

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
October 21, 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.

Regular Order of Business suspended for:

Mayor's Presentation – Beautification Award to Dean Russo, owner of "Personally Yours"

Resume the Regular Order of Business

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 September have been received and are on file in the Clerk's office as well as the Clerk's Quarterly Financial Report

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through October 17, 2013 in the amount of \$238,495.09

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:

1. Confirming the appointment of Maria Moricz as a member of the Library Board of Trustees filling the unexpired term of Christopher Pingor from 10/21/13 to 12/31/17
2. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$14,740.00 for the 2013 Municipal Alliance Grant

3. Authorizing the Chief Financial Officer to cancel inactive grants
4. Authorizing the purchase of a 2014 Chevrolet Tahoe through the Somerset County Cooperative Pricing System in the amount of \$47,693.25 for use by the Fire Code Enforcement Official

CONSENT AGENDA RESOLUTIONS:

5. Authorizing final payment to Top Line Construction Corp. for the 2012 NJDOT Roadway Improvement Program in the amount of \$5,278.76
6. Authorizing and directing the Mayor and Township Clerk to enter into an Interlocal Services Agreement with the City of Rahway for Municipal Court Services for 2013 through 2015
7. Authorizing Mother Seton High School to display their 50th Anniversary signs until June 15, 2014
8. Authorizing the Chief Financial Officer to apply sewer account balance adjustments
9. Authorizing the Chief Financial Officer to refund overpayment of Sewer fees in the amount of \$565.79

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:

ADJOURNMENT:

TOWNSHIP OF CLARK
Resolution _____
October 21, 2013

Motion _____ Second _____

WHEREAS Mayor Sal Bonaccorso has appointed the following individual as a Member of the Library Board of Trustees to fill the unexpired term of Christopher Pingor:

Maria Moricz 10/21/13 – 12/31/17

WHEREAS this 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 appointment of Maria Moricz as a Member of the Library Board of Trustees whose term commences this 21st day of October 2013.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21ConfirmLibraryBdMoricz

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

TOWNSHIP OF CLARK

Resolution _____

October 21, 2013

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Motion _____ Second _____

Resolution Requesting Approval of Items of Revenue and Appropriation

N.J.S. 40A:4-87

(with matching funds for grants)

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body 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 2013 in the amount of \$14,740.00, which is now available as a revenue from the County of Union pursuant to the provision of the statute; and

BE IT FURTHER RESOLVED that the like sum of \$14,740.00 is hereby appropriated under the caption Municipal Alliance Grant – Local Share; and

BE IT FURTHER RESOLVED that the sum of \$3,685.00 representing the amount required for the municipality’s share of the aforementioned undertaking or improvement appears in the budget of the year 2013 under the caption Matching Funds for Grant \$3,685.00 and is hereby appropriated under the caption of Municipal Alliance Grant – Local Share.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O’CONNOR
Council President

Res13/10-21Chapter159MunicipalAlliance

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

TOWNSHIP OF CLARK

Resolution _____

October 21, 2013

Motion _____ Second _____

WHEREAS the financial records of the Township contain several inactive grants; and

WHEREAS the Township auditor has recommended that inactive grants be cancelled by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the inactive grants on the financial records of the Township be cancelled.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21CancelInactiveGrants

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

TOWNSHIP OF CLARK
Resolution _____
October 21, 2013

Motion _____ Second _____

WHEREAS the Fire Department has requested that the Township Council authorize the appropriate Township Officials to approve the authorization of the purchase of one (1) 2014 Chevrolet Tahoe SSV 4WD for use by the Fire Code Enforcement Official; and

WHEREAS the Administration recommends an outright purchase payable upon delivery of the Vehicle:

Pricing of the Vehicle through Cranford Cooperative Purchasing;
System Identifier 47-CPCC
Dealer: Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002
Funded by: Capital
One (1) 2014 Chevrolet Tahoe SSV 4WD
Total equipment price \$47,693.25

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$47,693.25 funded by Ordinance 13-14 as attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator to purchase One (1) 2014 Chevrolet Tahoe SSV 4WD from Mall Chevrolet, Cherry Hill, New Jersey.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21FireDeptVehicle

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

CA 5

TOWNSHIP OF CLARK
Resolution _____
October 21, 2013

Motion _____ Second _____

WHEREAS Top Line Construction Corp. has completed work on the 2012 NJDOT Road Improvement Program; and

WHEREAS the Township Engineer recommends Payment in the sum of Five Thousand, Two Hundred Seventy Eight Dollars and Seventy Six Cents (\$5,278.76) including Final Quantities Change Order which reduced the original contract by Forty Three Thousand, Eight Hundred Forty Three Dollars and Seventy Four Cents (\$43,843.74) and release of the Performance Bond subject to the submission of a Maintenance Bond in the amount of Twenty Six Thousand, Three Hundred Ninety Three Dollars and Eighty Cents (\$26,393.80); 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.

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, NJ 08876 in the amount of \$5,278.76 subject to the submission of a Maintenance Bond.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21 Final Payment 2012 NJDOT

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

C A 6

TOWNSHIP OF CLARK

Resolution _____

October 21, 2013

Motion _____ Second _____

A RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE CITY OF RAHWAY (MUNICIPAL COURT)

WHEREAS the City of Rahway is desirous to contract with the Township of Clark for Municipal Court services in case of emergency; and

WHEREAS the Township of Clark is willing to accept such agreement; and

WHEREAS the Township of Clark, with approval of the City of Rahway by resolution shall provide the services of properly trained personnel as necessary to aid in the operation of the Municipal Court for the years 2013-2015; and

WHEREAS this service shall be provided at no cost to the Township of Clark and the City of Rahway.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the Mayor and Township Clerk be and are hereby directed and authorized to enter into an Interlocal Services Agreement with the City of Rahway for Municipal Court services covering the years 2013-2015.

BE IT FURTHER RESOLVED that a duly executed copy of this Resolution be forwarded to the City Clerk of the City of Rahway.

BE IT FURTHER RESOLVED that this Resolution be published and take effect according to law.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21Interlocal-RahwayforCourt

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

CA 7

TOWNSHIP OF CLARK
Resolution _____
October 21, 2013

Motion _____ Second _____

WHEREAS Mother Seton Regional High School located at One Valley Road, Clark, New Jersey has requested an exemption from Ordinance 13-13 "Permitted Signs" for their ongoing yearlong events in connection with their 50th Anniversary Celebration; and

WHEREAS Section 3 of the ordinance authorizes the Mayor and Council to grant such an exemption.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Mother Seton Regional High School is hereby exempt from the requirements of Ordinance 13-13; and

BE IT FURTHER RESOLVED that the Sign Permit issued September 5, 2013 is hereby extended and will expire on June 15, 2014.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21Exemption-BannerOrd

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

CA 8

TOWNSHIP OF CLARK

Resolution _____

October 21, 2013

Motion _____ Second _____

WHEREAS the Treasurer/CFO has certified that sewer utility accounts require balance adjustments; and

WHEREAS the Business Administrator has reviewed the attached list and approved the sewer fee adjustments.

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, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21SewerAdj

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

CA 9

TOWNSHIP OF CLARK

Resolution _____

October 21, 2013

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 following schedule.

REF	#	Acct #	Name	#	Address	Reason	Refund
13	10R	2046-0	Judith Shackelton	474	Madison Hill Rd	overpaid	\$ 112.72
13	11R	2216-0	Daniel Flynn	13	Terry Lane	overpaid	\$ 125.00
13	12R	2871-0	Robert & Sandra Yelenovsky	92	Cornell Dr.	overpaid	\$ 12.50
13	13R	59-0	Alfredo & Maria Caballero	264	Laurel Lane	overpaid	\$ 74.07
13	14R	5131-0	Joseph & Diana Broccoli	1527	Raritan Rd	overpaid	\$12.50
13	15R	4059-0	Tom Klimuc	39	Florence Dr.	overpaid	\$4.00
13	16R	3614-0	Polish Cultural Foundation	10	Schindler Rd	overpaid	\$112.50
13	17R	203-0	Svetislav Milic	360	Oak Ridge Rd	overpaid	\$ 112.50
					Total Refunds		\$565.79

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK O'CONNOR
Council President

Res13/10-21 SewerRefunds

Aye Nay Abstain Absent

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