



**Township Council**

1 Municipal Plaza  
Bloomfield, NJ 07003

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

<http://www.bloomfieldtwpnj.com>

Meeting: 07/23/12 07:00 PM

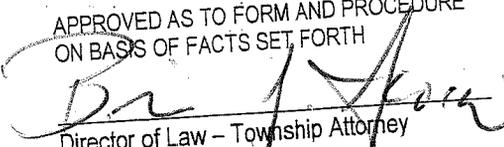
**2012 RESOLUTION APPROVAL**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING FUNDS FROM REDEVELOPMENT BOND ORDINANCE TO FUND A PORTION OF THE COSTS RELATING TO THE CONSTRUCTION OF A PARKING GARAGE ON BLOCK 228 AND AMENDING THE INTRA-LOCAL AGREEMENT BETWEEN THE TOWNSHIP AND THE PARKING AUTHORITY TO PROVIDE FOR THE ANNUAL PAYMENT OF ALL EXCESS REVENUES OF THE PARKING AUTHORITY TO THE TOWNSHIP IN CONSIDERATION THEREFOR**

WHEREAS, the Bloomfield Parking Authority has determined to construct a parking garage (the "Parking Garage") in Bloomfield Center on Block 228 as set forth on the tax map of the Township of Bloomfield; which property is also an area in need of redevelopment as authorized under the law; and

WHEREAS, on October 7, 2003, the Mayor and Council adopted Ordinance No. 03-37, as amended by Ordinance No. 11-41, adopted on August 8, 2011 (the "Redevelopment Bond Ordinance"), pursuant to which the Township appropriated \$15,000,000 and authorized the issuance of bonds or notes in the amount of \$15,000,000 for the purposes of, among other things, the acquisition, redevelopment and/or rehabilitation of properties located in areas in the Township designated as areas in need of redevelopment pursuant to the Redevelopment Law, and including all work and materials necessary therefor and incidental thereto, all professional and other related fees and expenses, and all relocation, demolition, environmental testing and remediation fees and expenses; and

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

  
Director of Law - Township Attorney

**WHEREAS**, in lieu of authorizing the guaranty of any additional bonds or notes of the Parking Authority, the Township desires to appropriate the sum of \$5,000,000 from the proceeds of the Redevelopment Bond Ordinance for the purpose of funding a portion of the costs associated with the Parking Garage; and

**WHEREAS**, it is anticipated that following the completion and stabilization of the Parking Garage and the entire parking system, the Parking Authority will begin to produce a surplus; and

**WHEREAS**, the Township wishes to amend the Intra-local Agreement between the Township and the Parking Authority dated as of July 1, 2004 (the "**Intra-local Agreement**") to provide that certain excess funds of the Parking Authority shall be paid over to the Township in consideration for, among other things, the appropriation authorized hereby;

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

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

**Section 2.** The Township hereby appropriates the sum of \$5,000,000 from the proceeds of the Redevelopment Bond Ordinance for the purpose of funding a portion of the costs associated with the Parking Garage.

**Section 3.** Section 603 of the Intra-local Agreement is hereby amended in its entirety to read as follows:

**"SECTION 603. Payment to Township.** In consideration for the Township's appropriation of \$5,000,000 towards to the construction of a parking garage and the provision of the Township Services, on or before July 1<sup>st</sup> of each year, the Authority shall pay an amount to the Township equal to 100% of the Authority's Net Revenues for the preceding Fiscal Year."

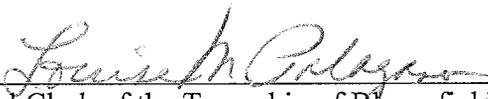
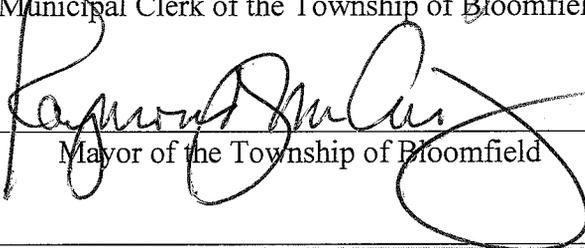
**Section 4.** The Mayor is hereby authorized to execute, and the Clerk is hereby authorized and directed to attest to such execution, any and all documents necessary to effectuate the purposes of this Resolution.

**Section 5.** If any part of this Resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

**Section 6.** 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 July 23, 2012.

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

✓ Vote Record - Resolution 1972		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted					
<input type="checkbox"/> Adopted as Amended	Elias Chalet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Nicholas Joanow	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Carlos Bernard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Michael Venezia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Approved	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved by Consensus	Bernard Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled with No Vote					
<input type="checkbox"/> Discussed					
<input type="checkbox"/> Veto by Mayor					

Writer's Direct Dial (973) 622-4869  
Writer's Email: [kmcmanimon@msbnj.com](mailto:kmcmanimon@msbnj.com)

August 9, 2012

Karan Hochman, Executive Director  
Bloomfield Parking Authority  
230 Broad Street  
Bloomfield, NJ 07003

**Re: Township of Bloomfield Parking Authority  
Amendment to Intra-Local Agreement**

Dear Karan:

Enclosed herewith for your file please find an original, fully-executed version of the Amendment to Intra-Local Agreement, dated as of July 31, 2012.

Please let me know if you have any questions or comments. Thank you for your attention.

Very truly yours,



Kevin P. McManimon

KPM

Enclosures

cc: Louise M. Palagano, Clerk (w/original enclosure)

RECEIVED  
TOWNSHIP OF BLOOMFIELD  
BLOOMFIELD, NEW JERSEY  
07003  
2012 AUG 10 A 9:20

10028-001 501047-1

---

**AMENDMENT TO  
INTRA-LOCAL AGREEMENT**

**BY AND BETWEEN**

**TOWNSHIP OF BLOOMFIELD**

**AND**

**TOWNSHIP OF BLOOMFIELD PARKING AUTHORITY**

**Dated: As of July 31, 2012**

---

## AMENDMENT TO INTRA-LOCAL AGREEMENT

**THIS AMENDMENT** (the “**Amendment**”) is made as of this 31<sup>st</sup> day of July, 2012, by and between the **TOWNSHIP OF BLOOMFIELD**, a municipal corporation of the State of New Jersey (the “**Township**”) and the **TOWNSHIP OF BLOOMFIELD PARKING AUTHORITY**, a public body corporate and politic and a political subdivision of the State of New Jersey (the “**Parking Authority**”).

### WITNESSETH:

**WHEREAS**, the Parking Authority was created pursuant to the Parking Authorities Law, N.J.S.A. 40:11A-1 et seq. (the “**Act**”) for the purposes of constructing, providing for and/or operating on-street and off-street parking projects within the Township in order to promote free movement of traffic and relief of traffic congestion on the streets of the Township and to improve conditions affecting the public safety and welfare therein; and

**WHEREAS**, the Parking Authority has determined to construct a parking garage (the “**Parking Garage**”) in Bloomfield Center on Block 228 as set forth on the tax map of the Township, which property is also an area in need of redevelopment as authorized under applicable law; and

**WHEREAS**, on October 7, 2003, the Mayor and Council adopted Ordinance No. 03-37, as amended by Ordinance No. 11-41, adopted on August 8, 2011 (as amended, the “**Redevelopment Bond Ordinance**”), pursuant to which the Township appropriated \$15,000,000 and authorized the issuance of bonds or notes in the amount of \$15,000,000 for the purposes of, among other things, the acquisition, redevelopment and/or rehabilitation of properties located in areas in the Township designated as areas in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and including all work and materials necessary therefor and incidental thereto, all professional and other related fees and expenses, and all relocation, demolition, environmental testing and remediation fees and expenses; and

**WHEREAS**, in lieu of authorizing the guaranty of any additional bonds or notes of the Parking Authority, the Township desires to appropriate the sum of \$5,000,000 from the proceeds of the Redevelopment Bond Ordinance for the purpose of funding a portion of the costs associated with the Parking Garage; and

**WHEREAS**, it is anticipated that following the completion and stabilization of the Parking Garage and the entire parking system, the Parking Authority will begin to produce a surplus; and

**WHEREAS**, the Parking Authority and the Township entered into an Intra-Local Agreement, dated as of July 1, 2004 (the “**Intra-Local Agreement**”); and

**WHEREAS**, the Township and the Parking Authority desire to amend the Intra-local Agreement to provide that certain excess funds of the Parking Authority shall be paid over to the Township in consideration for, among other things, the appropriation authorized in connection with the construction of the Parking Garage.

**NOW, THEREFORE**, in consideration of the promises, agreements and covenants hereinafter set forth and mutually agreed to, the Parking Authority and the Township, each for itself, its successors and assigns, do mutually covenant, promise and agree as follows:

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

**Section 2. Amendment of Section 603 of the Intra-Local Agreement.** Section 603 of the Intra-Local Agreement is hereby deleted and replaced with the following:

**“SECTION 603. Payment to Township.** In consideration for the Township’s appropriation of \$5,000,000 toward the construction of a parking garage and the provision of the Township Services, on or before July 1<sup>st</sup> of each year, the Authority shall pay an amount to the Township equal to 100% of the Authority’s Net Revenues for the preceding Fiscal Year.”

**Section 3. Amendment Construed with Agreement.** All of the provisions of this Amendment shall be deemed to be and construed as part of the Intra-Local Agreement to the same extent as if fully set forth therein.

**Section 4. Counterparts.** This Amendment may be executed in any number of counterparts and by the different parties hereto on separate counterparts, each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute but one and the same instrument.

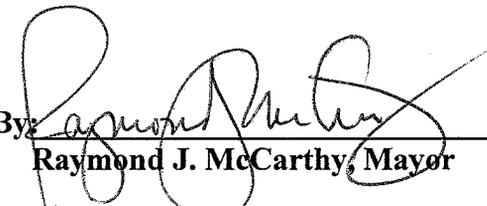
**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.  
SIGNATURE PAGE FOLLOWS].**

IN WITNESS WHEREOF, the Township and the Parking Authority have caused this Agreement to be executed, all as of the date first above written.

ATTEST

  
Louise M. Palagano, Clerk

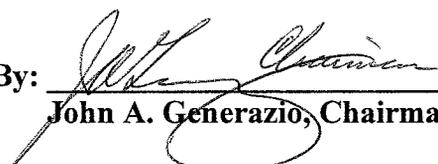
TOWNSHIP OF BLOOMFIELD

By:   
Raymond J. McCarthy, Mayor

ATTEST:

  
Russ Moserowitz, Secretary

PARKING AUTHORITY OF THE  
TOWNSHIP OF BLOOMFIELD

By:   
John A. Generazio, Chairman