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
September 19, 2016
7:30 PM

ROLL CALL:

Councilwoman Albanese_____ **Councilman O'Connor** _____
Councilman Barr_____ **Councilman Smith**_____
Councilman Mazzarella _____ **Councilman Toal**_____
Council President Hund_____

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 proper filing of said Notice. Formal action may be taken at this meeting.

Regular order of business suspended

Police Department: Promotion - Antonio Manata to Lieutenant
New Police Officers Brad J. Dustin and Michael A. Hernandez

Mayor: Recognition of the accomplishments of the Clark Girls Softball 10U Travel Team

Regular order of business resumes after a five minute recess

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: The Police, Fire, Emergency Management and First Aid Squad reports for the month of August 2016 have been received and are on file in the Clerk's office.

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:
INTRODUCTION OF PROPOSED ORDINANCES:

1. **AN ORDINANCE TO SUPPLEMENT CHAPTER 347, SECTION 51 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DESIGNATION OF RESTRICTED STREETS"**

   Public Hearing Oct. 17th

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through September 15, 2016 in the amount of $254,997.04

CITIZEN HEARING ON THE AGENDA:

Please state your name and address for the record.

The Public may speak on any agenda item that does not have its own public hearing

RESOLUTIONS:

2. Confirming the appointment of Karen DeMarco to the Library Board of Trustees to fill the unexpired term of Maria Moricz

3. Award of a five-year Contract for Solid Waste Collection for Township Municipal Buildings and Clark Board of Education Administration Building and Schools to Regional Industries, LLC in the amount of $222,750.00

4. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of $34,645.89 for the Clean Communities Grant

5. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of $3,472.59 for the Drunk Driving Enforcement Fund

6. Appointing Christopher Coons as a member of the Clark Volunteer Fire Department

7. Encouraging Governor Christie and the State Legislature to fund the Transportation Trust Fund

CONSENT AGENDA RESOLUTIONS:

8. Accepting Lorraine Disko's letter of retirement from the position of Court Administrator effective October 1, 2016.

9. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of $3,503.92

10. Authorizing the Chief Financial Officer to refund overpayment of Taxes in the amount of $3,889.21

11. Authorizing the Mayor to sign an agreement with the County of Union for Leaf Composting

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Please state your name and address for the record.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

INTRO

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

Introduced: September 19, 2016 Public Hearing: October 17, 2016

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

AN ORDINANCE TO SUPPLEMENT CHAPTER 347, SECTION 51 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DESIGNATION OF RESTRICTED STREETS"

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 347, Section 51 of the Code of the Township of Clark is supplemented to provide the following:

SECTION 1: Parking shall be for residents only seven days a week from 7:00 a.m. to 8:00 p.m. on both sides of the street on the entire length of the street on the following streets:

1. Bullman Court
2. Cutler Place
3. Garside Place
4. Schuyler Drive

SECTION 2: The office of the Mayor shall issue such permits as may be necessary and appropriate to the administration of this Ordinance to qualified home owners.

Additionally, each home owner will receive six visitor passes. A one day pass for large family functions may be obtained from the Clark Police Department at least one week in advance and upon proper application therefore.

In addition to the residents residing on the streets referenced in Section 1 hereof, the office of the Mayor may issue such resident permits as may be necessary in order to provide parking for the residents residing at 934 and 946 Raritan Road and 1171, 1177, and 1181 Old Raritan Road. Said permits shall be issued in the same number and manner as those issued to the residents of the streets referenced in Section 1.

SECTION 3: The fine for violation of the provision of this Ordinance shall be the sum of $50.00.

SECTION 4: This Ordinance is to be read in *pari materia* with all other pertinent and applicable ordinances. To the extent that any ordinances are inconsistent with the provisions hereof, they are hereby repealed to such inconsistencies.

SECTION 5: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date:

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

STEVEN M. HUND
Council President

SALVATORE BONACCORSO
Mayor

Ord16/9-19ResidentOnlyParkingBullmanCutlerGarsideSchuyler

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

2

Motion_____Second_____

WHEREAS Maria Moricz was appointed to the Library Board of Trustees (the Board) on January 1, 2013 to fill the unexpired term of Christopher Pingor; and

WHEREAS Maria Moricz resigned from the Board on June 17, 2016; and

WHEREAS Mayor Sal Bonaccorso has appointed Karen DeMarco to the Board to fill the unexpired term of Maria Moricz effective this 19th day of September 2016 ending December 31, 2017; and

WHEREAS the appointment requires the advice and consent of the Council.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby confirms the above mentioned appointment to the Library Board of Trustees.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19Appoint Library Board DeMarco

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

3

Motion_____Second_____

WHEREAS three (3) bids were received on September 7, 2016 at 10:00 am for Solid Waste Collection for Township Municipal Buildings and Clark Board of Education Administration Building and Schools in accordance with specifications prepared by the Township Business Administrator as follows:

	Waste only	Recycling only	Waste & Recycling
Regional Industries, LLC.	$222,750.00	(included)	$222,750.00
Republic Services of NJ LLC	$220,862.17	$23,238.72	$244,100.90
Galluzzo Brothers	$302,580.00	$14,040.00	$316,620.00

WHEREAS Regional Industries, LLC., 800 East Grand Street, Elizabeth, NJ 07201 submitted the lowest responsible bid in the amount of $222,750.00 for waste and recycling for a five (5) year contract; and

WHEREAS the Business Administrator has reviewed all the documents required by the bid specifications and recommends award of contract to Regional Industries, LLC.; and

WHEREAS the Clark Board of Education has agreed to pay its prorated share of the costs of such solid waste collection and will enter into an Interlocal Agreement with the Township; and

WHEREAS the Chief Financial Officer has determined sufficient funds are available in Accounts 26-310-218 and 42-102-223 as evidenced by the Certification of Availability of Funds for 2016 and is dependent upon continued funding in future budgets.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards the contract for Solid Waste Collection for Township Municipal Buildings and Clark Board of Education Administration Building and Schools to Regional Industries, LLC. in the amount of $222,750.00 for a five (5) year contract.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19AwardSolidWaste

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

4

Motion_____Second_____

WHEREAS N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS the Township of Clark has received notice of an award of $34,645.89 from the State of New Jersey, Clean Communities Grant and wishes to amend its 2016 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Clark, in the County of Union, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $34,645.89 which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:
State and Federal Revenues off-set with
Appropriations:
Clean Communities Grant

BE IT FURTHER RESOLVED that the like sum of $34,645.89 be and the same is hereby appropriated under the caption of:

General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs off-set by
Revenues:
Clean Communities Grant

BE IT FURTHER RESOLVED that certified copies of this resolution will be electronically submitted in accordance with the directive of the Director of Local Government Services for approval.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19Ch159CleanCommunities

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

5

Motion_____Second_____

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $3,472.59 which is now available from the State of New Jersey in the amount of $3,472.59; and

BE IT FURTHER RESOLVED that the like sum of $3,472.59 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of $3,472.59.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19Ch159DrunkDriving

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

6

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

Motion_____Second_____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individual is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 19th day of September, 2016.

Christopher Coons
34 Prospect Street
Clark, NJ 07066

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19AppointFirefighter Coons

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

7

Motion Entire Council Second Entire Council

RESOLUTION ENCOURAGING GOVERNOR CHRISTOPHER CHRISTIE AND THE STATE OF NEW JERSEY TO FUND THE TRANSPORTATION TRUST FUND

WHEREAS, On June 30, 2016, in response to the Senate failure to reauthorize the Transportation Trust Fund ("TTF"), Governor Christopher Christie issued an Executive Order requiring plans for an orderly shutdown of TTF projects to be prepared by 11:59 p.m. on Saturday, July 2, 2016, and ordering the ongoing TTF work to cease according to those plans; and

WHEREAS, TTF projects in the Township of Clark include the roadway improvements to Lexington Boulevard and Broadway as well as Terminal Avenue and Westfield Avenue; and

WHEREAS, both projects have been designed and sent to the Department of Transportation awaiting approval to proceed; and

WHEREAS, due to the shutdown of the TTF, the projects will be unable to be completed resulting in an inconvenience to the residents of the Township of Clark and other citizens of the State of New Jersey who utilize the roads in the Township; and

WHEREAS, the shutdown of the TTF detrimentally effects the Township of Clark's ability to provide safe travel on the roadways of the Township and detrimentally effects the finances 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 encourages the Governor of the State of New Jersey, the Senate and the General Assembly, to fund the Transportation Trust Fund; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to New Jersey Governor Christopher Christie, Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, State Senator Nicholas Scutari, Assemblyman Jerry Green and Assemblyman James Kennedy, Union County Clerks and to the New Jersey League of Municipalities.

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

STEVEN M. HUND
Council President

Res16/9-19FundingtheTransportionTrustFund

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

CA 8

Motion_____Second_____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby accepts Lorraine Disko's letter of retirement from the position of Court Administrator effective October 1, 2016.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19RetirementDisko

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

CA 9

TOWNSHIP OF CLARK

Resolution _____

September 19, 2016

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:

_____

EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____

STEVEN M. HUND
Council President

Res16/9-19SewerAdj

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

SEWER BILLING ADJUSTMENT 2016										
CLARK TOWNSHIP										
REF	#	Acct #	Name	#	Address	Reason	Original	Revised	Credit	Additional
16	68	2576-0	Clark's Parkway Diner	237	Westfield Avenue	Water Disconnected	$ 225.00	$ -	$ 225.00	
16	69	2509-0	McDonalds	108	Central Avenue	new owner	$ 8,410.00	$ 6,793.10	$ 1,616.90	
16	70	5239-0	Turek, Robert & Kimberly	15	Briarheath Lane	water issue	$ 3,225.00	$ 2,305.00	$ 920.00	
16	71	385-0	Suszko, Joseph & Arleen	175	Briarheath Lane	water issue	$ 1,695.72	$ 953.70	$ 742.02	
						Totals	**$ 13,555.72**	**$10,051.80**	**$3,503.92**	

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

CA 10

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**
192	6		John Fagan	12	Glenwood Terrace	$ 3,537.96
91	12		AJA REALTY HOLDING	37	Westfield Avenue	$ 110.33
91	12		AJA REALTY HOLDING	37	Westfield Avenue	$ 240.92
					Total Refunds	**$ 3,889.21**

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/9-19TaxRefunds

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

TOWNSHIP OF CLARK
Resolution _____
September 19, 2016

CA 11

Motion_____Second_____

BE IT RESOLVED the Governing Body of the Township of Clark, County of Union, New Jersey is desirous to enter into a Memorandum of Understanding and an Indemnification Agreement for leaf composting at the Union County Facility; and

BE IT FURTHER RESOLVED the Governing Body hereby directs the Mayor to sign the agreement for leaf composting at the Union County Facility on behalf of the Township of Clark.

ATTEST:

_____
EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

_____
STEVEN M. HUND
Council President

Res16/LeafCompostingFacility

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