

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
June 17, 2013
7:30 PM**

ROLL CALL:

Councilwoman Albanese _____	Councilman Mazzarella _____
Councilman Barr _____	Councilman Smith _____
Councilman Kazanowski _____	Councilman Toal _____
	Council President O'Connor _____

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 mailing the Annual Schedule of meetings to the Star Ledger, Union County Local Source, and NJTODAY.NET, 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.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Business Administrator Meeting Summary:

Township Officers: Police, Fire and First Aid Reports for the month of May, 2013 have been received and are on file in the Clerk's office

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCE:

(No objections have been received in connection with the proposed Ordinance)

1. **AN ORDINANCE TO AMEND CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DEPARTMENT OF POLICE"**

INTRODUCTION OF PROPOSED ORDINANCES:

2. **AN ORDINANCE TO PROVIDE FOR THE VACATION OF A PORTION OF THE STREET AND RIGHT-OF-WAY ON GRANDVIEW AVENUE FROM THE MUNICIPAL BORDER OF THE TOWNSHIP OF CLARK/TOWNSHIP OF WESTFIELD TO GEORGIA STREET IN THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY**

Public Hearing July 15th

3. **AN ORDINANCE TO AMEND CHAPTER 255, ARTICLE II OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROPERTY MAINTENANCE"**

Public Hearing July 15th

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through June 13, 2013 in the amount of \$237,315.31

CITIZEN HEARING ON THE AGENDA:

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.

RESOLUTIONS:

4. **Council as ABC Board:**
Authorizing the annual renewal of Alcoholic Beverage Licenses for 2013-2014
5. Appointing Anthony Cangiarella as a member of the Clark Volunteer Fire Department

CONSENT AGENDA RESOLUTIONS:

6. Authorizing the Chief Financial Officer to refund overpayment of sewer fees in the amount of \$1,068.62
7. Authorizing the Chief Financial Officer to refund overpayment of taxes in the amount of \$18,553.68
8. Authorizing the Tax Collector to settle a Tax Appeal as authorized by the Union County Board of Taxation
9. Appointing Michael Altmann as Alternate I Member of the Planning Board filling the unexpired term of Sean Fresco, ending December 31, 2013
10. Appointing Paul Santoro as a Class II Special Law Enforcement Officer
11. Authorizing the Mayor and Clerk to execute an agreement with the County of Union to modify the Interlocal Services Agreement dated June 2012
12. Authorizing a reduction in the performance guarantee for site work at 727 Raritan Road as recommended by the Township Engineer
13. Authorizing Final Payment to Top Line Construction Corp. in the amount of \$298,173.14 for work on the 2012 Capital Roadway Improvement Program

NEW BUSINESS ON THE CALENDAR:

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.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Joseph Triarsi: Update on the Passaic River Litigation

ADJOURNMENT:

TOWNSHIP OF CLARK
Ordinance No. _____
Adopted _____

PH 1

Introduced: _____ May 20, 2013 _____ Public Hearing: _____ June 17, 2013 _____

Motion: _____ Toal _____ Motion: _____

Seconded: _____ Smith _____ Seconded: _____

**AN ORDINANCE TO AMEND CHAPTER 3
OF THE CODE OF THE
TOWNSHIP OF CLARK ENTITLED
"DEPARTMENT OF POLICE"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 3, Article 8, Section 3-29 of the Code of the Township of Clark entitled "Department of Police" is amended in the following particulars:

SECTION 1: **Sub-Section A** is deleted and replaced with the following: "There is hereby established within, by and for the Township of Clark, the Department of Police, which is also being known as the Police Department, the head of which is the Chief of Police."

SECTION 2: **Section 3-29E(1)(2) (a) through (o)** is deleted in its entirety.

SECTION 3: **Section 3-29(J)(1)** is amended as follows: Paragraphs (a) through (f) are deleted and replaced with the following:

One Chief
Up to two (2) Captains
Up to four (4) Lieutenants
Up to eight (8) Sergeants
Up to thirty (30) Police Officers

SECTION 4: **Section 3-29(J)(2)** is amended to delete reference to the Police Director and insert in its place and stead the title of "Chief of Police."

SECTION 5: **Inconsistent Ordinance**
Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6: Effective Date

This Ordinance shall take effect upon adoption and upon publication according to law.

Effective Date: July 10, 2013

ATTEST:

APPROVED:

EDITH L. MERKEL
Township Clerk

PATRICK O'CONNOR
Council President

SALVATORE BONACCORSO
Mayor

Ord13/5-20 AmendCh3-29PoliceDept
Aye Nay Abstain Absent

Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

INTRO 2

Introduced: June 17, 2013 Public Hearing: July 15, 2013

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

AN ORDINANCE TO PROVIDE FOR THE VACATION OF A PORTION OF THE STREET AND RIGHT-OF-WAY ON GRANDVIEW AVENUE FROM THE MUNICIPAL BORDER OF THE TOWNSHIP OF CLARK/TOWNSHIP OF WESTFIELD TO GEORGIA STREET IN THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY

WHEREAS, the Governing Body of the Township of Clark has determined it to be desirable and appropriate for certain sections of the street and Right-of-Way on Grandview Avenue between Westfield/Clark Township Municipal Boundary and Georgia Street, to be vacated as the same would be in the general public interest of the Township of Clark; and

WHEREAS, N.J.S.A. 40:67-1(b) specifically authorizes the Township to vacate streets and Right-of-Ways where necessary and/or desirable to the public interest; and

WHEREAS, the Governing Body of the Township of Clark has examined the proposed vacation and has determined that the portion of the street and Right-of-Way proposed to be vacated would not have a negative impact upon the existing improved and dedicated street and that the vacated portion serves no useful or functional purpose.

NOW, THEREFORE, be it ordained as follows:

SECTION 1: The Governing Body of the Township of Clark hereby vacates those certain parts or the municipal street and Right-of-Way on Grandview Avenue from the Westfield/Clark Municipal Boundary to Georgia Street, as the same is hereinafter defined by metes and bounds:

**DESCRIPTION OF PORTIONS OF GRANDVIEW AVENUE TO BE VACATED
TOWNSHIP OF CLARK
COUNTY OF UNION, NEW JERSEY**

TRACT I

Beginning at the point of intersection of the southwesterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Georgia Street (50' Right-of-Way) and running thence:

1. Along the said southwesterly line of Grandview Avenue, North 52°-55'-00" West a distance of 220.00' to the point of intersection of the said southwesterly line of Grandview Avenue and the southeasterly line of Carolina Street (50' Right-of-Way), thence
2. Along the northeastwardly prolongation of the said southeasterly line of Carolina Street, North 37°-05'-00" East a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 221.34' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Georgia Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Georgia Street, South 46°-36'-00" West a distance of 8.11' to the aforementioned intersection of the southwesterly line of Grandview Avenue and the northwesterly line of Georgia Street, the point and place of beginning.

Contains: 1,765.4 square feet or 0.04 acres.

Subject to an 8.0' wide easement, along the entire length of the vacation, to the Township of Clark for future construction and maintenance of the existing storm sewer system along Grandview Avenue.

Subject to any and all further easements, reservations and restrictions of record.

TRACT II

Beginning at the point of intersection of the northeasterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Georgia Street (50' Right-of-Way) and running thence:

1. Along the said northeasterly line of Grandview Avenue, North 52°-55'-00" West a distance of 231.06' to the point of intersection of the said northeasterly line of Grandview Avenue and the southeasterly line of Carolina Street (50' Right-of-Way), thence
2. Along the northeastwardly prolongation of the said southeasterly line of Carolina Street, South 37°-05'-00" West a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 229.72' to a point in the southwestwardly prolongation of the aforementioned northwesterly line of Georgia Street, thence
4. Along the said southwestwardly prolongation of the northwesterly line of Georgia Street, North 46°-36'-00" East a distance of 8.11' to the aforementioned intersection of the northeasterly line of Grandview Avenue and the northwesterly line of Georgia Street, the point and place of beginning.

Contains: 1,843.1 square feet or 0.04 acres.

Subject to any and all easements, reservations and restrictions of record.

TRACT III

Beginning at the point of intersection of the southwesterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Carolina Street (50' Right-of-Way) and running thence:

1. Along the said southwesterly line of Grandview Avenue, North 52°-55'-00" West a distance of 155.42' to a point in the Municipal Boundary Line between the Township of Clark and the Town of Westfield, thence
2. Along the said Municipal Boundary Line, North 35°-37'-30" East a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 155.62' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Carolina Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Carolina Street, South 37°-05'-00" West a distance of 8.00' to the aforementioned intersection of the southwesterly line of Grandview Avenue and the northwesterly line of Carolina Street, the point and place of beginning.

Contains: 1,244.2 square feet or 0.03 acres.

Subject to any and all easements, reservations and restrictions of record.

TRACT IV

Beginning at the point of intersection of the northeasterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Carolina Street (50' Right-of-Way) and running thence:

1. Along the said northeasterly line of Grandview Avenue, North 52°-55'-00" West a distance of 157.10' to a point in the Municipal Boundary Line between the Township of Clark and the Town of Westfield, thence
2. Along the said Municipal Boundary Line, South 35°-37'-30" West a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 156.90' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Carolina Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Carolina Street, North 37°-05'-00" East a distance of 8.00' to the aforementioned intersection of the northeasterly line of Grandview Avenue and the northwesterly line of Carolina Street, the point and place of beginning.

Contains: 1,256.0 square feet or 0.03 acres.

Subject to any and all easements, reservations and restrictions of record.

SECTION 2: Expressly reserved from the provisions of this Ordinance are all the rights and privileges possessed by public utilities as defined in RS 48:2-13 and by any cable television company as defined in the Cable Television Act P. L. 1972 C. 186 (C-48:5A-1 et seq.) to maintain, repair, or replace the existing facilities in, adjacent to or under the street, highway, lane, alley, square, place, park or any part thereof to be vacated; all easements of record existing in favor of the Township of Clark or any third parties, all of which are expressly preserved.

SECTION 3: The Tax Assessor is hereby directed to adjust the land assessment of each of the adjoining property owners benefited hereby in such amount as may be appropriate in order to include the additional lands each has derived as a result of the vacation.

SECTION 4: A hearing on the vacation of the Right-of-Way as heretofore referenced shall be conducted by the Governing Body of the Township of Clark prior to the adoption of this Ordinance.

SECTION 5: Any Ordinances or parts thereof inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

SECTION 6: This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

PATRICK O'CONNOR
 Council President

SALVATORE BONACCORSO
 Mayor

Ord13/6-17GrandviewRight-of-Way

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

Introduced: _____ Public Hearing: _____
Motion: _____ Motion: _____
Seconded: _____ Seconded: _____

**AN ORDINANCE TO AMEND CHAPTER 255, ARTICLE II
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
"PROPERTY MAINTENANCE"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 255, Article II, Section 255-9 of the Code of the Township of Clark entitled "Property Maintenance" is hereby amended in the following particulars:

SECTION 1: Sub-Section 255-9 is repealed in its entirety.

SECTION 2: Sub-Section 255-9 entitled "Residential/Commercial Violations and Penalties" is restated as follows:

A. Residential Use Defined: A Residential use means any building used to provide living facilities for one or more families but not including boarding houses, rooming houses, motels, hotels, or townhouses or condominiums in a planned development.

(1) Should the enforcement authority, after conducting an inspection of Residential premises, determine that there exists a violation of the terms and conditions of this Article, the enforcement authority shall, prior to the issuance of any summons hereunder, issue to the owner of said Residential property a written order to correct the stated violation within five (5) calendar days. Failure of the owner to comply with such an order to correct such violation shall result in the issuance of a summons pursuant to the provisions hereof and the imposition of the penalty set forth in Section D hereof.

(2) In the event there shall be a second violation by the property owner of the provisions of this Ordinance within the same calendar year of the first violation, the enforcement authority shall not be required to issue a written order to correct the stated violation but shall issue a summons for the repeated violation forthwith.

B. Commercial Use Defined: A Commercial use is defined as any use other than a Residential use as defined hereinabove.

(1) Should the enforcement authority, after conducting an inspection of commercial premises, determine that there exists a violation of the terms and conditions of this Article, the enforcement authority shall issue a summons for same forthwith and shall not be required to issue a prior

notice to correct the violation to the property owner prior to issuing a summons.

C. Notice: Any notice required hereunder shall be by personal service or certified mail and, upon the failure of personal service or service by certified mail, by regular mail or leaving a copy of the notice at the property address.

D. Penalty:

(1) The penalty for violation of this Ordinance by a Residential property owner shall be a warning for the first offense; a penalty in the amount of \$250.00 for the second offense; and a penalty of \$500.00 for any third or subsequent offenses.

(2) The penalty for violation of this Ordinance by a Commercial property owner shall be the amount of \$500.00 for the first offense, and \$1,000.00 for any second or subsequent offense.

SECTION 3: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

SECTION 4: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

SALVATORE BONACCORSO
Mayor

Ord13/6-17AmendCh255PropMaintenance
Aye Nay Abstain Absent

Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

- 2002-31-012-001 Clark Post #328 The American Legion
t/a American Legion Clark Post 328
78 Westfield Avenue, Clark, NJ 07066

- 2002-31-013-002 Deutscher Club Clark Inc.
787 Featherbed Lane, Clark, NJ 07066

- 2002-31-015-001 The Gran Centurions
440 Madison Hill Road, Clark, NJ 07066

- 2002-31-017-001 John L. Ruddy Post 7363 VFW
6 Broadway, Clark, NJ 07066

- 2002-33-018-011 Central Blue LLC
77 Central Ave., Clark, NJ 07066

- 2002-31-019-001 Columbian Club of Clark Inc.
27 Westfield Ave., Clark, NJ 07066

- 2002-31-020-001 Polish Cultural Foundation Inc.
177 Broadway, Clark, NJ 07066

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17ABCRenewals

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

TOWNSHIP OF CLARK
Resolution _____
June 17, 2013

5

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 17th day of June, 2013.

Anthony Cangiarella
Myra Place
Clark, NJ 07066

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17AppointFirefighter

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

TOWNSHIP OF CLARK

Resolution _____

June 17, 2013

CAG

Motion _____ Second _____

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2013 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 refunds as per the attached schedule.

SEWER REFUNDS - 2013

REF #	Acct #	Name	#	Address	Reason	Refund
13 3	3088-0	R&S Real Estate Holdings	53-59	Westfield Avenue	overpayment	\$112.74
13 4	2751-0	Ronald Hoehn	28	Prescott Turn	overpayment	\$24.47
13 5	1998-0	Gregory Kniss	280	Madison Hill Rd	overpayment	\$275.00
13 6	2754-0	William Doyle	54	Prescott Turn	overpayment	\$407.50
13 7	318-0	Robert Horvath	120	Briarheath Lane	overpayment	\$248.91
Total Refunds						\$1,068.62

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17SewerRefunds

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

TOWNSHIP OF CLARK

Resolution _____

June 17, 2013

CA 7

Motion _____ Second _____

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2012 and 2013 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 refunds in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	YEAR/QTR
83	19		Sandra Mc Gill	111	Gertrude Street	\$ 1,801.83	2012/2
4	8		Vincent Chesnowski	439	Willow Way	\$ 27.67	2012/1
194	33		Corelogic	51	James Avenue	\$ 1,553.36	2013/1
187	10		Corelogic	1144	Forest Drive	\$ 1,766.22	2013/1
164.01	12.01		Corelogic	23	Spruce Street	\$ 2,419.03	2013/1
67	14		Corelogic	95	Gibson Blvd	\$ 2,702.62	2013/1
62	5.01	C-104	Ramiro Yopez	1139	Raritan Rd Unit 104	\$ 2,626.49	2013/1
15	8		Corelogic	67	Grove Street	\$ 2,565.58	2013/1
5	15		Corelogic	27	Limoli Lane	\$ 3,090.88	2013/1

Total Refunds \$ 18,553.68

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17TaxRefunds

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

TOWNSHIP OF CLARK
Resolution _____
June 17, 2013

CA8

Motion _____ Second _____

BE IT RESOLVED, by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle a Tax Appeal authorized by the Union County Board of Taxation for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>X</u>	<u>Rate</u>	<u>Refund</u>
63/53	1049 Raritan Road	815,600	750,000	65,600(2010)	x	5%	\$5,272.61
63/53	1049 Raritan Road	815,600	750,000	65,600(2011)	x	5%	\$5,199.57
63/53	1049 Raritan Road	815,600	750,000	65,600(2012)	x	5%	\$7,066.94
Total Amount to be Refunded							<u>\$17,539.12</u>

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17TaxAppealJudgment

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

CA9

TOWNSHIP OF CLARK

Resolution _____

June 17, 2013

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as an Alternate I Member of the Planning Board

Alternate I Member

Term

Michael Altmann
8 Winters Court
Clark, New Jersey 07066

06/17/13 – 12/31/13
(completing unexpired term of
Sean Fresco 03/04/13 – 12/31/13)

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17ApptAltPlanningBd

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

Motion _____ Second _____

WHEREAS Paul Santoro was appointed as a Class 1B Special Law Enforcement Officer on December 17, 2012 pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark; and

WHEREAS Special Law Enforcement Officer Santoro successfully completed the required firearms training at the Clark Police Department Firing Range on May 25, 2013 qualifying him to become a Class II Special Law Enforcement Officer pursuant to Chapter 3, Section 3-29N(5).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby appoint Paul Santoro as a Class II Special Law Enforcement Officer to serve for the period commencing May 25, 2013 and concluding December 31, 2013.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17SPOSantoroClassII

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

TOWNSHIP OF CLARK

Resolution _____

June 17, 2013

CA 11

Motion _____ Second _____

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF CLARK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED JUNE 2012

WHEREAS certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS it is necessary to amend an existing Interlocal Services Agreement for the County of Union and its people to benefit from this program; and

WHEREAS it is in the best interest of the Municipality of Clark and the County of Union in cooperation with each other to enter into a modification of the Interlocal Services Agreement pursuant to N.J.S.A. 40:8A-1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Clark that the agreement entitled Agreement to Modify Interlocal Services Agreement dated June 2012, for the Purpose of Inserting a Description of Activities to be funded in the 2013-2014 Consolidated Plan of the County of Union, a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provision of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17CDBGAuthExecuteAgremnt

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

Motion _____

Second _____

WHEREAS John Vizzoni of 727 Raritan Road Associates has requested partial release of the Performance Guarantee originally posted for site work in the amount of Sixty Three Thousand, Nine Hundred Sixty Seven Dollars and Thirty Two Cents (\$63,967.32) to guarantee site work at 727 Raritan Road; and

WHEREAS the Township Engineer has performed an inspection of all work completed to date and acknowledges that 70% of the work has been completed according to the approved plan; and

WHEREAS the Township ordinance allows for a maximum reduction of Seventy Percent (70%) of the total Guarantee; and

WHEREAS there has been no previous reduction of the Performance Guarantee for this project; and

WHEREAS Seventy Percent (70%) of Sixty Three Thousand, Nine Hundred Sixty Seven Dollars and Thirty Two Cents (\$63,967.32) is Forty Four Thousand, Seven Hundred Seventy Seven Dollars and Twelve Cents (\$44,777.12); and

WHEREAS the Township will retain on deposit a Performance Guarantee in the amount of Nineteen Thousand, One Hundred Ninety Dollars and Twenty Cents (\$19,190.20), which the Township Engineer has determined to be sufficient to guarantee full performance and installation of all requisite improvements; and

WHEREAS the Township Engineer has recommended the reduction of the Performance Guarantee in the amount of Forty Four Thousand, Seven Hundred Seventy Seven Dollars and Twelve Cents (\$44,777.12) and the retention of a Performance Guarantee in the amount of Nineteen Thousand, One Hundred Ninety Dollars and Twenty Cents (\$19,190.20) to be submitted to the township, which sum he has determined to be sufficient to guarantee final performance.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby authorize a partial release of the Performance Guarantee in the amount of \$44,777.12 to 727 Raritan Road Associates with the retention of a Performance Guarantee in the amount of \$19,190.20 to guarantee the complete installation and construction of all improvements, said remaining Performance Guarantee to be released only upon final completion and approval by the Township Engineer together with posting of the requisite Maintenance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17ReducePerfGuarantee-727Raritan
Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

TOWNSHIP OF CLARK

CA 13

Resolution _____

June 17, 2013

Motion _____ Second _____

WHEREAS Top Line Construction Corp. has completed work on the 2012 Capital Road Improvement Program; Featherbed Lane, Canterbury Drive and Jupiter Street and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Two Hundred Ninety Eight Thousand, One Hundred Seventy Three Dollars and Fourteen Cents (\$298,173.14) including final quantities change order; and

WHEREAS the Chief Financial Officer has determined sufficient funds are available in Ordinance 12-08 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 Top Line Construction Corp. to be Fifty One Thousand, Four Hundred Seventy Four Dollars and Nineteen Cents (\$51,474.19).

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 Top Line Construction Corp., 22 Fifth Street, Somerville, New Jersey 08876 in the amount of \$298,173.14 including final quantities change order and release of the Performance Guarantee pending submission of a Maintenance Bond in the amount of \$51,474.19.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/6-17FinalPymt2012CapRoadsTopLine

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