

Township Council  
1 Municipal Plaza  
Bloomfield, NJ 07003

Louise M. Palagano  
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 04/16/12 07:00 PM

## 2012 RESOLUTION APPOINTMENT

# AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A PROFESSIONAL WBMA STATION MANAGER

**WHEREAS**, the Township of Bloomfield needs the services of a Station Manager/Consultant for the local television Channel 35; and

**WHEREAS**, the Township desires to make this appointment under the provisions *N.J.S.A. 19:44A-20.5*, as a non-fair and open contract; and

**WHEREAS**, the Township Administrator has determined that the value of these services will exceed \$17,500; and

**WHEREAS**, this contract will end on December 31, 2012; and

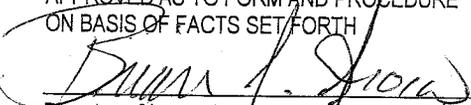
**WHEREAS**, Robert W. Duthaler, 186 Springbrook Trail, Sparta, New Jersey 07871 has submitted the attached proposal indicating he will provide the services at a cost of \$54,600.00; and

**WHEREAS**, Robert W. Duthaler has completed and submitted the attached Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Bloomfield in the previous one year, and that the contract will prohibit Robert W. Duthaler from making any reportable contributions through the duration of this contract; and

**WHEREAS**, the Director of Finance has certified that funds are available to cover the cost of this service.

**NOW, THEREFORE, BE RESOLVED**, that the Mayor and Council of the Township of Bloomfield authorizes the Township Administrator to enter into a contract with Robert W.

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

  
Director of Law - Township Attorney

Duthaler as described herein; and

**BE IT FURTHER RESOLVED**, that no minimum payment is implied or guaranteed;  
and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification, the Township Administrator's Determination of Value, the proposal of Robert W. Duthaler and the contract itself be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that the above documents shall be available for public inspection at the office of the Township Clerk during regular business hours; and

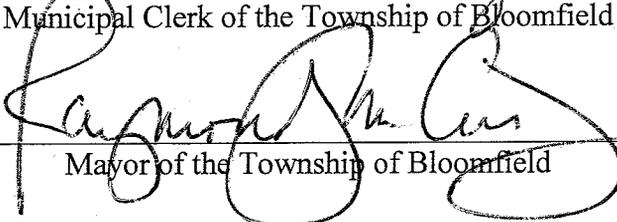
**BE IT FURTHER RESOLVED**, that in accordance with Standardized Submission Requirements the Township reserves the right to cancel this contract upon thirty (30) days notice and the Professional shall only be paid for the work completed or on a pro-rated amount if the contracts calls for a monthly retainer; and

**BE IT FURTHER RESOLVED**, that a notice of this action shall be printed once in the official newspaper of the Township of Bloomfield.

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

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 April 16, 2012.

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

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

✓ Vote Record - Resolution 1608						
		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	Elias Chalet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approved	Carlos Bernard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approved by Consensus	Michael Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled with No Vote	Bernard Hamilton	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Discussed	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor						

**BUSINESS ENTITY DISCLOSURE CERTIFICATION  
FOR NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the professional/business entity has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2012 to any of the following named elected officials, candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Bloomfield as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Elected Officials	Committees
Mayor Ramond J. McCarthy	Bloomfield Democratic Committee
Councilman Bernard Hamilton	Elias N Chalet for Councilman
Councilman Elias N. Chalet	The Ray McCarthy Election Fund
Councilwoman Peggy O'Boyle-Dunigan	The Election Fund of Nicholas Joanow
Councilman Michael J. Venezia	Friends of Carlos Bernard Councilman
Councilman Nicholas Joanow	Margaret O'Boyle-Dunigan Election Fund
Councilman Carlos Bernard	The Election Fund of Michael Venezia
	The Committee to Elect the McCarthy Team
	Friends in Support of Bernard Hamilton
	Bloomfield Town Council Candidates – Carlos Bernard & Elias N. Chalet

**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     
  Corporation     
  Sole Proprietorship     
  Subchapter S Corporation  
 Limited Partnership     
  Limited Liability Corporation     
  Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Robert W Duthaler	186 Springbrook Trail, Sparta, NJ 07003

**Part 3 – Signature and Attestation:**

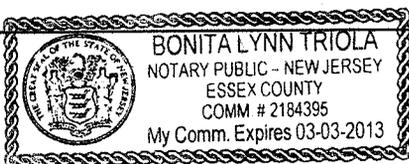
The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Duke Multimedia Productions  
 Signed: Robert W. Duthaler Title: Owner  
 Print Name: Robert W. Duthaler Date: 3-15-12

Subscribed and sworn before me this 23 day of March, 2012

My Commission expires:

Bonita L Triola  
 (Affiant)  
Bonita L. Triola  
 (Print name & title of affiant) (Corporate Seal)



**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
Required Pursuant To N.J.S.A. 19:44A-20.8

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

**“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)**

**19:44A-20.6 Certain contributions deemed as contributions by business entity.**

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

**19:44A-20.7 Definitions relative to certain campaign contributions.**

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

**Temporary and Executing**

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

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**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)