

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
October 4, 2021
7:30 pm

ROLL CALL:

Councilwoman Albanese _____	Councilman O'Connor _____
Councilman Mazzarella _____	Councilman Smith _____
Councilman Minniti _____	Councilman Toal _____
	Council President Hund _____

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.

INTRODUCTION OF PROPOSED ORDINANCES:

The Supplemental Debt Statement for the following Bond Ordinance has been properly filed with the New Jersey Department of Community Affairs by the Chief Financial Officer

- 1. 21-24 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND A NEW FIRE ENGINE, 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 \$5,800,000 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 October 18th

RESOLUTIONS:

- 2. Authorizing the Mayor and Township Clerk to execute a Shared Services Agreement with the County of Union, to serve as the Township's 9-1-1 Emergency Medical call screening and EMS Dispatch services commencing January 1, 2021 through December 31, 2030.**
- 3. Authorizing the purchase and installation of Body Worn and Vehicle Cameras, Automatic License Plate Readers, ancillary equipment and warrantees through a State Contract for use by the Police Department in an amount not to exceed \$338,952.97**

4. Ratifying the action of the Business Administrator to acquire the services necessary to remediate the property damage and debris removal due to Hurricane Ida

PUBLIC COMMENTS:

Council President opens the meeting to the public

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. 21-24
Adopted _____

INTRO 1

Introduced: October 4, 2021 Public Hearing: October 18, 2021

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND A NEW FIRE ENGINE, 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 \$5,800,000 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.

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 make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new additional furnishings and a new fire engine, 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 (including a contribution from the Clark Board of Education (the "Board of Education")) appropriated by this ordinance. It is hereby determined and stated that the Board of Education, in addition to the down payment contribution previously made, shall reimburse the Township for the

balance of the costs of the construction of artificial turf athletic fields at Arthur L. Johnson High School being undertaken by the Township pursuant to a shared services agreement with the Board of Education and set forth in Section 4.G hereof. Said funds from the Board of Education shall be applied as set forth in Section 12 hereof. 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 consisting of a loader for the use of the Department of Public Works.

Appropriation and Estimated Cost	\$ 140,000
Down Payment Appropriated	\$ 6,700
Bonds and Notes Authorized	\$ 133,300
Period of Usefulness	15 years

B. Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment for the use of the Office of Emergency Management (OEM) consisting of (i) generators, (ii) pumps and (iii) radios.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 1,000
Bonds and Notes Authorized	\$ 19,000
Period of Usefulness	10 years

C. Acquisition of a new pumper fire engine, including original apparatus and equipment.

Appropriation and Estimated Cost	\$1,275,000
Down Payment Appropriated	\$ 60,750
Bonds and Notes Authorized	\$1,214,250
Period of Usefulness	10 years

D. Acquisition of new additional or replacement equipment and machinery for the use of the Police Department consisting of (i) body cameras and related equipment and (ii) license plate reader equipment.

Appropriation and Estimated Cost	\$ 350,000
Down Payment Appropriated	\$ 17,000
Bonds and Notes Authorized	\$ 333,000
Period of Usefulness	5 years

E. Undertaking of exterior improvements and replacement of the HVAC system at the Clark Public Library. It is hereby determined and stated that said public building being improved is 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").

Appropriation and Estimated Cost	\$ 502,000
Down Payment Appropriated	\$ 23,925
Bonds and Notes Authorized	\$ 478,075
Period of Usefulness	15 years

F. Acquisition of new additional furnishings consisting of furniture for the use of the Clark Public Library.

Appropriation and Estimated Cost	\$ 13,000
Down Payment Appropriated	\$ 5,625
Bonds and Notes Authorized	\$ 7,375
Period of Usefulness	5 years

G. Construction of artificial turf athletic fields at Arthur L. Johnson High School, including related amenities.

Appropriation and Estimated Cost	\$3,500,000
Down Payment Appropriated	\$ 345,000
Bonds and Notes Authorized	\$3,155,000
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$5,800,000
Aggregate Down Payment Appropriated	\$ 460,000
Aggregate Amount of Bonds and Notes Authorized	\$5,340,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$495,000 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.

Section 6. It is hereby determined and stated that the aggregate sum of \$460,000 (consisting of (A) a \$345,000 contribution from the Board of Education for Purpose 4.G above and now on hand with the Township and (B) \$115,000 appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township to be used for the purposes, except purpose 4.G, in Section 4 above) is now available to serve as the down payment on said purposes. The sum of \$460,000 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 \$5,340,000 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 \$5,340,000 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 Chief Financial Officer 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 10.25 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 \$5,340,000 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 Board of Education, 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: November 1, 2021

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

SALVATORE BONACCORSO
Mayor

Ord21/10-4 21-24MultipurposeBondOrd5.8M

	Motion to	Second	Motion to	Second				
	Introduce		Adopt		Aye	Nay	Abstain	Absent
Albanese								
Mazzarella								
Minniti								
O'Connor								
Smith								
Toal								
Hund								
Entire Council								
TOTAL								

TOWNSHIP OF CLARK
Resolution 21-149
October 4, 2021

2

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it hereby authorizes the Mayor and Township Clerk to execute a Shared Services Agreement with the County of Union, maintaining offices located at Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207, to serve as the Township's 9-1-1 Emergency Medical call screening and EMS Dispatch services commencing January 1, 2021 through December 31, 2030.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/10-4AuthSharedServUCEMSDispatch

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

TOWNSHIP OF CLARK
Resolution 21-150
October 4, 2021

3

WHEREAS the Township of Clark has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12 and as authorized by Township Resolution 21-29; and

WHEREAS the Clark Police Department wishes to purchase and install Body Worn and Vehicle Cameras, Automatic License Plate Readers, ancillary equipment and warranties from the following authorized vendor:

Axon Enterprise, Inc. NJ State Contract: T0106/17-FLEET-00738
17800 N. 85th Street
Scottsdale, Arizona 85255

Total equipment and installation price not to exceed \$338,952.97; and

WHEREAS the Business Administrator recommends the utilization of this contract on the grounds that it meets all industry standards; and

WHEREAS the Chief Financial Officer has certified the availability of funds for this contract authorized by Bond Ordinance 21-24.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Township of Clark that it hereby authorizes the purchase and installation of equipment as described above.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/10-4PoliceCameras&LicensePlateReaders-StateContract

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

TOWNSHIP OF CLARK
Resolution 21-51
October 4, 2021

4

WHEREAS on September 1, 2021 Hurricane Ida caused extensive flooding resulting in property damage throughout the Township of Clark; and

WHEREAS the debris which resulted from the flood damage presented an environmental hazard which could affect the public health and welfare of the municipality; and

WHEREAS the Mayor of the Township of Clark declared an emergency to immediately remediate the problem which required the immediate delivery of services; and

WHEREAS the Business Administrator acquired the services of the following contractors to remove and remediate the problem:

LP Karnaugh Disposal LLC, 62 King Street, Clark, NJ	\$10,000.00
Frank Galbraith & Son Excavation, 831 Raritan Road, Scotch Plains, NJ	\$27,305.00
Jesco, Inc., 1260 Centennial Avenue, Piscataway, NJ	\$ 8,294.00
Pumping Services, Inc., 201 Lincoln Blvd., Middlesex, NJ	\$11,800.00

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey in accord with the provisions of N.J.S.A. 40A:11-6 that it does hereby ratify the action taken by the Business Administrator to acquire the services necessary to remediate the emergency in compliance with the requirements of the aforesaid statute.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/10-4Exigency-DebrisRemovalIda

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