

**RESOLUTION NO. 2013-12-23-6**

**RESOLUTION OF THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD APPROVING PARKING AGREEMENT WITH REDEVELOPER**

**WHEREAS**, the Township Council of the Township of Bloomfield (the "Township"), 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 including, but not limited to the management and operation of all parking meters and related facilities located within the Township; and

**WHEREAS**, the purposes of the Authority are the construction, provision or operation of off-street parking projects within the Township, the management and operation of on-street and other parking meters and related facilities, the enforcement of 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**, the Authority is authorized under the Act to plan, design, construct, reconstruct, enlarge, improve, manage, maintain, repair, operate and use parking projects as in the opinion of the Authority will provide an effective and satisfactory method for promoting its purposes; and

**WHEREAS**, the Authority is further authorized under the Act to acquire by purchase, lease or otherwise and hold and use, and to construct, improve, maintain, operate, own, manage or lease either in a capacity of lessor or lessee parking projects and any land, property, real, personal or mixed, tangible or intangible, or any interest therein, meters, equipment or facilities to be devoted to the parking or storage of vehicles of any kind or which in the opinion of the authority are necessary or useful and convenient in connection therewith or with the promotion of free movement of traffic; and

**WHEREAS**, the Authority has constructed a parking garage (the "Parking Garage") on the property now known as Block 228, Lot 1.01 on the official tax map of the Township; and

**WHEREAS**, the Parking Garage will be enveloped by approximately 224 residential units (the "Residential Project") and approximately 60,000 square feet of retail space (the "Retail Project" and, together with the Residential Project, the "Mixed-Use Project"); and

**WHEREAS**, the Township has designated Bloomfield Center Urban Renewal, LLC ("BCUR") as the redeveloper responsible for the completion of the Retail Project and

AvalonBay Communities, Inc. ("AVB") as the redeveloper responsible for the completion of the Residential Project; and

**WHEREAS**, AVB has commenced construction of the Mixed-Use Project and, in connection therewith, has requested that the Authority allow it to exclusively use the on-street, meter-controlled parking spaces along Lackawanna Place between Washington Street and Glenwood Avenue (the "Lackawanna Parking Spaces"), and prohibit the parking of all motor vehicles in such spaces during such time, in order to accommodate the delivery of materials and flow of construction traffic to and around the site of the Mixed-Use Project; and

**WHEREAS**, the Authority now desires to allow AVB to use the Lackawanna Parking Spaces for the above-described purposes, and prohibit the parking of all motor vehicles in such spaces during such time, for a term of one year, starting on a date to be determined, in exchange for payment therefor from AVB; and

**WHEREAS**, in order to accomplish the aforementioned purposes, the Authority desires to authorize counsel to negotiate compensation from AVB for the use of the above-described parking facilities for the limited period of time described herein, consistent with the terms discussed at the Authority's December 23, 2013 special meeting and to authorize any Commissioner of the Authority to execute any documents necessary to effectuate the purposes of this resolution.

**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 exclusive use by AVB of the Lackawanna Parking Spaces for a term of one year starting on a date to be determined, and prohibits the parking of all motor vehicles in such spaces during such time, in exchange for compensation from AVB in an amount to be agreed upon consistent with the terms discussed during the Authority's December 23, 2013 special meeting.
3. The Authority hereby further authorizes any Commissioner of the Authority to execute any documents necessary to effectuate the purposes of this resolution.
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.

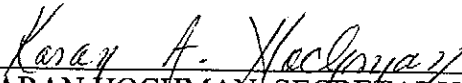
**Moved by: Nicole Williams**

**Seconded by: Oscar McKee**

**RECORDED VOTE:**

<b>REGULAR MEMBERS</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOT PRESENT</b>
<b>Abdallah Chalet</b>				<b>X</b>
<b>Robert DeMarino</b>	<b>X</b>			
<b>Oscar McKee</b>	<b>X</b>			
<b>Yudi Sobharam</b>				<b>X</b>
<b>Nicole Williams</b>	<b>X</b>			
<b>Russ Moserowitz</b>	<b>X</b>			

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 December 23, 2013.

  
KARAN HOCHMAN, SECRETARY