

SPECIAL COUNCIL MEETING, 430 WESTFIELD AVE., CLARK NJ
March 7, 2022

ROLL CALL:

Present: Council Members Albanese, Hund, Mazzarella, O'Connor, Toal, Minniti
Absent: Smith

Also Present: James Ulrich, Business Administrator; Mark Dugan, Township Attorney; Edith Merkel, Township Clerk
Absent: Mayor Bonaccorso

The Special Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 pm by Council President Minniti. He asked all present to participate in a moment of silence, following the salute to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County Hawk, Union County Local Source, and TAP into Clark, by posting such Annual Meeting Schedule 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.

RESOLUTIONS:

Resolution 22-47

WHEREAS at least one (1) week prior to the date of the hearing a complete copy of the approved budget was delivered to the free public library and made available for public inspection; and

WHEREAS an Affidavit of Receipt of the Budget as attached hereto and made a part hereof has been obtained from the library pursuant to N.J.S.A. 40A:4-8; and

WHEREAS copies of the budget have been made available to each person requesting one at no charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that upon passage of this resolution by a majority of the full membership that the law has been met allowing the budget to be read by title.

MEMORANDUM

TO: Megan Kociolek, Library Director

FROM: Edith L. Merkel, Township Clerk

DATE: February 9, 2022

RE: 2022 Municipal Budget

.....

Attached please find a copy of the 2022 Municipal Budget of the Township of Clark as Introduced and Approved by the Governing Body at a Special Council meeting held February 7, 2022, 430 Westfield Avenue, Clark, New Jersey at 7:30 p.m.

Additional copies may be requested by email to the office of the Township Clerk, clerk@ourclark.com and can also be viewed on the Township website at www.ourclark.com

Upon receipt of the Budget please sign and date as indicated below. Return this memo as attestation that the delivery was made.

ATTEST:

RECEIVED:

_____/____/____
Edith L. Merkel
Township Clerk

_____/____/____
Megan Kociolek
Library Director

Signed original document is available in the Clerk's office

Moved by Councilman O'Connor, seconded by Councilwoman Albanese

Discussion: none

Council President Minniti directed roll call:
Aye: Albanese, Hund, Mazzarella, O'Connor, Toal, Minniti

Public Hearing on the Municipal Budget for Calendar Year 2022

Adoption of the Municipal Budget of the Township of Clark for Calendar Year 2022

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$17,988,115.00 for municipal purposes, and
\$ 991,491.00 Minimum Library Levy

SUMMARY OF REVENUES

General Revenues		
Surplus Anticipated		\$ 3,025,000.00
Miscellaneous Revenues Anticipated		\$ 6,122,238.89
Receipts from Delinquent Taxes		\$ 450,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		<u>\$ 17,988,115.00</u>
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		<u>\$ 991,491.00</u>

Total Revenues	\$ 28,576,844.89
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SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$ 17,578,196.00
Deferred Charges and Statutory Expenditures – Municipal	\$ 2,728,635.00
Excluded from "CAPS"	
Operations – Total Operations Excluded from "CAPS"	\$ 3,705,763.89
Capital Improvements	\$ 275,000.00
Municipal Debt Service	\$ 3,088,750.00
Deferred Charges – Municipal	\$ 100,500.00
Reserve for Uncollected Taxes (Include Other Reserves, if Any)	\$ 1,100,000.00
 Total Appropriations	 \$ 28,576,844.89

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 7th day of March, 2022. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2022 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Council President Minniti opened the Public Hearing

Seeing no one coming forward Councilman Mazzarella made a motion to close the Public Hearing, seconded by Councilman Toal

Council President Minniti directed roll call:
Aye: Albanese, Hund, Mazzarella, O’Connor, Toal, Minniti

Township Clerk: The Municipal Budget can not be voted on this evening because the Governor has not made his address yet. Once he makes all his final decisions the vote on the budget will be scheduled.

Resolution 22-48

WHEREAS N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Clark has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that ... accordance with N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officer’s certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Moved by Councilwoman Albanese, seconded by Councilman O’Connor

Discussion:

Jim Ulrich: stated this is the formal process of Council reviewing the Budget and getting ready to adopt it.

Council President Minniti directed roll call:

Aye: Albanese, Hund, Mazzarella, O’Connor, Toal, Minniti

Resolution 22-49

WHEREAS the Governing Body of the Township of Clark has advertised for bids on February 10, 2022 for the New York Avenue Sewer Replacement and Road Improvements; and

WHEREAS four (4) bid proposals were received on February 23, 2022 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were:

<u>Contractor</u>	<u>Total Bid Amount</u>
S. Brothers, Inc. (South River, NJ)	\$406,290.73
MSP Construction Corp. (Flemington, NJ)	\$428,433.39
Shauger Property Services, Inc. (East Orange, NJ)	\$648,716.85

WHEREAS S. Brothers, Inc., PO Box 317, South River, NJ 08882 submitted the lowest responsible bid in the amount of \$406,290.73 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Account #G-01-41-770-324 as attached hereto as a “Certification of Availability of Funds”; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to S. Brothers, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to S. Brothers, Inc. in the amount of \$406,290.73; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

Moved by Councilman Mazzarella, seconded by Councilman Hund

Discussion:

Jim Ulrich: Gave a brief explanation of the Resolution

Councilman Mazzarella: Commented this is a good move and went on to explain that we are rehabilitating the sewer but if there’s some reason at the end when they compile all the data at Rahway Valley Sewerage Authority and we are exceeding and then we go into a violation mode, we’re already covered. He went on to explain how the town is structured.

Council President Minniti directed roll call:
Aye: Albanese, Hund, Mazzarella, O'Connor, Toal, Minniti

PUBLIC COMMENTS:

Each person addressing the Council shall first give their 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.

Council President Minniti opened the public portion of the meeting

Seeing no one else coming forward Councilman Toal made a motion to close the public portion of the meeting, seconded by Councilwoman Albanese

Council President Minniti directed roll call:
Aye: Albanese, Hund, Mazzarella, O'Connor, Toal, Minniti

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilwoman Albanese: no comment.

Councilman Hund: no comment.

Councilman Mazzarella: no comment.

Councilman O'Connor: As Chairman of the Finance Committee, he thanked Business Administrator Jim Ulrich and the Mayor for having the Budget done on time. Also commented we're not able to adopt it, based on the Clerk's comments with the Governor's budget address.

Councilman Toal: no comment.

Jim Ulrich: no comment.

Township Clerk: no comment.

Attorney Dugan: no comment.

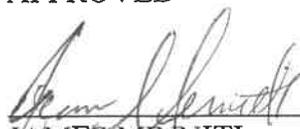
Council President Minniti: no comment.

ADJOURNMENT:

Motion to adjourn was made by Councilman Toal, seconded by Councilwoman Albanese

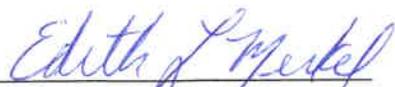
Council President Minniti directed roll call:
Aye: Albanese, Hund, Mazzarella, O'Connor, Toal, Minniti

APPROVED



JAMES MINNITI
Council President

ATTEST:



EDITH L. MERKEL, RMC
Township Clerk

