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

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

<http://www.bloomfieldtwpnj.com>

Meeting: 05/05/14 07:00 PM

**2014 RESOLUTION AGREEMENTS**

**RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A MAINTENANCE AGREEMENT BETWEEN THE TOWNSHIP OF BLOOMFIELD AND THE COUNTY OF ESSEX FOR THE REPLACEMENT OF THE BERKELEY AVENUE BRIDGE.**

**WHEREAS**, the Township of Bloomfield maintains its support for the County's bridge replacement project as approved in by Township resolution on February 19, 2008; and

**WHEREAS**, to the best of our knowledge the roadway and appurtenances known as Berkeley Avenue and it associated 60 foot right of way is owned and maintained by the Township of Bloomfield, hence under Township jurisdiction; and

**WHEREAS**, to the best of our knowledge the bridge and its appurtenances that spans the Second River and the Historic Morris Canal / Wright's Field Trail is owned and maintained by the County of Essex under a separate agreement between the County of Essex and the Lehigh Valley Railroad Company, their assessor and assigns, dated August 10, 1922, hence under County Jurisdiction; and

**WHEREAS**, to the best of our knowledge the right of way that spans the Historic Morris Canal is assumed to be a portion of the Berkeley Avenue right of way with an assumed width of 60 feet, hence under Township jurisdiction; and

**WHEREAS**, to the best of our knowledge properties and lands that form the Municipal Park known as Wright's Memorial Field, specifically Block 308, Lot 100 and Block 481, Lot 55 are township owned and maintained, hence under Township ownership; and

**WHEREAS**, the Township of Bloomfield grants permission to the County of Essex to occupy said lands of Wright's Memorial Field and temporary closure of the existing stone trail for the purposes of replacing the Berkeley Avenue Bridge. Said occupation and closure shall not

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

*Brian J. [Signature]*  
Director of Law - Township Attorney

exceed a cumulative period of 6 months; and

**WHEREAS**, the Township of Bloomfield acknowledges continued County jurisdiction of the Berkeley Avenue Bridge, as reconfigured, to provide safe operations and to maintain its structural integrity through future routine maintenance and rehabilitation for the purposes of providing a continual crossing of the Second River and Historic Morris Canal for Berkeley Avenue; and

**WHEREAS**, the Township has reviewed the County's bid document and find the proposed improvements acceptable; and

**WHEREAS**, the County of Essex and their Contractor will comply with local noise ordinances throughout the duration of the work and will name the Township of Bloomfield as an interested party on all Contract insurance requirements during said construction; and

**WHEREAS**, the Township of Bloomfield acknowledges the proposed construction will require the closure of Berkeley Avenue for 9 months and that a detour will be in place along a route agreed to by the Township under a separate cover; and that proper signage is installed during construction to notify the traveling public of road and trail closures; and that the construction area is adequately closed to public access during non-working hours to provide a safe environment to the greatest extent practical and within reason; and

**WHEREAS**, the County of Essex will provide the Township full access to the construction site for their own independent inspection and given access to resident engineer inspection field notes and data if requested, as well as invited to all field and construction related meetings; and

**WHEREAS**, the County of Essex will allow the Township of Bloomfield the opportunity

to attend the final construction walk through and that the roadway and other items under Township jurisdiction are constructed to their satisfaction prior to the releasing of Construction Bonds to the County's Contractor.

#### **WORK TO BE PERFORMED BY THE COUNTY**

Essex County will in the near future retain a private Contractor for the Replacement of Berkeley Avenue Bridge over Second River and Morris Canal in the, Township of Bloomfield. The following is a description of activities to be taken place on your properties adjacent to Berkeley Avenue and remediation at the property located within Block 308, Lot 100 and Block 481, Lot 55, as shown on "Exhibit B" related to the above described bridge replacement project.

1. Access through said lands associated with the demolition and construction of the bridge, abutments, pier and retaining walls, as well as trail and other related construction activities in support of the project.
2. Construction of interpretative historic signage, roadway and trail drainage, temporary and permanent chain-link fence, 13 foot wide stone trail, slopes, new trees and shrubs, topsoiling, seeding and mulch.
3. Construction and placement of new underground electrical conduit and wires, an overhead light attached to a proposed pole, overhead aerial lines and utility poles.

#### **PROPERTY REMEDIATION**

Essex County will perform the following to restore the property:

1. Any other property damaged during the time of construction related to this bridge rehabilitation, will be repaired to the Townships satisfaction.
2. Photos and a video will be taken before any construction activity starts.
3. Securing of work zone to public access during non-working hours for safety purposes.
4. Provide a minimum of 24 hour notices to Township Officials when access to the property is required and implementation of any roadway / trail closures.
5. Coordinate with the Township regarding notifying local residents of the proposed construction activity.
6. Perform construction activities in accordance with Township Noise ordinances requirements.

#### **MAINTENANCE JURISDICTION AFTER COMPLETION OF WORK**

Upon completion of construction Essex County and Bloomfield Township will be responsible for all future maintenance responsibilities as follows:

1. Essex County will be responsible for all maintenance and rehabilitation of the Berkeley Avenue Bridge and associated bridge deck, foundations, retaining walls and other bridge appurtenances;
2. Essex County will be responsible for all historical markers, impact attenuators on bridge approaches;
3. Township of Bloomfield will be response for maintaining roadway and trail

appurtenance including, but not limited to, sidewalk, curb, asphalt, drainage pipes, drainage structures, slopes and embankments, stone trail and fencing, not attached to the bridge and retaining wall structures.

**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 terms and conditions of this agreement and authorizes the Township Administrator or his or her designee to execute the maintenance agreement between the Township and County of Essex for the Berkeley Avenue Bridge Replacement.

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

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 May 05, 2014.

*Louise M. Palagano*  
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 Municipal Clerk of the Township of Bloomfield

*Mr. V. J.*  
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 Mayor of the Township of Bloomfield

✓ Vote Record - Resolution 3549					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					
<input type="checkbox"/> Tabled					
<input type="checkbox"/> Approved					
<input type="checkbox"/> Approved by Consensus					
<input type="checkbox"/> Not Discussed					
<input type="checkbox"/> Tabled with No Vote					
<input type="checkbox"/> Discussed					
<input type="checkbox"/> Veto by Mayor					
<input type="checkbox"/> Approved No Vote					
<input type="checkbox"/> Deferred					
	Elias N. Chalet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carlos Bernard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Joseph Lopez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carlos Pomares	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>