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

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

http://www.bloomfieldtwpnj.com

Meeting: 10/05/15 07:00 PM

## 2015 RESOLUTION APPROVAL

**2015 RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, REFERRING TO THE TOWNSHIP PLANNING BOARD A PROPOSED AMENDMENT TO CHAPTER 302 OF THE TOWNSHIP CODE, HISTORIC DISTRICT, CREATING A HISTORIC PRESERVATION COMMISSION PURSUANT TO N.J.S.A. 40:55D-107 *ET SEQ.***

WHEREAS, by Ordinance adopted on March 17, 1980, the Township established a Historic District consisting of the Historic Green and surrounding properties, which ordinance was amended in its entirety by ordinance adopted on January 2, 2007; and
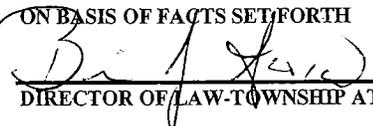
WHEREAS, the Mayor and Council have determined that there are other properties within the Township worthy of designation as a historic site or building, and thus enacted Ordinance No. 14-32 on August 11, 2014, which established a Historic Preservation Commission imbued with the powers set forth under the Municipal Land Use Law ("MLUL"), and specifically N.J.S.A. 40:55D-107, *et seq.*; and

WHEREAS, Ordinance No. 14-32 was not referred to the Township Planning Board prior to adoption; and

WHEREAS, the MLUL, however, requires in N.J.S.A. 40:55D-26, that all ordinances constituting a development regulation must be referred to the Planning Board for review determine whether there are any inconsistencies between the proposed ordinance and the Township Master Plan and for any other recommendations the Planning Board may have with respect to the proposed ordinance; and

WHEREAS, the MLUL defines a "development regulation" as including any ". . . municipal regulation of the use and development of land" adopted pursuant to the MLUL; and

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

_____
DIRECTOR OF LAW-TOWNSHIP ATTORNEY

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**WHEREAS**, thus, Ordinance No. 14-32 should have been referred to the Planning Board pursuant to N.J.S.A. 40:55D-26; and

**WHEREAS**, concurrently with this resolution, the Mayor and Council have introduced on first reading Ordinance No. 15-61, for the purpose of reaffirming the prior adoption of Ordinance No. 14-32; and

**WHEREAS**, by this resolution, the Mayor and Council hereby refer to the Planning Board Ordinance No. 15-61 for its review pursuant to N.J.S.A. 40:55D-26.

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

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

Section 2.     The Mayor and Council for the Township of Bloomfield hereby direct the Township of Bloomfield Planning Board to review, pursuant to N.J.S.A. 40:55D-26, the proposed Ordinance reaffirming the adoption of an ordinance establishing a Historic Preservation Commission and grating it the powers enumerated under N.J.S.A. 40:55D-107, *et seq.*

Section 3.     The Township Clerk is hereby directed to forward a copy of proposed Ordinance No. 15-61 to the Planning Board for its review.

Section 4.     This Resolution shall take effect immediately.

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

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 October 05, 2015.

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Municipal Clerk of the Township of Bloomfield

Mayor of the Township of Bloomfield

## Vote Record – Resolution

| | | | Yes/Aye | No/Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| ☐ Adopt | | | | | | |
| ☐ Deny | | | | | | |
| ☐ Withdrawn | Elias N. Chalet | | ☑ | ☐ | ☐ | ☐ |
| ☐ Table | Nicholas Joanow | | ☑ | ☐ | ☐ | ☐ |
| ☐ Not Discussed | Carlos Bernard | | ☐ | ☐ | ☐ | ☑ |
| ☐ First Reading | Wartyna Davis | | ☑ | ☐ | ☐ | ☐ |
| ☐ Table with no Vote | Joseph Lopez | | ☑ | ☐ | ☐ | ☐ |
| ☐ Approve | Carlos Pomares | | ☑ | ☐ | ☐ | ☐ |
| ☐ Veto by Mayor | Michael J. Venezia | | ☑ | ☐ | ☐ | ☐ |
| ☐ Discussion | | | | | | |
| ☐ Defeated | | | | | | |
| ☐ Discussion No Vote | | | | | | |