

**AGENDA**  
**SPECIAL COUNCIL MEETING**  
**430 WESTFIELD AVE., CLARK, NJ 07066**  
**March 2, 2015**  
**Municipal Building, Room 30**  
**7:30 PM**

**ROLL CALL:**

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

**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, 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:**

Supplemental Debt Statement for both Bond Ordinances has been properly filed with the New Jersey Division of Local Government Services by the Chief Financial Officer

- 1. BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2015 CAPITAL ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

Public Hearing March 16th

- 2. BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

Public Hearing March 16th

**3. 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 20<sup>th</sup>

**4. AN ORDINANCE TO AMEND VARIOUS ARTICLES OF CHAPTER 195 OF THE CLARK CODE ENTITLED "LAND USE AND DEVELOPMENT"**

(The Planning Board will review the ordinance on March 5<sup>th</sup>. The Public Hearing on this ordinance will be scheduled after the Planning Board takes action).

**RESOLUTIONS:**

**5. Introduction of the 2015 Municipal Budget**

Public Hearing April 20<sup>th</sup>

**6. Authorizing the Tax Collector to Settle a Tax Appeal authorized by the Tax Court of New Jersey in the amount of \$4,837.08**

**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. 15-03

Adopted \_\_\_\_\_

INTRO

1

Introduced: March 2, 2015 Public Hearing: March 16, 2015

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2015 CAPITAL ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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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 undertake the 2015 Capital Road Improvement Program (including roadway reconstruction and resurfacing and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements) at the following locations in the Township:

- Park Ridge Drive
- Ascot Way
- Malvern Drive
- Oleander Way
- Runnymede Road
- Fischer Place

Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction

as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,000,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,000,000, and (4) \$50,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$950,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$150,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$50,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$50,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond

Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$950,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose, shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The Township intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord15/3-2Bond2015CapitalRoads1M  
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK  
Ordinance No. 15-04  
Adopted \_\_\_\_\_

INTRO  
2

Introduced: March 2, 2015 Public Hearing: March 16, 2015

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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

Section 1. The Township of Clark, in the County of Union, State of New Jersey (the "Township") is hereby authorized to acquire new additional or replacement equipment and machinery, new information technology equipment and new automotive vehicles, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down

payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) self-contained breathing apparatus equipment, (ii) thermal imaging cameras and (iii) turnout gear.

Appropriation and Estimated Cost	\$360,000
Down Payment Appropriated	\$ 18,000
Bonds and Notes Authorized	\$342,000
Period of Usefulness	5 years

B. Acquisition of new additional or replacement equipment and machinery consisting of a three wheel sweeper for the use of the Department of Public Works ("DPW").

Appropriation and Estimated Cost	\$204,000
Down Payment Appropriated	\$ 9,750
Bonds and Notes Authorized	\$194,250
Period of Usefulness	15 years

C. Acquisition of new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, for the use of the DPW consisting of (i) a dump truck with plow, (ii) a pickup truck with plow and lift gate, (iii) a mason drump truck with plow and (iv) a leaf and branch pickup attachment for a loader.

Appropriation and Estimated Cost	\$196,000
Down Payment Appropriated	\$ 9,800
Bonds and Notes Authorized	\$186,200
Period of Usefulness	5 years

D. Acquisition of new information technology equipment consisting of mobile license plate reader system equipment for the use of the Police Department.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 2,450
Bonds and Notes Authorized	\$ 37,550
Period of Usefulness	5 years

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Aggregate Appropriation and Estimated Cost	\$800,000
Aggregate Down Payment Appropriated	\$ 40,000
Aggregate Amount of Bonds and Notes Authorized	\$760,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$15,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 6. It is hereby determined and stated that moneys exceeding \$40,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$40,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$760,000 are hereby authorized to be issued pursuant to

the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 7.55 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$760,000 and that the

issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord15/3-2BondMultiPurpose800K  
Aye Nay Abstain Absent

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

INTRO  
3

Introduced: March 2, 2015 Public Hearing: April 20, 2015

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 1.5% 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 2015 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 2% increase in the budget for said year, amounting to \$316,730.02 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 2015 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 2%, amounting to \$316,730.02 and that the CY 2015 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

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord15/3-2ExceedBudget-CapBank  
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK  
Ordinance No. 15-06  
Adopted \_\_\_\_\_

INTRO  
4

Introduced: March 2, 2015 Public Hearing: \_\_\_\_\_

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

**AN ORDINANCE TO AMEND VARIOUS ARTICLES OF CHAPTER 195  
OF THE CLARK CODE ENTITLED  
"LAND USE AND DEVELOPMENT"**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that the following provisions of Chapter 195 of the Clark Code entitled "Land Use and Development" be and the same are hereby amended and supplemented as follows:

**SECTION 1: Article XX, Section 111 entitled Definitions is supplemented so as to include the following definitions:**

**Window Sign**

A sign, other than a projecting sign, to include design elements placed inside the window or immediately behind the windowpane or upon the window pane, and whether attached to the window pane or not, used to advertise, announce, or identify a person, entity, or product, or to communicate information of any kind, or to draw attention to the business or use.

**Window Graphic**

Any graphic which is painted, attached, glued or otherwise affixed to a window, either inside or outside, or depicted upon a card, paper, or other material and placed on, taped on or hung immediately behind the window or displayed from a window in such a way as to be viewed from the outside, in close proximity to the building in which the window is located. Not more than 25 percent of any window area may be so occupied. Window Graphics may be utilized where Wall Signs are permitted provided they conform to area and sign classification limitations for the Zoning District.

Permanent Window Graphics shall not be included in the calculation of the maximum aggregate sign area for the site but shall require a permit to be issued by the Construction Code Official.

**Temporary Sign**

A sign constructed of paper, cloth, canvas, plastic, plywood, or other lightweight material intended to be displayed for a short period of time not to exceed 30 days.

**SECTION 2: Article XXIII entitled District Regulations.**

Sub-Section 195-136.2 (G) (2), Sub-Paragraphs (a) to and including (g) are deleted and repealed in their entirety; Sub-Section 195-136.2 (G) (3) (a) through (c) are hereby re-designated as Sub-Section 195-136.2 (G) (2) (a) through (c).

**SECTION 3: Article XXV, Section 195-149 entitled Compliance Required is deleted and replaced as follows:**

- A. Purpose: These Zoning Regulations are designed to prevent the over-concentration, improper placement, and excessive height, bulk, and area of signs in order to: promote an optimum level of signage consistent with the needs and character of different areas; to permit legible and effective signage of individual sites for the convenience of the public and in the interest of the full enjoyment of property rights, and to prevent the obstruction by sign clutter of traffic visibility, traffic signs and signals, neighboring uses and signs, and scenic views.
- B. To accomplish these purposes, it is the intent of this Article to encourage and authorize the use of signs which will:
- (1) Be compatible with and an enhancement of the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, light levels, adjoining uses and historic character.
  - (2) Be of high quality, durable materials.
  - (3) Comply with the standards enumerated herein.
- C. No sign, as hereinbefore defined, shall be erected, hung, placed or painted in any district except as hereinafter provided

**SECTION 4: Article XXV, Section 195-151 entitled Unsafe Signs shall be restated as follows:**

Whenever a freestanding overhanging or attached sign becomes unsafe or unkempt the Construction Code Official shall order that such sign be repaired, replaced, made safe or removed. Such order shall be complied with within 10 days of receipt thereof by the person, corporation or other body owning the sign or owning the business, building or structure to which it is attached.

**SECTION 5: Article XXV, Section 195-154A is deleted and replaced as follows:  
195-154 Temporary signs**

Temporary signs shall be allowed without permit in all districts subject to the following:

- 1) the total area of all signs/graphics temporary or otherwise shall not exceed 30 percent of the aggregate area of building window
- 2) unless otherwise noted herein, such signs shall not remain longer than 30 days. The date of installation shall be noted on the sign in the lower right hand corner
- 3) information on such signs shall be limited to advertisements for special promotions, temporary sales and other such non-permanent sales promotions and seasonal decorations

- 4) signs shall be maintained in neat and orderly manner and shall not contain content of an obscene or offensive nature
- 5) this section shall not be interpreted as to limit or prohibit a business from displaying merchandise in a window display area
- 6) signs may be free standing or attached to building. Free standing signs shall not exceed four (4) square feet without obtaining sign permit.
- 7) temporary signs shall not be illuminated
- 8) signs shall not be permitted on telephone poles or trees

**SECTION 6: Article XXV, Section 195-155 entitled Determination of Sign Area is supplemented so as to add Section D as follows:**

- D. Permanent Window Graphics shall not be included in the calculation of the maximum aggregate sign area for the site but shall require a permit. Window Graphics may be utilized provided they conform to area and sign classification limitations.

**SECTION 7: Article XXV, Section 195-157 entitled Exempted signs shall be designated as Paragraph A and shall be supplemented as follows:**

- B. Nothing herein shall be interpreted as to prevent the use of seasonal decorations by a property or business owner.
- C. Menus posted by Restaurant Uses shall be exempt from signage requirements provided same is posted in the window or a display case and does not exceed 1.5 square feet.

**SECTION 8: Article XXV, Section 195-160 entitled "Permitted Signs," is supplemented to add Section E entitled LCI Zone:**

E. LCI Zone:

(1) Notwithstanding the provisions contained herein, a shopping center or a mixed-use development shall be permitted one freestanding sign, not exceeding 250 square feet in area on each side and 25 feet in height, along each abutting street frontage except those abutting a residential zone. In addition, monument-style entrance and exit signs near access driveways shall be permitted, as well as monument and directional signs within the shopping center.

- (a) A major driveway monument sign of 100 square feet is permitted, and a minor driveway monument sign of 50 square feet is permitted. Monument signs shall not exceed eight feet in height, nor shall they violate the required sight triangle. Directional signs shall not exceed four square feet in area.
  - i. Major driveway: a driveway on a street fronting the development which offers unrestricted turn movements or is signalized. Only one driveway per each street fronting the development may be designated as major.
  - ii. Minor driveway: any driveway that is not a major driveway.

- (2) A separate use under unrelated ownership not part of a shopping center or mixed-use development shall be permitted one freestanding sign along each abutting street frontage, not exceeding 80 square feet in area and 20 feet in height.
- (3) Each permitted use on its own lot or each permitted use within a shopping center or mixed-use development is allowed signage on the front and side of the building, or portion thereof occupied by the individual use that faces a street or a parking area serving the use, provided that:
  - (a) The total of all signs on the front of the building does not exceed 1.5 square feet for each linear foot of building façade occupied by the individual use and upon which the sign is to be located, or 200 square feet, whichever is less; and
  - (b) The total of all signs on the side of the building does not exceed 50% of the size of the sign(s) on the front of the building.
- (4) No signage or advertising identifying an occupant of the premises shall be permitted on the rear portion of any building or on any roof.
- (5) Any sign permitted in an R District, where applicable, shall be permitted.
- (6) A signage plan shall be required with the submission of any site plan for approval. The signage plan shall identify the location and type of all proposed business signs and visually represent their lettering, illumination, color, and height. The approving authority may apply such restrictions on color(s), size, location, sign types, letter height, illumination, or mounting height as it deems appropriate to the purpose of encouraging coordinated design to achieve a desirable visual environment.
- (7) Any additional signs other than those permitted herein within a shopping center or mixed-use development comprising 100,000 square feet or more shall require site plan approval.
- (8) Window Graphics and window signs shall comply with the following requirements:
  - (a) Permanent window signs or window graphics shall not exceed twenty-five percent (25%) of the total aggregate window area. Signs and graphics on doors shall not exceed ten per cent (10%) of the door glass area for safety purposes.
  - (b) Window signs and window graphics should be artful in design and should generally be permanent. Permit application review shall include an evaluation of the quality of the sign and its aesthetic value.

**SECTION 9: Article XXV, Section 195-160.1, entitled Banners, Item A, entitled Definition is deleted and replaced as follows:**

A. As used herein, a banner shall be defined as a temporary sign of cloth, vinyl or similar material that celebrates an event, season, community, neighborhood, or district, and is sponsored by a recognized community agency or organization or local business.

**SECTION 10: 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 11: Effective Date: This Ordinance shall take effect upon adoption and publication, according to law.**

Effective Date:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL**  
Township Clerk

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord15/3-2LandUseCh195signs  
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
March 2, 2015

5

Motion \_\_\_\_\_ Second \_\_\_\_\_

**Municipal Budget of the Township of Clark County of Union for Calendar Year 2015**

**BE IT RESOLVED** that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2015:

**EXPLANATORY STATEMENT  
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2015**

General Appropriation For:

1. Appropriations within "CAPS":	
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)	16,321,234.00
2. Appropriations excluded from "CAPS"	
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)	4,823,000.91
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)	-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)	4,823,000.91
3. Reserve for Uncollected Taxes (Item M. Sheet 29) – Based on Estimated 98.48 Percent of Tax Collections	875,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2015 \$ _____ for Schools –State Aid 2014 \$ _____	22,019,234.91
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	6,216,263.91
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)	15,014,382.50
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	-
(c) Minimum Library Tax	788,588.50

**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 2, 2015; and

**BE IT FURTHER RESOLVED** that said Budget be published in summary in the Union County LocalSource in the issue of April 2, 2015; 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 20, 2015 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res15/3-2BudgetIntro

Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

March 2, 2015

6

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 Tax Court of New Jersey for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>
60/63	1072 Raritan Road	216,000	208,100	7900	2010
60/63	1072 Raritan Road	216,000	187,600	28,400	2011
60/63	1072 Raritan Road	216,000	187,400	28,600	2012

**BE IT FURTHER RESOLVED**, that a refund be issued in the amount of \$4,837.08.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res15/3-2TaxAppeal

Aye Nay Abstain Absent

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