Municipal Building, Bloomfield, New Jersey on Tuesday, April 8, 2008 at 10:00 a.m. by the Purchasing Committee of the Township of Bloomfield in accordance with N.J.S.A. 40A:11-1 et seq., “Local Public Contracts Law” for the 2008 Sweeper Broom Refills; and

WHEREAS, the bids received were referred to the Township Engineer for review; and

WHEREAS, after review of the bids submitted the Township Engineer hereby recommends that the contract be awarded to the lowest responsible bidder, Keystone Plastics, Inc., 3451 South Clinton Street, South Plainfield, New Jersey for a total contract cost of \$9,960.00; and

WHEREAS, the Director of Finance has indicated that funding is available in the Department of Public Works Operating Budget 01-26-765-026.

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 Township Engineer and he may enter into a contract for the above items with Keystone Plastics, Inc., 3451 South Clinton Street, South Plainfield, New Jersey for a total contract cost of \$9,960.00.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Ritchings moved and Councilwoman Barker seconded the adoption of the following resolution:

2008 RESOLUTION – 2006 ROADWAY IMPROVEMENTS – PROFESSIONAL SERVICE CONTRACT AMENDMENT

WHEREAS, the Township of Bloomfield entered into a professional service contract for engineering design and construction inspection services for the 2006 Roadway Improvement Program with Dewberry, 200 Broadacres Drive, Bloomfield, New Jersey 07003 (hereinafter “the Consultant”); and

WHEREAS, during the course of construction, unforeseen circumstances related to the administration of the construction contract were encountered requiring additional oversight by the Consultant; and

WHEREAS, the additional work to administer the construction contract resulted in proper completion of the work and substantial cost savings to the Township of Bloomfield; and

WHEREAS, the Township Engineer has reviewed and agrees with the changes as presented in the request for contract amendment; and

WHEREAS, the contract amendment represents an increase in the cost of the contract in the amount of \$8,750.00; and

WHEREAS, the Mayor and Council, based on the recommendation of the Township Engineer is satisfied that the specified changes should be approved; and

WHEREAS, this amendment was found to be beneficial and necessary; and

WHEREAS, the Director of Finance has certified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that this amendment is hereby approved and the Director of Financial of the Township of Bloomfield is hereby authorized to adjust payment for this work.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spsychala absent.

Councilwoman Barker moved and Councilman Hamilton seconded the adoption of the following resolution:

2008 RESOLUTION – MOTORCYCLE AWARENESS MONTH - A JOINT RESOLUTION DESIGNATING MAY AS ‘MOTORCYCLE AWARENESS MONTH’ IN THE STATE OF NEW JERSEY.

WHEREAS, motorcycle riding is a popular form of recreation and transportation for thousands of people across the State and the nation; and

WHEREAS, a growing number of New Jersey citizens are choosing motorcycles as an alternative mode of transportation; and

WHEREAS, motorcycles are convenient, fuel efficient, reduce traffic and parking congestion, and provide enjoyment to riders; and

WHEREAS, many automobile drivers do not anticipate routine encounters with motorcyclists in traffic; and

WHEREAS, all motorists need to operate with caution near motorcycles as motorcycles lack the protective armor and are less visible than trucks and automobiles which increases the risk of serious accidental injury and death for motorcyclists; and

WHEREAS, in recent years, more than half of all motorcycle fatalities involved a crash with another type of vehicle; and

WHEREAS, because a motorcyclist is more likely to die in a crash than an automobile driver or passenger, an increased knowledge and awareness of motorcyclists can lessen the occurrence of injuries and fatalities to motorcyclists; and

WHEREAS, due to the increased number of motorcycles on the roads and highways of our State and because motorcycle awareness and safety is a concern to all, it is appropriate to set aside a time to alert all motorists to the number of motorcyclists on the roads and to help motorists become aware of the safety concerns of motorcyclists; and

WHEREAS, in light of all these factors, it is important to heighten motorcycle awareness.

NOW, THEREFORE, BE IT RESOLVED, by the Senate and General Assembly of the State of New Jersey:

C36:2-97 "Motorcycle Awareness Month," May; designated.

1. The month of May is hereby designated as "Motorcycle Awareness Month" in the State of New Jersey.
2. This joint resolution shall take effect immediately.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilman Hamilton moved and Councilwoman Maly seconded the adoption of the following resolution:

2008 AUTHORIZING RESOLUTION-NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SETTLEMENT AGREEMENT REGARDING THE NEW JERSEY UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES ACT, N.J.S.A. 58:10A-21.

WHEREAS, the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement notified the Township Of Bloomfield of violations related to the New Jersey Underground Storage Of Hazardous Substances Act more specifically listed in the attached settlement agreement; and

WHEREAS, the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement has offered to settle this violation with the Township of Bloomfield for a single monetary payment of \$5,000.00; and

WHEREAS, the settlement agreement has been reviewed by the Township Engineer, Paul D. Lasek, P.E. and determined to be fair and reasonable; and

WHEREAS, the settlement agreement has been reviewed and approved by the Township Attorney as to form and content; and

WHEREAS, the Chief Financial Officer of the Township of Bloomfield has certified that funding is available for payment of the settlement agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council that the Mayor of the Township Of Bloomfield is hereby authorized to execute the settlement agreement between the Township of Bloomfield and the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Ritchings moved and Councilwoman Barker seconded the adoption of the following resolution:

2008 AUTHORIZING RESOLUTION - NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SETTLEMENT AGREEMENT REGARDING SAFE DRINKING WATER ACT, N.J.S.A. 58:12A-1, ET.SEQ.

WHEREAS, the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement notified the Township of Bloomfield of violations related to the New Jersey Safe Drinking Water Act more specifically listed in the attached settlement agreement; and

WHEREAS, the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement has offered to settle this violation with the Township of Bloomfield for a single monetary payment of \$8,000.00; and

WHEREAS, the settlement agreement has been reviewed by the Township Water Operator, Anthony Marucci, P.E. and the Township Engineer, Paul D. Lasek, P.E. and determined to be fair and reasonable; and

WHEREAS, the settlement agreement has been reviewed and approved by the Township Attorney as to form and content; and

WHEREAS, the Director of Finance of the Township of Bloomfield has certified that funding is available for payment of the settlement agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that the Mayor of the Township of Bloomfield is hereby authorized to execute the settlement agreement between the Township of Bloomfield and the New Jersey Department of Environmental Protection, Northern Bureau of Water Compliance and Enforcement.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Maly moved and Councilman Tamborini seconded the adoption of the following resolution:

2008 RESOLUTION – 2008 ACTION PLAN

WHEREAS, the Township of Bloomfield is entitled to receive financial assistance for Program Year 2008 from the US Department of Housing and Urban Development (HUD) through the Community Development Block Grant Program (CDBG); and

WHEREAS, the program year 2008 commences on July 1, 2008 and concludes June 30, 2009; and

WHEREAS, it is necessary to submit the 2008 One-Year Action Plan to the US Department of Housing and Urban Development through the Consolidates submission process for the Community Development Block Grant Program.

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

1. The 2008 Action Plan submission to HUD is hereby approved per the attached budget, which includes \$1,135,240.00 in CDBG entitlement grant.
2. The Mayor of the Township of Bloomfield, as Certifying Officer, is hereby authorized as follows:

- (a) Should any comment be received prior to formal submission of the 2008 Action Plan, May 31, 2008, warrant a modification of any portion of the attached budget, and
 - (b) To file the 2008 Action Plan with HUD, and
 - (c) To serve as the authorized representative of the Township of Bloomfield in connection with the application and to provide any additional information as required; and
 - (d) To execute contracts with HUD allowing the expenditure of funds pursuant to said contracts, and
 - (e) To execute grant agreements with grant fund recipients outlined in the attached budget for purposes specified therein, and
3. The Directors of the Township Departments that operate CDBG assisted activities, namely the Departments of Engineering, Recreation, Health, Police and Fire are hereby authorized to enter into agreements with the Department of Community Development regarding these activities.
 4. The Director of Community Development will accept the funds in accordance with said application

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spsychala absent.

Councilwoman Maly moved and Councilman Tamborini seconded the adoption of the following resolution:

2008 RESOLUTION – KINDER TOWERS PROJECT

WHEREAS, National Church Residences of New Jersey (hereinafter referred to as the “Sponsor”) proposes to rehabilitate an existing 100-unit, low-income housing community for seniors age 62 years or older (hereinafter referred to as the “project”) pursuant to the provisions of the New Jersey Housing Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”); and

WHEREAS, the project is located within the Township of Bloomfield (hereinafter referred to as the “Municipality”) on a site described as Lot 100, Block 697 as shown on the Official Assessment Map of the Township of Bloomfield, Essex County and commonly known as Kinder Towers, in Bloomfield, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the Mayor and Council of the Township of Bloomfield hereby determines that there is a need for this housing project in the Township of Bloomfield.

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

- (1) The Mayor and Council finds and determines that the Kinder Towers Project, proposed by the Sponsor and described above, meets or will meet an existing housing need; and
- (2) The Mayor and Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilwoman Barker moved and Councilman Hamilton seconded the adoption of the following resolution:

2008 RESOLUTION – SERVICE AGREEMENT

WHEREAS, N.J.S.A. 40A:11-12 provides that any contracting unit may without advertising purchase any goods or services under any contract entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the current phone maintenance contract for the Town Hall and the Department of Public Works garage will be expiring; and

WHEREAS, the Director-Information Systems has determined that the Township is in need of a maintenance contract; and

WHEREAS, Empire Technologies, 3 Industrial Court, Freehold, NJ, 07728 has indicated that they will continue to provide the services for an additional three years under State Contract Number T-1316 at a cost not to exceed \$115,236.00; and

WHEREAS, the Director of Information Systems recommends that the Mayor and Council enter into this contract; and

WHEREAS, the Director of Finance has certified that funding is available to pay for these services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that the Director of Information System is hereby authorized to enter into a contract effective May 1, 2008 for a period of three years under State Contract T-1316 with Empire Technologies, 3 Industrial Court, Freehold, NJ 07728 in an amount not to exceed \$38,412.00 per year.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilman Hamilton moved and Councilwoman Maly seconded the adoption of the following resolution:

2008 RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR EEO CONSULTANT

WHEREAS, in accordance to N.J.S.A 19:44A-20.4 et. seq., a professional service contract under \$17,500.00 is not subject to the Pay-to-Play regulations; and

WHEREAS, the Township Administrator has determined that the Township needs an Equal Employment Opportunity Consultant; and

WHEREAS, the Township Administrator has certified that the cost of the service will not exceed \$17,500; and

WHEREAS, the Township Administrator solicited and received a proposal in the amount of \$3,500.00 from Scott Pennington, Esq., 76 South Orange Avenue, Suite ST01, South Orange, New Jersey, 07079 to perform the necessary Equal Employment Opportunity Consultant services; and

WHEREAS, as the Township's Consultant, Scott Pennington, Esq. will complete the necessary EEO-4 State and Local Government Report for the Township of Bloomfield; and

WHEREAS, it is the recommendation of the Township Administrator that Scott Pennington perform this work based upon his proposal and his past experience; and

WHEREAS, the Director of Finance has certified that funding is available to pay for this service.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey that a professional service contract in an amount not to exceed \$3,500.00 be awarded to Scott Pennington Esq., 76 South Orange Avenue, Suite ST01, South Orange, New Jersey, 07079.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

Councilwoman Maly moved and Councilman Tamborini seconded the adoption of the following resolution:

2008 RESOLUTION - HANDBOOK

WHEREAS, by the Municipal Excess Liability Joint Insurance Fund requires the Township Employee Handbook to be revised; and

WHEREAS, the Township has revised the Employee Handbook as necessary and shall distribute a copy to all employees of the Township; and

WHEREAS, every employee will be required to sign and date a receipt indicating they received their copy and return the receipt to the Township Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby adopt the Employee Handbook as revised and dated as effective April 1, 2008.

Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Sychala absent.

Councilman Tamborini moved that the following be awarded a license for 2008:

RAFFLE LICENSES

- | | |
|--|-------------------------------------|
| St. Valentine Altar & Rosary Sodality
125 North Spring Street
Bloomfield, NJ 07003 | (Off-Premise 50/50 Raffle- 1 Date) |
| Jerry Speziale Comm. Outreach Foundation, Inc.
P.O. Box 3690
Wayne, NJ 07470 | (Off-Premise Raffle-1 Date) |
| Bloomfield Harvest Fest, Inc.
P.O. Box 342
Bloomfield, NJ 07003 | (Non-Draw Wheels- 7 Games- 2 Dates) |
| Imperial House, Inc.
33 West Street
Bloomfield, NJ 07003 | (Amendment to RL#2880) |

LANDSCAPERS LICENSES

- | | |
|---|-----------------------|
| David Scrudato
P&D Landscaping
46 Nutley Avenue
Nutley, NJ 07110 | (Renewal- 1 Vehicle) |
| John Petrucci
Petrucci Landscaping
45 Ackerman Street
Nutley, NJ 07110 | (Renewal- 3 Vehicles) |

LANDSCAPERS LICENSES (Continued)

Charles Johnson (Renewal-2 Vehicles)
Johnson Lawn Maintenance
16 Manchester Way
Pine Brook, NJ 07058

Frank T. Aiello (Renewal-2 Vehicles)
Legacy Landscaping
18 Romano Street
Nutley, NJ 07110

Joseph Simeone (Renewal- 2 Vehicles)
Simeone & Sons Landscaping
437 Broad Street
Bloomfield, NJ 07003

Martin O'Boyle Renewal- 10 Vehicles)
Martin O'Boyle Landscaping Inc.
307 Broad Street
Bloomfield, NJ 07003

Robert Cruise (Renewal- 2 Vehicles)
Cultivated Grounds
908A Liberty Street
Belvidere, NJ 07823

OUTDOOR/SIDEWALK CAFÉ LICENSES

James Bender (Renewal)
Toscana Restaurant
1099 Broad Street
Bloomfield, NJ 07003

Frank Grauso (Renewal)
Hot Bagels Abroad
1129 Broad Street
Bloomfield, NJ 07003

TAXICAB OPERATOR'S LICENSES

Senesca Churchill (New)
256 Madison Ave, Apt.
Irvington, NJ 07111
Driving for Sunshine Taxi

Wendy Jossely Theodore (New)
128 Harper Ave.
Irvington, NJ 07111
Driving for Sunshine Taxi

TAXICAB OPERATOR'S LICENSES

Martial Jean (New)
13 Wheeler Street
West Orange, NJ 07052
Driving for Sunshine Taxi

LIMOUSINE OPERATOR'S LICENSES

Carl J. Gehron JR. (Renewal)
92 Woodland Road
Bloomfield, NJ 07003
Driving for Armenti Airport Service

Gerald Albanese Jr. (Renewal)
111 Rhoda Ave.
Nutley, NJ 07110
Driving for Armenti Airport Service

Iouri I. Iounakov (New)
79A Brookdale Gardens
Bloomfield, NJ 07003
Driving for Yunak, Inc.

which motion was seconded by Councilwoman Ritchings and carried.

Paul Lasek, Township Engineer, stated that on behalf of the Engineering Department, he is requesting to advertise Ad Authorizations for Municipal Building Handicap Access Parking Space Installation.

Councilwoman Ritchings moved the request that the Municipal Clerk be authorized to advertise for Municipal Building Handicap Access Parking Space Installation, which was seconded by Councilwoman Barker. Roll call vote showed the following: (Ms.) Maly, (Mr.) Tamborini, (Ms.) Ritchings, (Ms.) Barker, (Mr.) Hamilton and Mayor McCarthy voting "aye". (Ms.) Spychala absent.

At this time, Mayor McCarthy stated that Bloomfield's County Representative Ben Amos is present this evening, and would like to say a few words.

At this time, Ben Amos, County Representative, stated that at the previous Conference Meeting on April 14, 2008 through Councilwoman Maly and Councilwoman Ritchings, by abstention, it was requested that the County remove a dumpster at Watsessing Park and he has communicated with the Parks Department, as well as our Public Works Department, and they have assured him that the dumpster will be moved, but it may not be removed at this very moment because it is currently being used at this present time. He stated that when they are finished using the dumpster, it will be moved to a more unobtrusive area of the park, and he is pleased to report this to the Mayor and Council.

At this time, Councilwoman Ritchings stated that she and Councilwoman Maly discussed the matter and the problem now is that it is right near the running and walking track, so when people walk past the dumpster, especially when it is full, it is not pleasant.

Mr. Amos stated that he understands that the dumpster is still not in a desirable area, and he will follow up on the matter and report back to the Mayor and Council, thank you.

Councilwoman Ritchings asked if the dumpster could be placed somewhere where it cannot be seen, or smelt, thank you.

Councilwoman Barker moved for adjournment, which motion was seconded by Councilman Tamborini and carried. The meeting adjourned at 8:15 PM.

Louise M. Palagano
Municipal Clerk