

This Notice is being sent to you, for reference purposes, as per the Open Public Meetings Act Requirements, N.J.S.A. 10:4-8 and N.J.S.A. 10:4-18.

**AGENDA  
COUNCIL MEETING  
315 WESTFIELD AVE., CLARK, NJ 07066  
May 16, 2016  
7:30 PM**

**ROLL CALL:**

|                                    |                                     |
|------------------------------------|-------------------------------------|
| <b>Councilwoman Albanese</b> _____ | <b>Councilman O'Connor</b> _____    |
| <b>Councilman Barr</b> _____       | <b>Councilman Smith</b> _____       |
| <b>Councilman Mazzarella</b> _____ | <b>Councilman Toal</b> _____        |
|                                    | <b>Council President Hund</b> _____ |

**PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE**

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County Local Source, and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

Suspend the Regular Order of Business to Honor 5<sup>th</sup> Grade Girls Basketball Championship Season

Brief Recess - Resume the Regular Order of Business

**COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:**

**Mayor:**

**Township Officers:** Police, Fire and Emergency Management reports for the month of April 2016; received and filed in the Clerk's office.

**REPORT OF COUNCIL COMMITTEES:**

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**INTRODUCTION OF PROPOSED ORDINANCES:**

- 1. AN ORDINANCE TO SUPPLEMENT CHAPTER 195 SECTION 131 ENTITLED "DOWNTOWN VILLAGE DISTRICT" OF THE CODE OF THE TOWNSHIP OF CLARK CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AND ESTABLISHING A DISTRICT MANAGEMENT CORPORATION TO PROVIDE SERVICES WITHIN THE DISTRICT**

Public Hearing June 20, 2016, 7:30 pm, 315 Westfield Ave.

(Supplemental Debt Statement for the Bond Ordinance has been properly filed with the New Jersey Division of Local Government Services by the Chief Financial Officer)

2. **BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2016 CAPITAL ROAD IMPROVEMENT PROGRAM (PHASE II) IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,470,000 TO PAY THE COST THEREOF, TO APPROPRIATE STATE GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Public Hearing June 6, 2016, 7:00 pm, 315 Westfield Ave.

**PAYMENT OF CLAIMS:**

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through May 10, 2016 in the amount of \$186,428.91

**CITIZEN HEARING ON THE AGENDA:**

Agenda items only: Please state your name and address for the record

**RESOLUTIONS:**

3. Award of contract to Schaefer Pyrotechnics, Inc. for the July 4<sup>th</sup> Fireworks display in the amount of \$15,000.00
4. Appointing Brian McCabe, Tyler Klutkowski and Fritzner Midy as members of the Clark Volunteer Fire Department
5. Authorizing volunteer firefighters and emergency medical volunteers to participate in the Volunteer Tuition Credit Program
6. Authorizing the Business Administrator to enter into a contract with Inservco Insurance Services as the claims servicing organization for one year at an annual fee of \$14,280.00
7. Granting a waiver of permit fees for NJFMBA Local 99, a non-profit organization, to sell merchandise at the Ride to Rescue Motorcycle Run to be held on June 11<sup>th</sup> at Oak Ridge Park
8. Authorizing Final Payment to S. Brothers Inc. for the 2015 Capital Roadway Improvement Project in the amount of \$36,904.31

**Council as ABC Board:**

9. Approving the Person to Person/Place to Place Transfer of ABC License #2002-33-011-007 from 1199 Corporation to MCP REST CORP.

**CONSENT AGENDA RESOLUTIONS:**

10. Authorizing the Tax Collector to submit an application to the Director of the Division of Local Government Services to participate in the electronic tax sale pilot program

11. Authorizing the Tax Collector to refund overpayment of 2016 taxes in the amount of \$40,959.85
12. Authorizing the Chief Financial Officer to apply sewer account balance adjustments in the amount of \$5,378.88
13. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of 607.49
14. Endorsing the submission of the recycling tonnage grant application and designating Jennifer Kobliska to ensure that the application is properly filed
15. Appointing Antonio Tolentino as a Class II Special Police Officer

**NEW BUSINESS ON THE CALENDAR:**

**PUBLIC COMMENTS:**

Please state your name and address for the record

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

**ADJOURNMENT:**

INTRO 1

TOWNSHIP OF CLARK

Ordinance No. 16-08

Adopted \_\_\_\_\_

Introduced: May 16, 2016 Public Hearing: June 20, 2016

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

**AN ORDINANCE TO SUPPLEMENT CHAPTER 195 SECTION 131 ENTITLED "DOWNTOWN VILLAGE DISTRICT" OF THE CODE OF THE TOWNSHIP OF CLARK CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AND ESTABLISHING A DISTRICT MANAGEMENT CORPORATION TO PROVIDE SERVICES WITHIN THE DISTRICT**

**WHEREAS** the Mayor and Municipal Council regard the Downtown Village District (DTV) an integral and vital economic and social force in the Township of Clark; and

**WHEREAS** the Mayor set up a task force, subsequent to a meeting being held, inviting all the property owners within the "DTV" to discuss the future as to the economic viability of the area, and such task force decided upon developing a plan to enhance the Downtown Village District's commercial viability and attractiveness; to help the "DTV" attract new businesses and residential development in the Downtown Village District; and

**WHEREAS** the Mayor and Council desires to implement conceptually an Improvement Plan and Design for the Downtown Village District; and

**WHEREAS** pursuant to N.J.S.A. 40:56-65 et. Seq., (the "ACT"), the Mayor and Council of the Township of Clark, (the Township) hereby determines that the area hereinafter designated as a Special Improvement District (the District) is in the best interest of the Township and its residents for promoting economic growth and employment within the District and the general welfare of the Township of Clark and for the purpose of improving municipal tax rates for the properties located within the District; and

**WHEREAS** a District Director would provide administrative and other services to benefit businesses, employees, residents and consumers within the District; and

**WHEREAS** a special assessment shall be imposed and collected by the Township with the regular property tax payment or payment in lieu of taxes or otherwise, and as hereinafter or hereafter designated by the Mayor and Council of the Township of Clark all or a portion of those costs shall be transferred to the District to effectuate the purpose given to it by this ordinance and the Act; and

**WHEREAS** such special assessment shall fall within the range of three quarters of a tax point (.75) not to exceed one tax point (1.00). Should the District require additional funds, it will be necessary to amend this ordinance with the prior approval of the District Management Corporation and concurrence of the Mayor and Council; and

**WHEREAS** it is in the best interest of the Township and the general public to create the District hereinafter specifically outlined and designated and to establish a District Management Corporation.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Municipal Council of the Township of Clark:

**Section 1.** There is hereby created and designated within the Township of Clark the "Clark Special Improvement District" (the District) hereinafter designated by street address and tax lot and block number set forth in section 3 hereof. The "District" shall be subject to a special assessment on all property within the "District" which shall be imposed by the Township of Clark for the purpose of promoting the economic and general welfare of the "District" and the Municipality.

**Section 2.** It is the intention and purpose of this Ordinance to encourage and endeavor to have the exteriors of all structures in the "District" which are or become used, whether all or in part, for non-residential use, as defined in the Township of Clark Land Use and Development Regulations, as adopted and amended from time to time.

**Section 3.** All costs of development, construction and acquisition relating to providing public improvements for the "District" not borne by Federal, State, County or Local governments shall be financed and assessed to properties specially benefitted by such improvements. The properties specially benefitted by the creation of the "District" as described by lot and block number and street address as listed in Appendix A.

**Section 4.** It is hereby determined that the improvements in the "District" may involve annual costs, in addition to the initial cost of constructing and making improvements within the "District". Such annual costs relate to the maintenance services peculiar to the "District", and are distinguished from maintenance services normally provided by the Township outside of the "District" and will provide benefits primarily to the property included in the "District", rather than to the Township as a whole. The improvements and the facilities thereof shall be maintained and operated pursuant to the provisions of this ordinance, and to N.J.S.A. 40:56-65 et.seq. and the costs thereof shall be assessed or taxed to the benefitted properties or businesses pursuant to this ordinance or to N.J.S.A. 40:56-80 (or N.J.S.A. 40:56-85). The properties to be assessed or taxed to provide the payment of such annual costs are described in Section 3, hereof.

**Section 5.** Concurrently with the submission of the Improvement Plan for the Special Improvement District, and annually thereafter, the Business Administrator of the Township of Clark, with the assistance of the Director of the District Management Corporation, shall report to the Mayor an estimate of the cost of operating, maintaining, and improving the district for the next fiscal year to be

incurred under the Plan including an estimate of changes in the amount of said costs, which would follow upon the adoption of any addition or amendment to the Plan recommended to or under consideration by the Township Council. Such estimate shall be reasonably itemized and shall include a summary of categories of cost, properly chargeable in accordance with N.J. S. A 40:56-80. The Business Administrator shall submit a detailed annual budget for approval by resolution of the Municipal Council

**Section 6.** There is hereby created the "Township of Clark District Management Corporation", (the Corporation) which shall exercise the following powers:

- (1) Adopt Bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations and policies in connection with the performance of its functions and duties;
- (2) Subject to Mayor's approval, the Corporation may employ such persons, as may be required, to fix and pay their compensation from funds available to the Corporation;
- (3) Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money;
- (4) Subject to Mayor's approval, Corporation may make and execute agreements which may be necessary or convenient to exercise the powers and functions of the Corporation, including contracts with any person, firm, corporation, governmental agency or other entity;
- (5) Subject to approval of Mayor and Municipal Council approval, Corporation may request to borrow money from private lenders for periods not to exceed 180 days and from governmental entities for that or a longer period of time;
- (6) Fund the improvement of the exterior appearance of properties in the "District" through grants or loans, subject to prior Administration approval;
- (7) Fund the rehabilitation of properties in the "District" subject to prior Administration approval;
- (8) Subject to prior Mayor and Municipal approval, the Corporation may accept, purchase, rehabilitate, sell, lease or manage property in the "District";
- (9) Enforce the conditions of any loan, grant, sale or lease made by the Corporation;
- (10) Provide security, sanitation and other services to the "District" supplemental to those provided normally by the Township";
- (11) Undertake improvements designed to increase safety or attractiveness of the "District" to businesses which may desire to locate there, or to visitors to the "District", including, but not limited to, litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities and those improvements generally permitted for pedestrian malls under section of P/L/1972, C.134, Section 2 (N.J.S.A. 40:56-66) pursuant to pertinent regulations of the governing body;
- (12) Publicize the "District" and the businesses included within the "District" boundaries;
- (13) Recruit new business to fill vacancies in, and to balance the business mix of, the "District";

- (14) Organize and coordinate special events in the "District" pursuant to pertinent regulations of the Mayor and Municipal Council;
- (15) Provide special parking arrangements for the "District" subject to prior approval from the Administration;

**Section 7.**

A. the Corporation shall be governed by a Board of Trustees consisting of seven (7) members appointed by the Mayor and Municipal Council as follows:

- (1) A member of the Municipal governing body, appointed by the Mayor;
- (2) Two (2) residents of the Township of Clark, who are neither an owner or tenant of property in the "District", nor conduct a business therein, nor is a stockholder, officer, employee or director of any business conducted in the "District";
- (3) Two (2) persons who are either owners of real estate located within the "District", or officials of a corporation or entity owning real estate within the "District";
- (4) Two (2) persons who are either proprietors or employees of businesses conducted within the "District"

B. the appointment of Members to the Board of Trustees shall initially be as follows:

(1) Two members for a one (1) year term; (2) Two Members for a two (2) year term; (3) two Members for a three-year term. Thereafter, appointments will be for a three-year term. Terms shall expire on December 31<sup>st</sup>.

C. Vacancies on the Board of Trustees are appointed by the Mayor and Municipal Council and will be filled for the expiration of the term.

D. the Member of the Municipal Council shall be appointed by the Mayor for a one-year term ending December 31<sup>st</sup>.

E. the Chairman of the Board of Trustees shall be appointed by the Mayor annually.

**Section 8.** If any provisions of this ordinance should be held invalid, or contrary to law, then such provision of the Ordinance shall be deemed separable from the remaining provisions of this ordinance and shall in no way affect the validity of the other provisions of the ordinance.

**Section 9.** This ordinance shall take effect upon adoption as required by the laws of the governing body.

Effective Date: July13, 2016

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**STEVEN M. HUND**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

|   |                        |
|---|------------------------|
| Ord16/5-16CreatingSpecialImprvDistrictSID |                        |
|   | Aye Nay Abstain Absent |
| Albanese                                  | _____                  |
| Barr                                      | _____                  |
| Mazzarella                                | _____                  |
| O'Connor                                  | _____                  |
| Smith                                     | _____                  |
| Toal                                      | _____                  |
| Hund                                      | _____                  |

| <u>Block</u> | <u>Lot</u> | <u>Street Address</u>  |
|--------------|------------|------------------------|
| 91           | 3          | 5 Westfield Avenue     |
| 105          | 10         | 10 Westfield Avenue    |
| 105          | 10.01      | 10 Westfield Avenue    |
| 105          | 11         | 10 Westfield Avenue    |
| 91           | 4          | 11-13 Westfield Avenue |
| 91           | 6          | 17 Westfield Avenue    |
| 91           | 7          | 21-23 Westfield Avenue |
| 105          | 8          | 26 Westfield Avenue    |
| 91           | 8          | 27 Westfield Avenue    |
| 91           | 9          | 29 Westfield Avenue    |
| 105          | 6          | 30 Westfield Avenue    |
| 91           | 10         | 33 Westfield Avenue    |
| 91           | 11         | 35 Westfield Avenue    |
| 91           | 12         | 37 Westfield Avenue    |
| 91           | 13         | 45 Westfield Avenue    |
| 105          | 2          | 52 Westfield Avenue    |
| 91           | 14         | 53-59 Westfield Avenue |
| 105          | 1.01       | 56 Westfield Avenue    |
| 106          | 4          | 60 Westfield Avenue    |
| 106          | 3          | 62 Westfield Avenue    |
| 91           | 17         | 63 Westfield Avenue    |
| 91           | 18         | 67 Westfield Avenue    |
| 106          | 2          | 68 Westfield Avenue    |
| 106          | 1          | 72 Westfield Avenue    |
| 91           | 19         | 75 Westfield Avenue    |
| 91           | 20         | 77 Westfield Avenue    |
| 91           | 21         | 81 Westfield Avenue    |
| 91           | 22         | 83 Westfield Avenue    |
| 116          | 3          | 84 Westfield Avenue    |
| 116          | 2          | 86 Westfield Avenue    |
| 116          | 1          | 88 Westfield Avenue    |
| 81           | 1          | 91 Westfield Avenue    |
| 81           | 2          | 95 Westfield Avenue    |
| 117          | 2          | 100 Westfield Avenue   |
| 81           | 4          | 103 Westfield Avenue   |
| 117          | 1          | 104 Westfield Avenue   |
| 81           | 5          | 107 Westfield Avenue   |
| 81           | 6          | 111 Westfield Avenue   |
| 122          | 4          | 112 Westfield Avenue   |
| 122          | 3          | 114 Westfield Avenue   |
| 81           | 7          | 115 Westfield Avenue   |
| 122          | 14         | 118 Westfield Avenue   |
| 81           | 8          | 119 Westfield Avenue   |
| 123          | 5          | 124 Westfield Avenue   |
| 81           | 44         | 129 Westfield Avenue   |
| 81           | 45         | 131 Westfield Avenue   |

|     |       |                              |
|-----|-------|------------------------------|
| 123 | 3     | 132 Westfield Avenue         |
| 81  | 47.01 | 133-137 Westfield Avenue     |
| 123 | 1     | 138 Westfield Avenue         |
| 124 | 4     | 140 Westfield Avenue         |
| 124 | 3     | 146 Westfield Avenue         |
| 124 | 2     | 150 Westfield Avenue         |
| 81  | 49    | 151 Westfield Avenue         |
| 124 | 1     | 154 Westfield Avenue         |
| 78  | 4     | 155 Westfield Avenue         |
| 78  | 3     | 157 Westfield Avenue         |
| 78  | 2     | 161 Westfield Avenue         |
| 78  | 1     | 165 Westfield Avenue         |
| 77  | 1     | 167 Westfield Avenue         |
| 131 | 24    | 170 Westfield Avenue         |
| 77  | 2     | 175 Westfield Avenue         |
| 77  | 4     | 181 Westfield Avenue         |
| 133 | 15    | 182-184-190 Westfield Avenue |
| 77  | 6     | 191 Westfield Avenue         |
| 77  | 7     | 195 Westfield Avenue         |
| 133 | 15.01 | 196 Westfield Avenue         |
| 77  | 8     | 199 Westfield Avenue         |
| 77  | 9     | 205 Westfield Avenue         |
| 133 | 14    | 206 Westfield Avenue         |
| 133 | 13    | 210 Westfield Avenue         |
| 77  | 10    | 211 Westfield Avenue         |
| 77  | 11    | 221 Westfield Avenue         |
| 77  | 12    | 223 Westfield Avenue         |
| 77  | 13    | 231-233 Westfield Avenue     |
| 77  | 14    | 237 Westfield Avenue         |
| 77  | 15    | 241-245 Westfield Avenue     |
|     |       |                              |

TOWNSHIP OF CLARK

Ordinance No. 16-07

INTRO 2

Adopted \_\_\_\_\_

Introduced: May 16, 2016 Public Hearing: June 6, 2016

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2016 CAPITAL ROAD IMPROVEMENT PROGRAM (PHASE II) IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,470,000 TO PAY THE COST THEREOF, TO APPROPRIATE STATE GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, New Jersey (the "Township"), is hereby authorized to undertake the 2016 Capital Road Improvement Program (Phase II) (including roadway reconstruction and resurfacing and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements) at the following locations in the Township:

- Lexington Boulevard (Sections 1 and 2 - from Raritan Road to Garden State Parkway)
- Colonial Drive (entire length)

Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there

may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,470,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and the State grants appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,470,000, and (4) \$360,000 of said sum is to be provided by the State grants hereinafter appropriated, and (5) \$53,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (6) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,057,000, and (7) the cost of such purpose, as hereinbefore stated, includes

the aggregate amount of \$150,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the aggregate sum of \$360,000 received or to be received as grants from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Lexington Boulevard set forth in Section 1 hereof.

Section 5. It is hereby determined and stated that moneys exceeding \$53,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$53,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 6. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$1,057,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this

ordinance shall be determined by resolutions to be hereafter adopted.

Section 7. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$1,057,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 8. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township

and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 9. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 10. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,057,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 11. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America

or any of its agencies in aid of said purpose (other than the State grants hereinbefore appropriated, which shall be applied to the cost of said purpose but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 12. The Township intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the

payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 15. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: June 30, 2016

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**STEVEN M. HUND**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord16/5-16 2016CapRoadPhaseIIBondOrd

|            | Aye | Nay | Abstain | Absent |
|------------|-----|-----|---------|--------|
| Albanese   | ___ | ___ | ___     | ___    |
| Barr       | ___ | ___ | ___     | ___    |
| Mazzarella | ___ | ___ | ___     | ___    |
| O' Connor  | ___ | ___ | ___     | ___    |
| Smith      | ___ | ___ | ___     | ___    |
| Toal       | ___ | ___ | ___     | ___    |
| Hund       | ___ | ___ | ___     | ___    |

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

3

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the Township solicited quotes seeking proposals from Garden State Fireworks, International Fireworks Mfg. Co. and Schaefer Fireworks Inc. for a Fireworks Display to be presented on July 4, 2016; and

**WHEREAS** Garden State Fireworks expressed an interest but did not submit a proposal; International Fireworks Mfg. Co. is under contract with another community for July 4th and is therefore unavailable; and

**WHEREAS** Schaefer Fireworks Inc., 370 Hartman Bridge Road, Ronks, PA 17572, submitted a responsible, responsive proposal in the amount of \$15,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that they hereby commit to a fireworks display presented by Schaefer Fireworks Inc., to be held on Monday, July 4, 2016 with a rain date of Tuesday, July 5, 2016;

**BE IT FURTHER RESOLVED** that the Mayor and/or appropriate officials of the Township of Clark are hereby authorized to enter into a contract with Schaefer Fireworks Inc. for 2016 as sufficient funds have been appropriated in the 2016 Municipal Budget under Celebration Events Account #30-420-223; and

**BE IT FURTHER RESOLVED** that when the contract is signed by Schaefer Fireworks Inc. they must include the proper insurance certificate endorsing the Township of Clark and the Clark Board of Education as "additional insured" on the policy.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16Fireworks

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

4

Motion \_\_\_\_\_ Second \_\_\_\_\_

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individuals are hereby appointed as Members of the Clark Volunteer Fire Department effective this 16<sup>th</sup> day of May, 2016.

Brian McCabe  
44 Roberts Road  
Clark, NJ 07066

Tyler Klutkowski  
317 Retford Avenue  
Cranford, NJ 07016

Fritzner Midy  
1585 Raritan Road  
Clark, NJ 07066

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16AppointFirefightersMcCabeKlutkowskiMidy

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

5

Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTION OF THE TOWNSHIP OF CLARK TO SUPPORT AND PARTICIPATE  
IN THE VOLUNTEER TUITION CREDIT PROGRAM (P. L. 1998, C. 145)**

**WHEREAS** the Governing Body of the Township of Clark deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Clark; and

**WHEREAS** the State of New Jersey has enacted P. L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, in the County of Union that the Volunteer Tuition Credit Program as set forth in P. L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

**BE IT FURTHER RESOLVED** that the Business Administrator is authorized to enter into all agreements and the Municipal Clerk is herewith delegated the responsibility to administer the program and to maintain files of all documents as may be required under the P. L. 1998, c. 145, a copy of which is herewith made part of this resolution.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16VolunteerTuitionCreditProgram

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

## **Volunteer Tuition Credit Program**

### **P.L. 1998, Chapter 145**

C.18A:71-78.1 Tuition-free enrollment in postsecondary program for certain volunteers, family members.

1. A person who is an active member of a volunteer fire company or volunteer first aid or rescue squad or association in good standing and the dependent children and spouse of a volunteer shall be allowed to enroll in a postsecondary program on a tuition-free basis in county college, county vocational school or county technical institute and be eligible to receive tuition credit in an amount not to exceed a maximum of \$2,400 for the member, children and spouse; provided that available classroom space permits and that tuition paying students constitute the minimum number required for the course. Nothing herein shall preclude a county college, county vocational school or county technical institute from requiring registration and lab fees for individuals attending courses pursuant to this act.

C.18A:71-78.2 Eligibility for tuition credit.

2. In order to be eligible to receive tuition credit at a county college, county vocational school or county technical institute, a person shall agree to serve as a member of a volunteer fire company or volunteer first aid or rescue squad or association for a minimum of four years and sign an agreement with the municipality in which the squad or association is located pledging four years of service in exchange for the tuition credit. Following each year of volunteer service performed, the volunteer or the spouse or dependent children shall be entitled to receive tuition credit of up to \$600, not to exceed a maximum of \$2,400 for the member, children and spouse over a four-year service period.

C.18A:71-78.3 Verification of service; transcript records.

3. Upon being accepted and enrolled in a county college, county vocational school or county technical institute, the volunteer, dependent child or spouse shall provide verification to the institution that the volunteer has performed the service required for the tuition credit. Upon completion of each semester, the volunteer shall submit a transcript to the municipality to be maintained in a permanent record. The volunteer or the dependent child or spouse shall maintain a "C" grade average in order to continue eligibility for the tuition credit program.

C.18A:71-78.4 Issuance of letter of eligibility.

4. A municipality which chooses to participate in the tuition credit program shall issue a letter of eligibility to the volunteer, to be presented to the appropriate institution, stating that the individual is a member in good standing of a volunteer fire company, volunteer first aid or rescue squad or association.

5. This act shall take effect immediately.

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

6

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the Governing Body of the Township of Clark desires to retain the services of a third party administrator on behalf of the Township to administer the Township's Self Insured Retention (SIR); and

**WHEREAS** Inservco Insurance Services, Inc. has submitted a proposal in the amount of \$14,280.00 to provide for the claims administration of Worker's Compensation, Automobile Liability, General Liability, including Police Professional Liability and Workers' Compensation – Lost time and medical only submitted against the Township to the SIR; and

**WHEREAS** the Governing Body desires to retain Inservco Insurance Services, Inc. as the Township's third party administrator for claims administration made to the SIR for one (1) year beginning August 1, 2016 through July 31, 2017; and

**WHEREAS** said claims servicing organization's services constitute extraordinary unspecified services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., authorizing the services without competitive bids, and

**WHEREAS** there are funds available in the 2016 budget as evidenced by the Finance Officer's Certification of Availability of Funds in Current Account 23-210-223 for said contract.

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby authorizes the Business Administrator to enter into a contract with Inservco Insurance Services, Inc. as the claims servicing organization on behalf of the Township of Clark for a period of one (1) year commencing August 1, 2016 at an annual fee of \$14,280.00 for the SIR.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16InservcoAgreement  
Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

7

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the NJFMBA Local 99 (FMBA), a Non-profit benevolent organization, has requested permission to sell merchandise including collectible challenge coins, T-shirts and tank tops at the Ride to Rescue Motorcycle Run to be held on Saturday, June 11, 2016 at Oak Ridge Park; and

**WHEREAS** the goal of the event is to raise funds to benefit the local FMBA and the Friends of the Linden Animal Shelter; and

**WHEREAS** the FMBA qualifies for an exemption with prior written approval by Council in accordance with Chapter 248 Section 21A(7) of the Code of the Township of Clark.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby waives the permit fee and grants permission to sell the above mentioned merchandise at the event to be held on Saturday, June 11, 2016; and

**BE IT FURTHER RESOLVED** that a copy of this resolution will be provided to the President of the NJFMBA Local 99 to serve as the permit as hereinabove mentioned.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16ApprovingNJFMBAexemptpermit

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

8

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** S. Brothers Inc. has completed work on the 2015 Capital Road Improvement Program and has requested Final Payment; and

**WHEREAS** the Township Engineer recommends payment in the sum of Thirty-Six Thousand, Nine Hundred Four Dollars and Thirty-One Cents (\$36,904.31) including final quantities change order which increases the adjusted contract amount by Eight Thousand, Six Hundred Seventy-One Dollars and Twenty-Eight Cents (\$8,671.28); and

**WHEREAS** the Chief Financial Officer has determined sufficient funds are available in Ordinance 15-03 as evidenced by the Certification of Availability of funds attached.

**WHEREAS** Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Bond and Final Payment; and

**WHEREAS** the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by S. Brothers Inc. to be Sixty-Nine Thousand, Six Hundred Eighty-Five Dollars and Fourteen Cents (\$69,685.14); and

**WHEREAS** S. Brothers Inc. has submitted a Maintenance Bond in the amount of \$69,685.14.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to S. Brothers Inc., 16 Sobechko Road, Manalapan, New Jersey 07726 in the amount of \$36,904.31 including final quantities change order and release of the Performance Guarantee.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16FinalPymt2015CapSBrothers

**Abstain Absent**

Albanese \_\_\_\_\_  
Barr \_\_\_\_\_  
Mazzarella \_\_\_\_\_  
O'Connor \_\_\_\_\_  
Smith \_\_\_\_\_  
Toal \_\_\_\_\_  
Hund \_\_\_\_\_

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

9

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** an application has been filed for a Person-to-Person and Place-to-Place (reduction of premises) transfer of Plenary Retail Consumption License Number 2002-33-011-007, heretofore issued to 1199 CORPORATION for premises located at 1199 Raritan Road, Clark, New Jersey 07066; and

**WHEREAS** the entire building is currently licensed and the application filed February 29, 2016 seeks a reduction of the licensed premises to include only the first floor and basement; and

**WHEREAS** the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term 2015-2016; and

**WHEREAS** the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS** the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body of the Township of Clark does hereby approve, effective May 20, 2016 the transfer of the aforesaid Plenary Retail Consumption License to MCP REST CORP., 1199 Raritan Road, Clark, New Jersey 07066 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to MCP REST CORP., effective May 20, 2016."

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16ABCPer-PerPI-PIMCPRESTCORP  
Aye Nay Abstain Absent

Albanese \_\_\_\_\_  
Barr \_\_\_\_\_  
Mazzarella \_\_\_\_\_  
O'Connor \_\_\_\_\_  
Smith \_\_\_\_\_  
Toal \_\_\_\_\_  
Hund \_\_\_\_\_

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

CA 10

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS** the Director of the Division of Local Government Services has promulgated rules and regulation for pilot programs; and

**WHEREAS** the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

**WHEREAS** the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS** an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS** the Township of Clark wishes to participate in the pilot program for an electronic tax sale.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in electronic tax sale program and submit same to the Director of the Division of Local Government Services.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16ElectronicTaxSales  
Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

CA 11

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** in accordance with a request from the Tax Collector for authorization to refund overpayment of 2016 taxes; the Mayor has recommended to Council that such authorization be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, that the Chief Financial Officer is hereby authorized and directed to make refund(s) in accordance with the following schedule:

| CLARK TOWNSHIP    |     |       |                        |     |                      |                     |
|-------------------|-----|-------|------------------------|-----|----------------------|---------------------|
| TAX REFUNDS- 2016 |     |       |                        |     |                      |                     |
| BLOCK             | LOT | QUAL. | NAME                   | #   | ADDRESS              | REFUND              |
| 139               | 4   |       | Walter & Gladys Avena  | 376 | Carolina Street      | \$ 2,899.04         |
| 33.01             | 12  |       | Jose & Maria Goncalves | 167 | Acorn Drive          | \$ 884.15           |
| 123               | 10  |       | Sara Kother            | 143 | Broadway             | \$ 1,654.98         |
| 28.01             | 14  |       | Sangiuliano Group      | 960 | Lake Avenue          | \$ 8,522.68         |
| 28.01             | 13  |       | Sangiuliano Group      | 982 | Lake Avenue          | \$ 24,350.50        |
| 88.01             | 39  | C01   | Anthony Ginesi         | 37  | Harrison Street      | \$ 2,648.50         |
|                   |     |       |                        |     |                      |                     |
|                   |     |       |                        |     | <b>Total Refunds</b> | <b>\$ 40,959.85</b> |

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16TaxRefunds

Aye Nay Abstain Absent

Albanese \_\_\_\_\_  
Barr \_\_\_\_\_  
Mazzarella \_\_\_\_\_  
O'Connor \_\_\_\_\_  
Smith \_\_\_\_\_  
Toal \_\_\_\_\_  
Hund \_\_\_\_\_

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
May 16, 2016

CA 12

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the Treasurer/CFO has certified that sewer utility account(s) require balance adjustments; and

**WHEREAS** the Business Administrator has reviewed and approved the sewer fee adjustment(s).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Treasurer/CFO be authorized to apply the sewer account balance adjustments according to the attached schedule.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16SewerAdj

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |



TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

CA 13

Motion \_\_\_\_\_ Second \_\_\_\_\_

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2016 sewer fees; the Mayor has recommended to Council that such authorization be granted.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Treasurer/CFO is hereby authorized and directed to make the following refund(s) as per the following schedule.

| REF | #  | Account # | Name                  | #    | Address              | Reason      | Refund        |
|-----|----|-----------|-----------------------|------|----------------------|-------------|---------------|
| 16  | 7R | 4971-0    | Osceola Presby Church | 1685 | Raritan Road         | overpayment | \$607.49      |
|     |    |           |                       |      | <b>Total Refunds</b> |             | <b>607.49</b> |

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16SewerRefund

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

CA 14

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS** it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS** The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS** the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS** a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Clark Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS** such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Recycling Coordinator, Jennifer Kobliska to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/ 5-16RecyclingTonnage  
Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

May 16, 2016

CA 15

Motion \_\_\_\_\_ Second \_\_\_\_\_

**BE IT RESOLVED** by the Governing Body of the Township of Clark pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark, that it does hereby appoint the following named individual as Class II Special Law Enforcement Officer to serve for the period commencing May 16, 2016 and concluding December 31, 2016.

Antonio U. Tolentino

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res16/5-16ApptSpecialPoliceOfficerTolentino

Aye Nay Abstain Absent

|            |       |
|------------|-------|
| Albanese   | _____ |
| Barr       | _____ |
| Mazzarella | _____ |
| O'Connor   | _____ |
| Smith      | _____ |
| Toal       | _____ |
| Hund       | _____ |