

**AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
March 5, 2012
Municipal Building, Room 30
7:30 PM**

ROLL CALL:

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

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:

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

RESOLUTIONS:

2. **INTRODUCTION OF THE 2012 MUNICIPAL BUDGET**
3. Authorizing the Business Administrator to execute the 2012 S.L.A.P. agreement
4. Authorizing the Municipal Clerk to advertise for sealed bids for the sale of property no longer needed for public use

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:

ADJOURNMENT:

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

Introduced: March 5, 2012 Public Hearing: March 19, 2012

Motion: O'Connor Motion: _____

Seconded: Mazzarella Seconded: _____

**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.

Effective Date: April 11, 2012

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

SALVATORE BONACCORSO
Mayor

Ord12/3-5ExceedBudgetAppr
Aye Nay Abstain Absent
Albanese _____
Barr _____
Kazanowski _____
Mazzarella _____
O'Connor _____
Toal _____
Whiting _____

TOWNSHIP OF CLARK

Resolution _____

March 5, 2012

Motion _____ Second _____

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 <u>98.43</u> Percent of Tax Collections		850,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2012 \$ _____ for Schools –State Aid 2011 \$ _____		20,190,207.08
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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/3-5BudgetIntro

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

TOWNSHIP OF CLARK
Resolution _____
March 5, 2012

Motion _____ Second _____

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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/3-5S.L.A.P. Agreement
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution _____

March 5, 2012

Motion _____ Second _____

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/3-5AuthVehicleAuction
Aye Nay Abstain Absent

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