



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

Louise M. Palagano  
*Municipal Clerk*

<http://www.bloomfieldtwpnj.com>

Meeting: 11/25/19 07:00 PM

---

---

**2019 RESOLUTION AGREEMENTS**

---

---

**RESOLUTION: EMERGENCY DECLARATION FOR LION GATE PARK PROJECT SITE**

**WHEREAS**, the Township of Bloomfield has undertaken a public works project to create The Third River Urban Park (also known as Lion Gate Park), which includes the creation of an active recreation area and natural wetland located at the confluence of the Third River and Spring Brook within the Township; and

**WHEREAS**, the site is located within the DEP-regulated 100-year flood hazard area and has a documented history of flooding. Severe storms in 2005, 2007 and 2011 resulted in the Third River topping its banks and sending flood waters across the site. At the time the preponderance of site was privately owned and entirely covered by a thick mat of vegetation consisting of securely-rooted grasses, woody plants and trees; and

**WHEREAS**, in early 2019, Tricon Enterprises, operating under a contract with Bloomfield Township to construct the Lion Gate Park, cleared the site of vegetation and began excavation of a 4.2-acre wetland area located at the southern end of the site. This included placement of several stockpiles containing over 10,000 cubic yards of historic fill, topsoil and construction debris at the north end of the site. In addition, several 15' deep trenches and pits were dug. Presently, these areas contain exposed, unsecured soil subject to erosion, sedimentation and possible washout downstream. The situation was compounded in late-September when the Township terminated its contract with Tricon due failure to complete construction of the park by the September 15 contract deadline. In early October Tricon removed all equipment from the site which remains, today, entirely exposed and at-risk; and

**WHEREAS**, the Township’s project manager and engineers have advised Township officials of potentially hazardous conditions existing within a 12-acre subsection of the Lion Gate park and wetland site, recommending that Bloomfield Township take emergency measures to quickly protect exposed and disturbed soils from possible erosion, flooding and downstream contamination; and

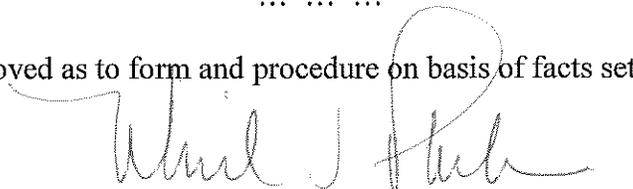
**WHEREAS**, the Township’s professionals have recommended the site requires immediate engagement of a competent contractor team with knowledge of the site and a track record to complete the wetland construction, the backfilling of trenches, the plugging of new stormwater intakes and pipes, the import and spread of wetland topsoil, the re-grading of storm swales and establishment of temporary retention and settling basins, and the seeding, fertilizing and setting of erosion mats and sedimentation measures to better-secure the site against winter and spring storm events. The contractor team shall prepare the site for a revised construction bid and contractor award with anticipated completion of all work - including wetland and park - on or about June 1, 2020; and

**WHEREAS**, Bloomfield Township cannot afford to delay as the site presents a public safety and environmental risk and must be immediately secured.

**NOW, THEREFORE BE IT RESOLVED**, the Mayor and Council of the Township of Bloomfield acknowledge and declare the existence of an emergency pursuant to N.J.S.A. 40A:11-6, et seq., that requires the immediate delivery of services.

\*...\*...\*...\*

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



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 November 25, 2019.



\_\_\_\_\_  
Municipal Clerk of the Township of Bloomfield



\_\_\_\_\_  
Mayor of the Township of Bloomfield

✓ Vote Record – Resolution					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Deny	Nicholas Joanow	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table with no Vote	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approve					
<input type="checkbox"/> Veto by Mayor					
<input type="checkbox"/> Discussion					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Discussion No Vote					