

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
January 17, 2012
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 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.

Suspend the Regular Order of Business

Fire Department – Installation of Officers
Cheerleader Achievement Awards
UNICO Presentation

Resume the Regular Order of Business

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Police and Fire Reports for the month of December 2011 have been received and are on file in the Clerk's office

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES**
- 2. CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF A 16 AMBULATORY/2 WHEELCHAIR MINI-BUS AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$75,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE TOWNSHIP OF CLARK**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through January 12, 2012 in the amount of \$434,326.51

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:

3. Council as Municipal Pool Utility: Appointing Councilman Richard Kazanowski as Vice-Chairman of the Municipal Pool Utility to serve a one year term
4. Authorizing transfers of 2011 Appropriation Reserves
5. Release of Performance Guarantee to Saint Agnes Church for site work at 332 Madison Hill Road

CONSENT AGENDA RESOLUTIONS:

6. Entering into an Interlocal Services Agreement with the City of Linden Board of Health for Animal Control Services in the amount of \$23,400.00 for the year 2012
7. Authorizing the Police Officer-In-Charge to issue two additional Clothing Bin permits for the year 2012
8. Authorizing the Chief Financial Officer to refund overpayment of 2011 Taxes in the amount of \$2,206.22

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:

PH 1

PROPOSED CODE ADOPTION ORDINANCE

for the

CODE OF THE TOWNSHIP OF CLARK, NEW JERSEY

The full ordinance can be
viewed at the link entitled
Public Mtg Jan 3 2012

GENERAL CODE
781 Elmgrove Road
Rochester, New York 14624

(585) 328-1810 or 800 836-8834
FAX (585) 328-8189

TOWNSHIP OF CLARK

PH # 2

Ordinance No. _____

Adopted _____

Introduced: January 3, 2012 Public Hearing: January 17, 2012

Motion: Mazzarella Motion: _____

Seconded: Kazanowski Seconded: _____

CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF A 16 AMBULATORY/2 WHEELCHAIR MINI-BUS AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$75,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE TOWNSHIP OF CLARK

BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, New Jersey, (The Township) is hereby authorized to acquire a 16 Ambulatory/2 Wheelchair Mini-Bus and any ancillary costs related thereto.

Section 2. The sum of \$75,000 is hereby appropriated for the acquisition of a 16 Ambulatory/2 Wheelchair Mini-Bus and ancillary costs related thereto, as described in Section 1 hereof (hereinafter referred to as "capital purpose"). Said appropriation shall be funded from the Capital Surplus of the Township of Clark for the payment of the cost of said "capital purpose."

Section 3. Said purpose is a lawful capital purpose of the Township having a period of usefulness of at least five (5) years.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and the capital program as approved by the Director, Division of Local Government Services.

Section 5. This Ordinance shall take effect at the time and in the manner provided by law.

Effective Date: February 8, 2012

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

SALVATORE BONACCORSO
Mayor

Ord12/1-3CapitalBus

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

TOWNSHIP OF CLARK
Resolution _____
January 17, 2012

3

Motion _____ Second _____

WHEREAS Councilman Brian Toal has resigned as the Vice-Chairman of the Municipal Pool Utility.

NOW, THEREFORE, BE IT RESOLVED by the Township Council as the Municipal Pool Utility that it does hereby appoint Councilman Richard Kazanowski as Vice-Chairman to serve a term of one year until the next ensuing organization meeting and election of successor(s).

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/1-17PoolViceChair

Aye Nay Abstain Absent

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

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TOWNSHIP OF CLARK
Resolution _____
January 17, 2012

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers are hereby authorized and directed to effect transfers of 2011 Appropriation Reserves.

CLARK TOWNSHIP RESERVE BUDGET APPROPRIATIONS		<u>From</u>	<u>To</u>
20-165-201	Engineering	20,000.00	
26-290-101	Roads	10,000.00	
31-460-223	Gasoline		20,000.00
26-310-210	Buildings & Grounds		10,000.00
Total		30,000.00	30,000.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/1-17TransferReserves	
	Aye Nay Abstain Absent
Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
O'Connor	_____
Toal	_____
Whiting	_____

TOWNSHIP OF CLARK
Resolution _____
January 17, 2012

5

Motion _____ Second _____

WHEREAS Saint Agnes Roman Catholic Church has requested the release of the Performance Guarantee in the form of a Letter of Credit posted by the Roman Catholic Archdiocese of Newark for site work at 332 Madison Hill Road in the amount of Seventy Nine Thousand, One Hundred Forty Seven Dollars and Twenty Cents (\$79,147.20); and

WHEREAS the Township Engineer has completed the final site inspections and has determined that all improvements have been installed and constructed in accord with State and Municipal design standards and requirements and therefore recommends the release of the Performance Guarantee; and

WHEREAS Section 32-16 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 Guarantee; and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by the Roman Catholic Archdiocese of Newark to be Seven Thousand, Nine Hundred Fourteen Dollars and Seventy Two Cents (\$7,914.72); and

WHEREAS the Roman Catholic Archdiocese of Newark may direct the Township to retain \$7,914.72 of the Performance Guarantee and convert it to a Maintenance Guarantee for a one year period; and

WHEREAS at the end of the of the one year period, a re-inspection will be performed at which time the Cash Maintenance Guarantee may be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby concurs with the Township Engineer and directs the release of the Performance Guarantee upon receipt or conversion of cash to a Maintenance Guarantee in the amount of \$7,914.72 for a period of one year from the date of the release at which time, after re-inspection, any funds remaining in escrow will also be returned.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/ReleasePerfBondStAgnes	
	Aye Nay Abstain Absent
Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
O'Connor	_____
Toal	_____
Whiting	_____

CAG

TOWNSHIP OF CLARK

Resolution _____

January 17, 2012

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark pursuant to N.J.S.A. 40:8A-1 et. seq. does hereby enter into an Interlocal Services Agreement with the City of Linden Board of Health, 301 North Wood Avenue, Linden, New Jersey 07036 for Animal Control Services for a fee of \$23,400.00 per annum, to be effective January 1, 2012 through December 31, 2012.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/1-17AnimalControl	
	Aye Nay Abstain Absent
Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
O'Connor	_____
Toal	_____
Whiting	_____

TOWNSHIP OF CLARK

Resolution _____

January 17, 2012

CA 7

Motion _____ Second _____

WHEREAS it is necessary and desirable in order to insure the general health and welfare of the residents of the Township of Clark to provide uniform procedures for administering the issuance, renewal and revocation of licenses for the placement of clothing bins within the Township; and

WHEREAS the enabling legislation adopted as Ordinance 09-20 provides for enforcement by the Police Department and the Township Zoning Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following clothing bin operator(s) having met all the requirements of Chapter IV, section 4-11 of the Revised General Ordinances of the Township of Clark are hereby approved in accordance with the law; and

BE IT FURTHER RESOLVED that the Police Officer-In-Charge is hereby authorized and directed to issue permits to be displayed according to law effective through December 31, 2012.

Clothing Bin Operator(s)

Location of Bin(s)

Community Crusade for Children, Inc.
36 River Street
New Haven, CT 06513

1060 Raritan Road (2 bins)

We Collect Clothes for a Cause
625 Wortman Avenue
Brooklyn, NY 11208

76 Central Avenue (1 Bin)

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/1-17ClothingBins

Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution _____

January 17, 2012

CAS

Motion _____ Second _____

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2011 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 the following refunds:

Tax Refunds 2011						
BLOCK	LOT	QUAL	NAME	#	ADDRESS	REFUND
125	12		Bernadette Ambers		324 Washington Ave Apt. A7 Elizabeth, NJ 07202 6 Haliday Street	\$222.13 2012
170	7		McLaughlin, John		2 Charles Drive Tinton Falls, NJ 07753 9 Pine Street	\$989.17 2012
195	48		George, Roy & Ada		198 Asbury Anderson Rd Asbury, NJ 08802 14 Peter Circle	\$454.46 2012
195	32		Miciek, Margaret		46 Alice Lane	\$540.46 2012
TOTAL REFUND						\$2,206.22

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

SHEILA WHITING
Council President

Res12/1-17TaxRefunds

Aye Nay Abstain Absent

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