

RESOLUTION NO. 2012-9-18-5

RESOLUTION OF THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD PARKING AUTHORITY AUTHORIZING THE EXTENSION OF THE LEASE OF OFFICE SPACE

WHEREAS, the Parking Authority of the Township of Bloomfield (the "Authority"), a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Parking Authority Law, N.J.S.A. 40:11A-1 *et seq.* to lease in the capacity of lessee real property which in the opinion of the Authority is necessary or useful and convenient in connection with the parking of vehicles; and

WHEREAS, it is the opinion of the Authority that the lease of office space from which to conduct Authority operations is necessary, useful and convenient to the Authority's provision of the parking of vehicles in the Township of Bloomfield, County of Essex and State of New Jersey (the "Township"); and

WHEREAS, on August 13, 2007, the Authority executed a lease (the "Lease") with 230 Broad Street Medical, L.L.C., for the lease of that part of the premises located at 230 Broad Street in the Township, consisting of approximately 1,400 square feet of space on the 1st floor level (the "Office Space"), currently owned by 230 Broad Street, LLC, a limited liability company organized under the laws of the State of New Jersey (the "Lessor"); and

WHEREAS, on July 9, 2009, the Authority exercised its first option to renew the Lease, as set forth in Section 4.2 thereof and executed a Renewal and Extension of Lease Agreement for a two (2) year term; and

WHEREAS, on June 21, 2011, the Authority and the Lessor entered into a Second Renewal and Extension of Lease Agreement (the "2011 Lease Extension") for an additional one (1) year term and, thereafter, on a month-to-month basis; and

WHEREAS, the Authority now desires to further renew the Lease on the terms and conditions set forth in the Renewal and Extension of Lease Agreement (the "Third Renewal and Extension of Lease Agreement") on file with the Executive Director of the Authority (the "Executive Director"); and

WHEREAS, the Authority desires to authorize and direct any Commissioner of the Authority, the Executive Director and/or the Authority's general counsel, McManimon, Scotland & Baumann, LLC ("Counsel") to take such actions as are necessary to renew the Lease; and

WHEREAS, the Authority also desires to authorize any Commissioner to execute the Third Renewal and Extension of Lease Agreement in substantially the same form as that on file with the Executive Director, with such additions, deletions or modifications as may be deemed necessary, after consultation with Counsel.

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 authorizes and directs any Commissioner of the Authority, the Executive Director and/or Counsel to take such actions as are necessary to renew the Lease.
3. The Authority hereby authorizes any Commissioner of the Authority to execute the Third Renewal and Extension of Lease Agreement in substantially the same form as that on file with the Executive Director, with such additions, deletions or modifications as may be deemed necessary, after consultation with Counsel.
4. A copy of this resolution shall be available for public inspection at the offices of the Authority.
5. This resolution shall take effect immediately.

Moved by:

Seconded by:

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT
Abdallah Chalet				
Thomas O. Johnston, Esq.				
Oscar McKee				
Russ Moserowitz				
Carlos Pomares				
Nicole Williams				

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 September 18, 2012.

RUSS MOSEROWITZ, SECRETARY

**RESOLUTION AUTHORIZING EXECUTIVE SESSION
RESOLUTION NO. 2012-9-18-6**

**RESOLUTION OF THE PARKING AUTHORITY OF THE TOWNSHIP
OF BLOOMFIELD PROVIDING FOR A MEETING NOT OPEN TO THE
PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW
JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.**

WHEREAS, the Parking Authority of the Township of Bloomfield (the "Authority"), a public body corporate and politic of the State of New Jersey, is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. (the "Act"), and

WHEREAS, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Authority to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12(b) and designated below:

- ___ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Act.

- ___ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

- ___ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

- ___ (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

- ___ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Discussion related to the terms of the acquisition of real property by the Authority or other investment of public funds.

- ___ (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.

- ___ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Discussions related to status of litigation, negotiations or the Attorney-Client Privilege.

- ___ (8) Matters Relating to the Employment Relationship: Discussion relating to the status of employment of Authority personnel and/or to the terms of such employment.

- ___ (9) Matters Relating to the Potential Imposition of a Penalty Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

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 assembled in public session on September 18, 2012 and determined that an Executive Session closed to the public shall be held on September 18, 2012 at approximately 6:00 P.M. at the Authority's offices located at 230 Broad Street, Bloomfield, New Jersey, for the discussion of matters relating to the specific items designated above.

3. A copy of this resolution shall be available for public inspection at the offices of the Authority.

4. This resolution will take effect immediately.

Moved by:

Seconded by:

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT
Abdallah Chalet				
Thomas O. Johnston, Esq.				
Oscar McKee				
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