

AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
March 3, 2014
Municipal Building, Room 30
7:30 PM

ROLL CALL:

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

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.

Boy Scout Troup 330 in attendance to earn the Community Merit Badge:

Thomas Meade, Matthew Figueroa, Gerard Rokosz and Kevin Micheludis,
Zach Brown, Nick Brown and Ryan Kluse

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)**

Public Hearing April 21st

2. **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND CHAPTER 248, SECTION 248-20 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROHIBITED ACTS" ADOPTED FEBRUARY 18, 2014**

Public Hearing April 21st

RESOLUTIONS:

3. **Introduction of the 2014 Municipal Budget** **Public Hearing April 21st**
4. **Rejecting all bids for the Building Addition at the Raritan Road Fire Station and authorizing the Business Administrator to re-bid the project**

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 3, 2014 Public Hearing: April 21, 2014

Motion: _____ Motion: _____

Seconded: _____ 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 .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 2014 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 3.0% increase in the budget for said year, amounting to \$465,910.20 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 2014 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 4%, amounting to \$543,561.90 and that the CY 2014 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:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

SALVATORE BONACCORSO
Mayor

Ord14/3-3ExceedBudget-CapBank

Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

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Introduced: March 3, 2014 Public Hearing: April 21, 2014

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND CHAPTER 248, SECTION 248-20
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
"PROHIBITED ACTS"
ADOPTED FEBRUARY 18, 2014**

BE IT ORDAINED by the Governing Body of the Township of Clark that Ordinance No. 14-03, adopted on February 18, 2014 is hereby amended in the following particulars:

SECTION 1: Notwithstanding anything contained in the Ordinance to which this is an amendment to the contrary, canvassing, solicitation, calling from house to house, and other activities of similar nature whether commercial or noncommercial purposes is strictly prohibited on Sundays.

SECTION 2: **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.

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

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

SALVATORE BONACCORSO
Mayor

Ord14/3-3AmendOrd14-03Ch248

Aye Nay Abstain Absent

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

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TOWNSHIP OF CLARK
Resolution _____
March 3, 2014

Motion _____ Second _____

Municipal Budget of the Township of Clark County of Union for Calendar Year 2014

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014:

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2014**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)		15,836,501.00
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)		4,719,758.80
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)		4,719,758.80
3. Reserve for Uncollected Taxes (Item M. Sheet 29) – Based on Estimated 98.49 Percent of Tax Collections		862,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2014 \$ _____ for Schools –State Aid 2013 \$ _____		21,418,259.80
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,923,833.80
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)		14,710,879.92
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		783,546.08

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 3, 2014; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County LocalSource in the issue of April 3, 2014; 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 21, 2014 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/3-3Budget Intro

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

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TOWNSHIP OF CLARK
Resolution _____
March 3, 2014

Motion _____ Second _____

WHEREAS the Governing Body of the Township of Clark advertised and received ten (10) bids for the Building Addition at Fire Station No. 2 (865 Raritan Road) on February 26, 2014 at 10:00 a.m.; and

WHEREAS as a result of the review of all bids submitted, the Township Engineer found that the two (2) low bidders had substantial material deviations in their bid proposals; and

WHEREAS the Business Administrator recommends that the bids be rejected in the best interest of the Township and seeks authorization to re-bid the project.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby rejects the bids for the Building Addition at Fire Station No. 2 (865 Raritan Road) and grants authorization to re-bid said project.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/3-3Reject-RebidRaritanRdFireStation

Aye Nay Abstain Absent

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