

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
November 17, 2014
7:30 PM**

ROLL CALL:

Councilwoman Albanese _____	Councilman O'Connor _____
Councilman Barr _____	Councilman Smith _____
Councilman Mazzarella _____	Councilwoman Soyka _____
	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 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: Pancreatic Cancer Awareness Proclamation

Regular Order of Business Resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Police, Fire and First Aid Reports for the month of October, 2014 have been received and are on file in the Clerk's office

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 November 12, 2014 in the amount of \$201,219.16

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. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$3,874.05 for the Body Armor Grant
2. Release of the Surety Bond to Hull-Vicci Construction Corp. for work completed at Fire Station 2

3. Appointing Amalgamated General Agencies of Westfield as the Township's Risk Management Consultant and Authorizing the Mayor and/or the Business Administrator to execute an agreement for the year 2015
4. Authorizing the Mayor and/or Business Administrator to execute a Lease Agreement with T-Mobile for the Operation of a Wireless Telecommunications Facility

CONSENT AGENDA RESOLUTIONS:

5. Authorizing the Clark Special Events Committee and the Department of Recreation to conduct a Community Bonfire
6. Approving the Council Meeting Calendar for 2015
7. Approving the 2015 Holiday Schedule

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:

Mayoral Proclamation

WHEREAS in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

WHEREAS pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020; and

WHEREAS pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

WHEREAS approximately 1220 deaths will occur in New Jersey in 2014; and

WHEREAS the *Recalcitrant Cancer Research Act* was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in Clark and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS the Pancreatic Cancer Action Network and its affiliates in New Jersey support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS the good health and well-being of the residents of Clark are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, I Salvatore Bonaccorso, Mayor of the Township of Clark, County of Union, State of New Jersey, do hereby proclaim the month of November 2014 as "Pancreatic Cancer Awareness Month" in Clark.

Mayor Sal Bonaccorso
Dated: November 17, 2014

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

1

Motion _____ Second _____

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 said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS the Township of Clark has received notice of an award of \$3,874.05 from the State of New Jersey, Body Armor Grant and wishes to amend its 2014 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Clark, in the County of Union, State of 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 2014 in the sum of \$3,874.05 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the

Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

Body Armor Grant

BE IT FURTHER RESOLVED that the like sum of \$3,874.05 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-set by

Revenues:

Body Armor Grant

BE IT FURTHER RESOLVED that a certified copy of this resolution will be electronically submitted in accordance with the directive of the Director of Local Government Services for approval.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17Ch159BodyArmor

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

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

2

Motion _____ Second _____

WHEREAS Hull-Vicci Construction Corp. has requested the release of the Surety Bond posted as cash for completed work on Fire Station No. 2, located at 865 Raritan Road in Clark in the amount of Nine Thousand, Five Hundred Dollars and Zero Cents (\$9,500.00); and

WHEREAS the Township has completed the final inspections and has determined that all improvements have been installed and constructed in accord with State and Municipal design standards and requirements and therefore has no objection to the release of the Surety Bond.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby concurs with the Administration and directs the release of the Surety Bond.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17ReleaseSuretyBondFireStation2

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

TOWNSHIP OF CLARK
Resolution _____
November 17, 2014

3

Motion _____ Second _____

WHEREAS the Township of Clark has resolved to join the New Jersey Municipal Self Insurers' Joint Insurance Fund ("NJMSIJIF") following a detailed analysis; and

WHEREAS the Bylaws of NJMSIJIF require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee.

NOW, THEREFORE, BE IT RESOLVED that the Township of Clark does hereby appoint Amalgamated General Agencies as its Risk Management Consultant in accordance with the Fund's Bylaws; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator and Township Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement effective 01/01/15 to 12/31/15 annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(i).

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17RiskMngmtConsultant'sAgrmnt2015

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

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

4

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Mayor and/or Business Administrator to execute an Agreement with T-Mobile USA, Inc. for the Lease of Municipal Real Property for Operation of a Wireless Telecommunications Facility located at 315 Westfield Avenue, also known as Block 198 Lot 14 on the official tax map.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17AuthTMobileLease

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

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

CA 5

Motion _____ Second _____

WHEREAS the Clark Special Events Committee in conjunction with the Department of Recreation desire to conduct a Community Bonfire; and

WHEREAS the Township has received a Certificate of Insurance for this activity under the Township's Community Insurance Policy along with the required consent and approvals of the Board of Education, Fire Department and Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the Clark Special Events Committee and the Department of Recreation are hereby authorized to conduct a Community Bonfire under the supervision and control of the Clark Fire Department and the Police Department at the Arthur L. Johnson High School JV Soccer Field on Wednesday, November 26, 2014 at 6:00 pm.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17Bonfire

Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

CA 6

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby approve the Meeting Calendar for the Year 2015 as outlined below.

CLARK MUNICIPAL COUNCIL 2015 MEETING DATES

Reorganization Meeting January 1, 2015

315 Westfield Ave. – 12:00 Noon

WORKSHOP MEETINGS 7:30 P.M

430 Westfield Avenue
Room 30

PUBLIC MEETINGS 7:30 P.M.

315 Westfield Avenue
Council Chambers

January 5
February 2
March 2
April 6
May 4
June 1
July 6
August 3
September 8 (Tuesday)
October 5
November 2
December 7

January 20 (Tuesday)
February 17 (Tuesday)
March 16
April 20
May 18
June 15
July 20
August 17
September 21
October 19
November 16
December 21

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17CouncilMeetingDates2015

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

TOWNSHIP OF CLARK

Resolution _____

November 17, 2014

CA 7

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the following dates, in addition to one floating holiday of each employee's choosing, will constitute the official Township employee holiday calendar for the year 2015.

New Year's Day	Thursday	01/01/2015
*Day after New Year's Day	Friday	01/02/2015
Martin Luther King Jr. Day	Monday	01/19/2015
Presidents Day	Monday	02/16/2015
Good Friday	Friday	04/03/2015
Memorial Day	Monday	05/25/2015
Independence Day	Friday	07/03/2015
Labor Day	Monday	09/07/2015
Veteran's Day	Wednesday	11/11/2015
Thanksgiving Day	Thursday	11/26/2015
Day after Thanksgiving	Friday	11/27/2015
Christmas Day	Friday	12/25/2015

*In Place of Columbus Day

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

BRIAN P. TOAL
Council President

Res14/11-17 Holidays

Aye Nay Abstain Absent

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