

RESOLUTION NO. 2015-2-11-2

RESOLUTION OF THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD APPROVING AMENDED AND RESTATED SHARED SERVICES AGREEMENT

WHEREAS, the Township Council of the Township of Bloomfield (the "Township"), pursuant to Ordinance 03-27 (as amended, 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 including, but not limited to the management and operation of all parking meters and related facilities located within the Township; and

WHEREAS, the purposes and policies of the Authority are, among other things, to: (i) develop, finance, construct, improve, maintain and/or operate certain parking facilities within the Township in order to provide safe and convenient parking areas to meet the parking needs of the residents of the areas, commuters and the commercial users of the areas; (ii) establish parking fees and the days and hours of operation and/or collection for all parking meters or other public parking facilities located within the Township; (iii) enforce violations of State law and Township ordinances with regard to said facilities; and (iv) serve as the principal town-wide coordinating body for establishing and affecting parking policy and initiatives throughout the Township; and

WHEREAS, for the Authority to accomplish its purposes it was necessary for the Township to, among other things: (i) grant the Authority the power to enforce violations of State law and municipal ordinances at all parking facilities and to lease and direct parking enforcement officers in furtherance of its enforcement purposes; (ii) provide for the regular maintenance of all parking facilities; and (iii) at all times maintain or cause to be maintained with responsible insurers all such insurance as is customarily maintained with respect to all parking facilities of like character; and

WHEREAS, toward those ends, the Township and the Authority entered into that certain Intra-Local Agreement, dated as of July 1, 2004 (the "Original Intra-Local Agreement"), as amended by that certain Amendment to Intra-Local Agreement, dated as of July 31, 2012 (the "Amendment to Intra-Local Agreement" and, together with the Original Intra-Local Agreement, the "Intra-Local Agreement"); and

WHEREAS, it is in the economic interest of the Township and the Authority for: (i) the Authority to maintain responsibility for enforcement of parking violations; (ii) the Township to provide certain services to the Authority (including parking management services ("Parking Management Services") on a temporary basis); and (iii) the Authority, in exchange therefor, to make payment to the Township of its net revenues; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et*

seq. (the “Shared Services Act”) permits local units, such as the Township and the Authority, to enter into agreements with other local units to provide for the sharing of services between and among each other; and

WHEREAS, in order to effectuate the matters set forth in the preambles herein and such other matters provided herein, the Township and the Authority desired to enter into a Shared Services Agreement (the “Shared Services Agreement”), to replace and supplement the Intra-Local Agreement; and

WHEREAS, by Resolution 2014-1-29-7, adopted by the Authority on January 29, 2014, the Authority approved a form of Shared Services Agreement; and

WHEREAS, subsequently, the Township and Authority determined to modify the terms of the payments from the Authority to the Township for Parking Management Services; and

WHEREAS, the Authority recognized that the Township had been providing Parking Management Services to the Authority since January 2014; and

WHEREAS, by Resolution 2014-8-13-4, adopted by the Authority on August 13, 2014, the Authority approved the execution of a modified Shared Services Agreement and thereafter both parties executed same; and

WHEREAS, the Township and the Authority desire to amend and restate the Shared Services Agreement to further modify the terms of the payments from the Authority to the Township for Parking Management Services and to set forth terms of payments from the Township to the Authority for parking violations; and

WHEREAS, the Authority desires to authorize any of the Commissioners of the Authority (each an “Authorized Officer”) to execute the Amended and Restated Shared Services Agreement (the “Amended and Restated Shared Services Agreement”) in substantially the same form as that now on file with the Authority, along with such additions, deletions or modifications that such Authorized Officer, after consultation with counsel, deems necessary.

NOW, THEREFORE, BE IT RESOLVED by the Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby approves the form of the Amended and Restated Shared Services Agreement and authorizes any Authorized Officer to execute the Amended and Restated Shared Services Agreement in substantially the same form as that now on file with the Authority, along with such additions, deletions or modifications that such Authorized Officer, after consultation with counsel, deems necessary.
3. This resolution shall take effect immediately.

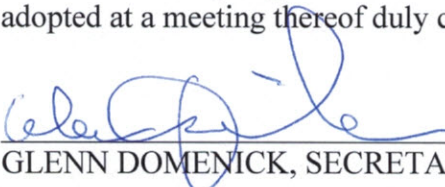
Moved by: Yudi Sobharam

Seconded by: Robert DeMarino

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT
Abdallah Chalet				X
Cheryl McCants	X			
Leamon McKenzie	X			
Yudi Sobharam	X			
Peter Tom	X			
Nicole Williams	X			
Robert DeMarino	X			

The foregoing resolution is a true and complete copy of a resolution of the Authority adopted at a meeting thereof duly called and held on February 11, 2015.



GLENN DOMENICK, SECRETARY