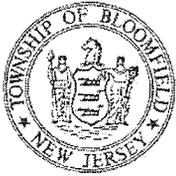


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**Township Council**  
1 Municipal Plaza  
Bloomfield, NJ 07003

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

<http://www.bloomfieldtwpnj.com>

Meeting: 11/09/11 07:30 PM

**2011 RESOLUTION AUTHORIZATIONS**

**RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX CANCELING TAXES AND WATER CHARGES OWED BY THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD**

**WHEREAS**, in order to, among other things, operate and/or manage parking facilities located within the Township of Bloomfield (the "Township"), the Township Council of the Township (the "Township Council"), pursuant to Ordinance 03-27 (the "Creation Ordinance") duly adopted August 4, 2003 and the Parking Authority Law of the State of New Jersey (the "State"), N.J.S.A. 40A:11A-1 *et seq.*, as amended and supplemented (the "Act"), created and established the Parking Authority of the Township of Bloomfield (the "Authority") as a public body corporate and politic of the State and an agency of the Township with all the powers, privileges, and authority conferred by the Creation Ordinance and the Act; and

**WHEREAS**, the Authority was created to operate and/or manage on-street and other parking facilities located within the Township and to enforce applicable law, ordinances and regulations as to the parking of vehicles in the Township, and the consequent promotion of free movement of traffic and relief of traffic congestion on the streets of the Township and improvement of conditions affecting the public safety and welfare therein; and

**WHEREAS**, by ordinance adopted on March 15, 2004, the Township agreed to guaranty the Authority's bonds, notes or other obligations issued to finance certain start-up costs of the Authority, as well as costs related to the financing of the design, development and construction of a parking garage (the "Parking Garage"), including the acquisition of properties necessary therefor; and

ED AS TO FORM AND PROCEED  
ON BASIS OF FACTS SET FOR

*Brian J. Acosta*  
Director of Law/Township Attorney

**WHEREAS**, pursuant to that certain Intra-Local Agreement by and between the Authority and the Township, dated July 1, 2004, the Authority pays a portion of its excess revenues to the Township at the end of each fiscal year; and

**WHEREAS**, activities undertaken by the Authority, in particular, those relating to the construction of parking facilities such as the Parking Garage, serve the interests of the Township and its residents; and

**WHEREAS**, by resolution adopted on October 12, 2010, the Township Council of the Township of Bloomfield (the "Township Council") designated the properties known as Block 228, Lots 1, 4, 5, 7 (formerly 7 & 8), 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24 (formerly 24 & 27), 28, 29, 31 (formerly 30 & 31) and 33 (formerly 33 & 35), and Block 220, Lot 40 on the Township's Tax Map (the "Redevelopment Area") as an area in need of redevelopment, in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et. seq.* (the "Redevelopment Law"); and

**WHEREAS**, by ordinance adopted on February 7, 2011, the Township Council approved and adopted a redevelopment plan for the Redevelopment Area, known as the "Redevelopment Plan for Block 228 and Block 220, Lot 40" (the "Redevelopment Plan"); and

**WHEREAS**, the Redevelopment Plan contemplates the construction of the Parking Garage; and

**WHEREAS**, since September 15, 2010, the Authority acquired a number of properties in Block 228 on the Township's tax map, which properties are necessary for the construction of the Parking Garage, including the properties located at lots 4, 29, 31 and 33, which properties were all formerly owned by private entities (the "Prior Owners"); and

**WHEREAS**, pursuant to the Act, specifically, N.J.S.A. 40:11A-19, properties owned by the Authority are generally exempt from real property taxation; and

**WHEREAS**, through lease agreements between tenants and the Prior Owners, and tenants and the Authority, the properties located at lots 4, 29, 31 and 33 on Block 228 were occupied and used by private parties after October 1, 2010; and

**WHEREAS**, as a result, such properties were required to be listed as taxable properties on the Township's tax rolls for the year 2011; and

**WHEREAS**, the private parties occupying and using such properties after October 1, 2010, however, have since vacated such properties; and

**WHEREAS**, the Township believes that it would be inequitable, unnecessary and unreasonable to require the Authority to pay property taxes to the Township; and

**WHEREAS**, by Resolution No. 10b, duly adopted by the Township Council on February 22, 2011, the Township expressed its intent to provide, pursuant to applicable law, including N.J.S.A. 54:4-99, for the cancellation of property taxes due on properties owned by the Authority, by official action to be taken after the tax rate for the year 2011 is set; and

**WHEREAS**, the tax rate for the year 2011 has been set and, accordingly, the Township desires to provide for the cancellation of property taxes and water charges, along with interest thereon, due on properties owned by the Authority as set forth in more detail in **Exhibit A** hereto.

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

**Section 1.** The recitals hereof are incorporated herein as though set forth more fully

herein.

**Section 2.** Property taxes and water charges, and interest thereon, due on the properties set forth in **Exhibit A** hereto, are hereby canceled.

**Section 3.** The Mayor, tax collector, chief financial officer and all other Township personnel are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this resolution.

**Section 4.** This resolution shall take effect immediately.

**Exhibit A**

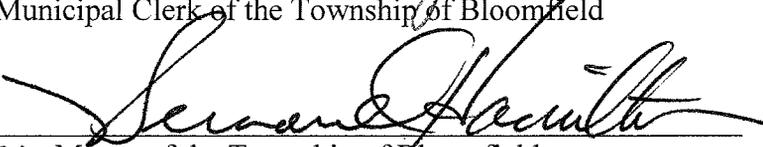
Block 228, Lot #	Street Address	Property Taxes*	Water Charges*
4	288 Glenwood Avenue	\$9,257.45	\$85.97
29	31 Lackawanna Place	\$8,090.08	\$113.95
31	25 Lackawanna Place	\$26,964.11	\$51.71
33	21 Lackawanna Place	\$2,293.18	\$306.48

\*Amount set forth includes interest calculated through November 30, 2011

\* \* \* \* \*

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 November 09, 2011.

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

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

<input checked="" type="checkbox"/> <b>Vote Record -</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted		Janice Litterio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended		Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated		Robert Ruane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn		Michael Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled		Peggy O'Boyle Dunigan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Approved		Bernard Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved by Consensus		Raymond McCarthy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Not Discussed						
<input type="checkbox"/> Tabled with No Vote						