

**SPECIAL COUNCIL MEETING, 430 WESTFIELD AVE., CLARK, N.J.
March 5, 2012**

ROLL CALL:

Present: Council Members Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal,
Whiting,

Also Present: Mayor Sal Bonaccorso, John Laezza, Business Administrator; Joseph Triarsi,
Township Attorney; Edith Merkel, Township Clerk; Richard O'Connor, Township Engineer

The Special Meeting of the Municipal Council of the Township of Clark was called to order at
7:30 P.M. by Council President Whiting. She asked all present to participate in a moment of
silence, following the salute to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

This meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this
meeting has been provided by sending written advanced notice of at least 48 hours to the Union
County Local Source, NJTODAY.NET and Star Ledger, by posting such Meeting Agenda 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.

INTRODUCTION OF PROPOSED ORDINANCES:

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in
the preparation of its annual budget, a municipality shall limit any increase in said budget to
2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final
appropriations, subject to certain exceptions; and

WHEREAS N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized
by ordinance, appropriate the difference between the amount of its actual final appropriation and
the 3.5% percentage rate as an exception to its final appropriations in either of the next two
succeeding years; and

WHEREAS the Governing Body of the Township of Clark in the County of Union finds
it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's
final appropriations, in the interest of promoting the health, safety and welfare of the citizens;
and

WHEREAS the Governing Body hereby determines that a 1.0% increase in the budget
for said year, amounting to \$152,122.69 in excess of the increase in final appropriations
otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Governing Body hereby determines that any amount authorized
hereinabove that is not appropriated as part of the final budget shall be retained as an exception
to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2012 budget year, the final appropriations of the Township of Clark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$532,429.42 and that the CY 2012 municipal budget for the Township of Clark be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon be filed with said Director within 5 days after such adoption.

Moved by Councilman O'Connor, seconded by Councilman Mazarella

Discussion: (Transcript on file in the Clerk's office)

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazarella, O'Connor, Toal, Whiting

Public Hearing will be March 19, 2012

RESOLUTIONS:

Resolution 12-40

Municipal Budget of the Township of Clark County of Union for Calendar Year 2012

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012:

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2012

General Appropriation For:

1. Appropriations within "CAPS":
 - (a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2) 15,400,171.96
2. Appropriations excluded from "CAPS"
 - (a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended) 3,940,035.12
 - (b) Local District School Purposes in Municipal Budget (Item K, Sheet 29) -
 - Total General Appropriations excluded from "CAP" (Item O, Sheet 29) 3,940,035.12
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated 98.43 850,000.00
Percent of Tax Collections
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2012 \$ _____ 20,190,207.08
for Schools –State Aid 2011 \$ _____
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)

(i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes) 5,272,793.12

6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)
- (a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11) 14,074,664.96
 - (b) Addition to Local District School Tax (Item 6(b), Sheet 11) -
 - (c) Minimum Library Tax 842,749.00

BE IT RESOLVED that notice is hereby given that the Budget and Tax Resolution was introduced by the Municipal Council of the Township of Clark, County of Union on March 5, 2012; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County LocalSource in the issue of March 29, 2012; and

BE IT FURTHER RESOLVED that a Regular Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Council Chambers, 315 Westfield Avenue, on April 16, 2012 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by the taxpayers or other interested persons.

Moved by Councilman O'Connor, seconded by Councilwoman Albanese

Discussion:

John Laezza: This budget basically is within the 2% CAP; it's a 2 point increase. It's broken down between the municipality and the library but the overall including the library is 2 points.

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-41

WHEREAS the Governing Body of the Township of Clark agrees to enter into an agreement with the County of Union, Office of the Union County Sheriff, for the "Sheriff's Labor Assistance Program" more commonly known as (S.L.A.P.); and

WHEREAS the S.L.A.P. program shall provide a Sheriff's Officer and a daily average of six (6) S.L.A.P. workers, five (5) days a week for the period from January 1, 2012 to December 31, 2012; and

WHEREAS the Township shall pay a total amount of Fifteen Thousand, One Hundred Eighty Six Dollars and Forty Cents (\$15,186.40) for the said period for said service with payments being made bi-annually on June 1, 2012 and December 1, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the Business Administrator and Clerk are hereby authorized to execute the 2012 S.L.A.P. agreement; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be forwarded to the Office of the County Counsel of the County of Union.

Moved by Councilman Mazzarella, seconded by Councilman Barr

Discussion: None

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-42

WHEREAS the Township of Clark has determined that the property described on the following schedule and incorporated herein is no longer needed for public use; and

WHEREAS NJSA 40A:11-36 authorizes, by sealed bid or public auction, the sale of its personal property not needed for public use.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Municipal Clerk to advertise for sealed bids for the sale of the property described on the schedule below.

Township Property No Longer Needed For Public Use

DPW Unit # 14 1992 International Dump Truck 1HTSDNUR8NH428736

Unit # 15 1991 International Dump Truck 1HTSDNUN1MH376121

Unit # 16 1991 International Dump Truck 1HTSDNUNXMH673120

Unit # HH 1987 ELGIN SWEEPER AO414S

1997 Blue Bird Bus w/Handicap Lift 1BAHBCSA3VFO76489

Police 1992 Jeep Cherokee - 1J4FJ28S2NL252809

1994 Honda Civic LX - 1HGEG8659RL003205

1996 Ford Crown Vic - 2FALP71W6TX119073

1999 Ford Crown Vic - 2FAFP71W6XX207673

2001 Ford Crown Vic - 2FAFP71W41X113265

2006 Ford Crown Vic - 2FAFP71W96X135110

Moved by Councilman Toal, seconded by Councilman Barr

Discussion: (Transcript on file in the Clerk's office)

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President Whiting opened the public portion of the meeting.

Doug Ritter, 40 Tudor Dr.: Budget question

John Laezza: The total budget is twenty million dollars but not to be raised by taxation is Fourteen Million, Seventy-Four Thousand, Six Hundred Sixty-Four Dollars and Ninety-Six Cents. The amount to be raised for the Library is Eight Hundred Forty-Two Thousand, Seven Hundred Forty-Nine Dollars. The total budget is Twenty Million, One Hundred Ninety Thousand, Two Hundred Seven Dollars and Eight Cents.

Doug Ritter: Where did the money that's not coming from taxes and so forth.

John Laezza: It's going to miscellaneous revenue, five million two hundred and seventy-two thousand seven ninety-three twelve.

Doug Ritter: What kind of miscellaneous revenue do we have?

John Laezza: The kind of miscellaneous that we have is basically (inaudible) State which amounts to about a million five; we have licenses from various services throughout the community that accounts for about thirty-five thousand. We have alcoholic beverage licenses which are about twenty-nine thousand. We have miscellaneous fees for various services, fire services and alike, that averages about fifty-five thousand. We have construction code money for building permits in excess of five hundred thousand.

(The transcript of the balance of the discussion is on file in the Clerk's office)

Seeing no one coming forward, Council President asked for a motion to close the public portion of the meeting.

A motion to close was made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council President directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

No comments

ADJOURNMENT

Motion to adjourn was made by Councilman Kazanowski, seconded by Councilman O'Connor.

Council President directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

