

**2011 RESOLUTION - AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ACTING RECYCLING COORDINATOR**

5/9/11

**WHEREAS**, the Township of Bloomfield needs the services of a Recycling Coordinator to manage all of the Recycling Act; 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 be a month to month or until the hiring of a DPW Director; and

**WHEREAS**, Carl E. Bowles (hereinafter "Professional") has submitted the attached proposal to provide the services; and

**WHEREAS**, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies they have 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 the Professional from making any reportable contributions during the term of the 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 the Professional as described herein; and

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

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

  
Director of Law-Township Attorney

**BE IT FURTHER RESOLVED**, that the Business Entity Disclosure Certification, the Township Administrator's Determination of Value, the proposal of the Professional 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

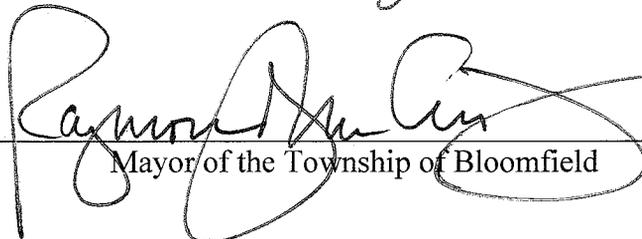
**BE IT FURTHER RESOLVED**, that the Township reserves the right to cancel this contract upon thirty (30) days notice and the Professional shall only be paid for the work completed or on a pro-rated amount if the contracts calls for a monthly retainer; and

**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 Township Council of the Township of Bloomfield at a meeting of said Township Council held on May 9, 2011.

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

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

**ROLL CALL VOTE**

MAYOR & COUNCIL	YES	NO	ABSTAIN	ABSENT
COUNCILWOMAN MALY	✓			
COUNCILMAN JOANOW	✓			
COUNCILMAN RUANE	✓			
COUNCILMAN VENEZIA	✓			
COUNCILWOMAN DUNIGAN	✓			
COUNCILMAN HAMILTON	✓			
MAYOR McCARTHY	✓			

**Danielle Christiano**

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**From:** Danielle Christiano  
**Sent:** Thursday, May 05, 2011 2:37 PM  
**To:** Bonnie Triola  
**Subject:** FW: Prepare and File 2010 Recycling Tonnage Report in accordance with NJDEP Requirements

Sorry for such the delay

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**From:** Samantha DePalma  
**Sent:** Thursday, May 05, 2011 2:20 PM  
**To:** Danielle Christiano  
**Subject:** FW: Prepare and File 2010 Recycling Tonnage Report in accordance with NJDEP Requirements

For the recycling coordinator resolution.

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**From:** carlb413@aol.com [mailto:carlb413@aol.com]  
**Sent:** Thursday, May 05, 2011 2:19 PM  
**To:** Samantha DePalma  
**Subject:** Prepare and File 2010 Recycling Tonnage Report in accordance with NJDEP Requirements

I Carl E. Bowles, CRP, CPWM, has agreed to prepare and file 2010 Recycling Tonnage Report with the necessary documents/receipts that has been provided by the Township of Bloomfield Public Works Department and the Township of Bloomfield will provide me certified copy of Mayor and Council Resolution authorizing me to file 2010 Recycling Tonnage Report to NJDEP.

I will provide Township of Bloomfield a printed copy of Recycling Tonnage Report for the year 2010.

Also the fee to be charged between \$1000 to \$2000.00 maximum charge.

Thank you in advance.

Carl E. Bowles, CRP, CPWM

46 Diane Drive  
Tinton Falls, New Jersey 07753-7954



Title: \_\_\_\_\_  
Print Name: Cam E. Bowles  
Date: 4-21-11

Subscribed and sworn before me this 21 day  
of April, 2011.

LEONARD A. RENDA  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires May 22, 2011  
(Affiant)

My Commission expires:

*Leonard Renda*

**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.

**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)