

This Notice is for reference purposes, as per the Open Public Meetings Act Requirements, N.J.S.A. 10:4-8 and N.J.S.A. 10:4-18.

**AGENDA**  
**SPECIAL COUNCIL MEETING**  
**430 WESTFIELD AVE., CLARK, NJ 07066**  
**August 3, 2020**  
**Municipal Building, Room 30, 7:30 pm**

**ROLL CALL:**

<b>Councilwoman Albanese</b> _____	<b>Councilman Mazzarella</b> _____
<b>Councilman Barr</b> _____	<b>Councilman Smith</b> _____
<b>Councilman Hund</b> _____	<b>Councilman Toal</b> _____
	<b>Council President O'Connor</b> _____

**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 Star Ledger, Union County Local Source, and TAP into Clark, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements as well as the Official Website of the Township, and the proper filing of said Notice. Formal action may be taken at this meeting.

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

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

- 1. 20-16 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 179 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "GARAGE SALES"**
- 2. 20-17 BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$800,000 FOR THE CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

**RESOLUTIONS:**

- 3. Authorizing the Tax Collector to make the proper adjustments for 100% property tax exemption of Block 52 Lot 26 in accordance with a directive of the U.S. Department of Veterans Affairs**
- 4. Authorizing the Chief Financial Officer to issue a refund to the owner of 83 Sweet Briar Drive due to cancellation of a Construction Permit in the amount of \$489.00**

**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

TOWNSHIP OF CLARK  
Ordinance No. 20-16  
Adopted \_\_\_\_\_

Introduced: July 20, 2020 Public Hearing: August 3, 2020

AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS  
OF CHAPTER 179 OF THE CODE OF THE TOWNSHIP OF CLARK  
ENTITLED "GARAGE SALES"

BE IT ORDAINED by the Governing Body of the Township of Clark that various sections of Chapter 179 of the Code of the Township of Clark are hereby amended and supplemented by adding and ~~deleting~~ as follows:

**SECTION 1:** Section 179-1 entitled "Definitions" is hereby amended and supplemented as indicated:

**Garage Sale** add the term "estate sale," to the existing list

**Goods** Any belongings ~~goods warehouse merchandise~~ or other property capable of being the object of a sale regulated hereunder.

**SECTION 2:** Section 179-3 entitled "Fee" is hereby deleted in its entirety and replaced as follows: There is no fee for the license.

**SECTION 3:** Section 179-4 entitled "Application for license" is hereby amended and supplemented to remove the period (.) from the end of each phrase and to provide as follows:

Sub-section 179-4D. The number of days of the sale, which shall not exceed three (3) consecutive days

Sub-section 179-4E. The date and nature of any past sale within the calendar year

Sub-section 179-4G. is hereby deleted in its entirety, with subsequent sections relettered as appropriate

Sub-section 179-4H. (formerly 179-4I.) A sworn statement or affirmation by the applicant that he/she will abide by the terms of Chapter 179 and that the information therein given is full and true and known to the applicant to be so

**SECTION 4:** Section 179-5 entitled "Limitations on issuance of license; display requirements" is hereby amended and supplemented as indicated:

Sub-section 179-5A. No garage sale license shall be issued to any one person or for any one premises more than four times within a Twelve month period the calendar year. A license number shall be issued to keep track of the number of sales. and No such license shall be issued for more than three consecutive calendar days. In the event a sale is cancelled because of rain, the licensee shall be authorized to hold the sale the following week.

Sub-section 179-5C. Each license issued under this chapter must be prominently displayed and posted on the premises upon which the garage sale is conducted, in a conspicuous place so as to be seen from the street, throughout the entire period of the licensed sale.

Sub-section 179-5D. Power of Attorney and/or binding agreements must be submitted with applications for "estate sale services" and/or "professional service sales".

**SECTION 5:** Section 179-6 entitled "Hours of sale" delete the word ~~only~~

**SECTION 6:** Section 179-7 entitled "Signs" This section is hereby deleted in its entirety and replaced as follows:

No signs for advertising or directing customers shall be posted longer than two (2) days prior to and including the dates of the sale. Under no circumstances shall any signs be placed on or within high volume intersections, private property, trees or telephone poles. No such signs shall exceed 17 inches in height or 11 inches in width. All such signs shall be removed within twenty-four (24) hours after the completion of the sale.

**SECTION 7:** Section 179-11 entitled "Violations and penalties" is hereby amended to provide as follows:

Any person conducting any such sale or similar activity without being properly licensed therefor or who shall violate any of the other terms and regulations of this chapter shall, upon conviction thereof, be liable to the penalty ~~stated in Chapter 1, Article III, General Penalty~~ of \$50.00 for the first offense, \$100.00 for the second offense and \$200.00 for each subsequent offense. Each day that such sale shall continue without being duly licensed shall be considered a separate violation.

**SECTION 8:** **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 9:** **Effective date:** This Ordinance shall take effect upon adoption and publication, according to law.



TOWNSHIP OF CLARK  
Ordinance No. 20-17  
Adopted \_\_\_\_\_

PH 2

Introduced: July 20, 2020 Public Hearing: August 3, 2020

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$800,000 FOR THE CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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WHEREAS, the Township Council of the Township of Clark has heretofore authorized the construction of a new Public Safety Building in, by and for said Township, and appropriated the aggregate sum of \$10,250,000 therefor pursuant to ordinance no. 19-16 adopted by the Township Council of said Township on June 3, 2019, as supplemented by ordinance no. 19-21 adopted by the Township Council of said Township on October 21, 2019; and

WHEREAS, the Township Council now finds and determines that the additional sum of \$800,000 is required for such improvement, NOW, THEREFORE,

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

Section 1. The additional sum of \$800,000 is hereby appropriated to the payment of the cost of the improvement authorized by ordinance no. 19-16 adopted by the Township

Council of the Township on June 3, 2019, as supplemented by ordinance no. 19-21 adopted by the Township Council of the Township on October 21, 2019 (collectively, the "Prior Ordinance"). Said additional appropriation shall be met from the down payment appropriated and from the proceeds of the sale of the bonds authorized by this ordinance. Said improvement has been and shall be made as a general improvement and no part of the cost thereof has been nor shall be assessed against property specially benefited.

Section 2. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as "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 (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose authorized by the Prior Ordinance is \$11,050,000, including the sum of \$10,250,000 appropriated by the Prior Ordinance and the \$800,000 appropriated by this ordinance, and (4) \$533,000 of said sum is to be provided by the down payment, including the \$493,000 appropriated by the Prior Ordinance and the \$40,000 hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$10,517,000, including the

\$9,757,000 authorized by the Prior Ordinance and the \$760,000 hereinafter authorized, and (6) the cost of such purpose includes the aggregate amount of \$1,120,000, including the sum of \$1,100,000 stated in the Prior Ordinance and the sum of \$20,000 hereby stated, 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 3. 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 purpose. The sum of \$40,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 4. To finance said purpose, 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 5. To finance said purpose, 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 6. 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 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 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of thirty years computed from the date of said bonds.

Section 8. 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 the Local Bond Law.

Section 9. 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 purpose, shall be applied to the payment of the cost of such purpose, or, if bond

anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The Township intends to issue the bonds or notes to finance the cost of the improvement authorized by the Prior Ordinance and described herein. 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 11. 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 12. 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 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: August 27, 2020

**ATTEST :**

**APPROVED :**

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

\_\_\_\_\_  
**PATRICK J. O'CONNOR**  
 Council President

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

Ord20/7-20 20-17Bond-PoliceHqtrsadd800K

	Motion to	Second	Motion to	Second				
	Introduce		Adopt		Aye	Nay	Abstain	Absent
Albanese								
Barr								
Hund								
Mazzarella								
Smith								
Toal								
O'Connor								
Entire Council								
<b>TOTAL</b>								

TOWNSHIP OF CLARK  
Resolution 20-100  
August 3, 2020

3

**WHEREAS**, the Tax Assessor has certified that the U.S. Department of Veterans Affairs has deemed Andrew Gaffney, Jr to be 100% permanently disabled, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

**WHEREAS**, Andrew Gaffney, Jr owned the property listed in the tax duplicate as 1580 Franklin Street, Clark, NJ, Block 96 Lot 14, and was entitled to one hundred percent of the taxes for this property exempt; and

**WHEREAS**, Andrew Gaffney has sold the property at 1580 Franklin Street, Clark, NJ on April 25, 2020; the exemption will be removed from the property, and the new owner will receive a prorated bill for 8 months for 2020; and

**WHEREAS**, Andrew Gaffney, owns the property at 61 Frances Drive, Clark, NJ, Block 52 Lot 26, and is entitled to one hundred percent of the taxes for this property exempt. Andrew Gaffney has paid the 2<sup>nd</sup> quarter taxes for 2020, in the amount of \$3,833.15, therefore, a refund will be issued to Andrew Gaffney, in the amount of \$3,833.15, and the taxes for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2020; totaling \$8,074.70, and 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2021, totaling \$7,870.50, will be cancelled; and

**WHEREAS**, one hundred percent of the taxes on this property will be entitled to exemption for as long as Andrew Gaffney is an owner of the property.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector is hereby authorized to make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-3DisabledVeteranTaxExempt-Gaffney(new)

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
Smith						
Toal						
O'Connor						
Entire Council						
TOTAL						

TOWNSHIP OF CLARK  
Resolution 20-101  
August 3, 2020

4

**WHEREAS** Matthew Reilly, 83 Sweet Briar Drive, Clark, New Jersey 07066 has requested a refund of Four Hundred, Eighty-Nine Dollars (\$489.00) due to the cancellation of Construction Permit #20-217 for the above address; and

**WHEREAS** the Construction Official has recommended to Council that authorization for the refund 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 refund Four Hundred, Eighty-Nine Dollars (\$489.00) as hereinabove stated.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-3RefundConstructionPermit-SweetBriar

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
Smith						
Toal						
O'Connor						
Entire Council						
TOTAL						