Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 03/25/19 07:00 PM

2019 RESOLUTION APPROVAL

11-24
15

RESOLUTION: DENIAL OF AN APPLICATION FOR PROPOSED TENT SALE AT 7 ELEVEN LOCATED AT 544 BROAD STREET PURSUANT TO §443-22, et seq. OF THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD

WHEREAS, The Township has received an Application for permission to conduct a tent sale of NJ approved sparkling devices at 7 Eleven located at 544 Broad Street from June 21 through July 7, 2019 ("Application"); and

WHEREAS, the Application included the following information for the proposed sale:

- The sale of legal Sparklers and Sparkling devices would be held in the parking lot.
- The 20' x 20' tent will be anchored by stakes every ten feet around the tent.
- The sale will be open from 9am to 9pm most days, and until 10pm or 11 pm on July 3rd and 4th.
- The Applicant proposed use of a 3500-watt generator or securing access to electricity for lights after dusk until closing.
- The tent would be secured by a night watchman during off hours.

WHEREAS, §443-22, et seq. of the Township Code of the Township of Bloomfield requires application to, and authorization from, the Township Council for permission to conduct outdoor display and sales on sidewalks and adjoining areas, subject to certain conditions; and

WHEREAS, §443-24 of the Township Code prohibits granting permission for such sale for a period greater than two consecutive business days; and

WHEREAS, the Mayor and Council, having considered the Application, find that locating a 20' x 20' tent in the parking lot of 544 Broad Street as proposed in the Application would adversely affect public safety and the public welfare; and
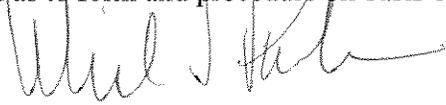
WHEREAS, the Council does not possess the authority to grant permission for outdoor display and sale for greater than two consecutive business days.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that in accordance with Chapter 443, Sales, Special, Article II, Sidewalk Sales, Section 443-22, et seq., find the Application for a tent sale at the 7 Eleven at 544 Broad Street fails to satisfy all of the criteria necessary for authorization to conduct outdoor display and sale, and further find they are without authority to grant permission for outdoor display and sale for a time period greater than two consecutive business days; and

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to deny said application.

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Approved as to form and procedure on basis of facts set forth.

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Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.

_____
Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on March 25, 2019.

_____
Municipal Clerk of the Township of Bloomfield

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Mayor of the Township of Bloomfield

Vote Record – Resolution					
☐ Adopt		Yes/Aye	No/Nay	Abstain	Absent
☐ Deny					
☐ Withdrawn	Jenny Mundell	☑	☐	☐	☐
☐ Table	Nicholas Joanow	☑	☐	☐	☐
☐ Not Discussed					
☐ First Reading	Sarah Cruz	☑	☐	☐	☐
☐ Table with no Vote	Wartyna Davis	☑	☐	☐	☐
☐ Approve	Ted Gamble	☑	☐	☐	☐
☐ Veto by Mayor					
☐ Discussion	Richard Rockwell	☑	☐	☐	☐
☐ Defeated	Michael J. Venezia	☑	☐	☐	☐
☐ Discussion No Vote					