

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
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
April 18, 2022
7:30 pm**

ROLL CALL:

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

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, the Official Website of the Township and the proper filing of said Notice. Formal action may be taken at this meeting.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Reports given this evening will be available in the Clerk's office and on the township website www.ourclark.com

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

INTRODUCTION OF PROPOSED ORDINANCES:

1. **22-05 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF 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 \$1,870,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 21-24 ADOPTED ON OCTOBER 18, 2021.**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through April 11, 2022 in the amount of \$390,095.04

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall 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.

The Public may speak on any agenda item that does not have its own public hearing

RESOLUTIONS:

2. Authorizing the Township Planning Board to undertake a Preliminary Investigation to determine whether the Proposed Study Area, which includes Lots 8.01, 9, 10, 10.01, 35, 36 and 37 in Block 91 qualifies as an Area in Need of Redevelopment
3. Re-appointing Nancy Raymond as Registrar of Vital Statistics and confirming the appointments of David DeRosa as Deputy Registrar and Nicole Castellucci and Gail Paterno as Alternate Deputy Registrars
4. Authorizing the purchase of one 2022 Ford Interceptor Utility vehicle for use by the Police Department in the amount of \$31,983.78 through the ESCNJ cooperative purchasing system, to replace the vehicle lost due to flooding during Hurricane Ida
5. Authorizing the purchase and installation of equipment through State Contracts for four Police Utility Vehicles in an amount not to exceed \$64,800.56
6. Authorizing Final Payment to S. Brothers, Inc. for work completed on the 2021 NJDOT Road Project – Lincoln Blvd and Lupine Way in the amount of \$259,313.36
7. Award of contract to Schaefer Fireworks, Inc. for the July 4th Fireworks display in the amount of \$17,350.00
8. Authorizing the Mayor to execute a Developer's Agreement with Spring Enterprises LLC for the property located at 60-62 Westfield Avenue
9. Award of Contract for Grass Disposal to Frank Galbraith & Son Excavation and Demolition LLC of Scotch Plains, New Jersey at a rate of \$17.75 per yard with the total amount not to exceed \$35,000.00 for the 2022 grass season.
10. Award of Contract to Vertilocity for 2022 – 2023 Information Technology and Network Support Services in the amount of \$2,985.00 per month
11. Authorizing release of performance guarantees to DWW Clark Developers, LLC for work completed at the CVS Pharmacy, 241 Westfield Ave., Block 77, Lots 13-15 and 17
12. Authorizing submission of an application for DMHAS Grant funding for the Clark Municipal Alliance for grant term July 1, 2022 to March 14, 2023 in the amount of \$3,646.00
13. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$31,059.46 for the Recycling Tonnage Grant
14. Authorizing release of performance guarantees to Fourth MPPL Realty Co. for work completed at the Kathy Estates, 565 Raritan Road, Block 28, Lot 9

15. Congratulating Township Planner, Kevin O'Brien on his retirement and expressing gratitude and appreciation for his 12 years of professional planning services to the Township and its residents

CONSENT AGENDA RESOLUTIONS:

16. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$8,617.28
17. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$1,195.81
18. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$7,470.00

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall 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.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK
Ordinance No. 22- 05
Adopted _____

INTRO
1

Introduced: April 18, 2022 Public Hearing: May 2, 2022

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF 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 \$1,870,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 21-24 ADOPTED ON OCTOBER 18, 2021.

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 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. It is hereby determined and stated that the Township anticipates receiving a grant in the amount of \$443,000 from the State of New Jersey Department of Transportation to finance the cost of the improvement of Mildred Terrace and Brentwood Road described in Section 4.A hereof. Any of said grant funds received 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. Improvement of Mildred Terrace and Brentwood Road, 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. 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").

Appropriation and Estimated Cost	\$ 520,000
Down Payment Appropriated	\$ 24,800
Bonds and Notes Authorized	\$ 495,200
Period of Usefulness	10 years

B. Undertaking of the 2022 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:

Autumn Avenue
Charles Street
Cook Street
Gibson Boulevard
Maurice Avenue

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.

Appropriation and Estimated Cost	\$ 830,000
Down Payment Appropriated	\$ 39,525
Bonds and Notes Authorized	\$ 790,475
Period of Usefulness	10 years

C. Replacement of sidewalks at various locations due to tree damage.

Appropriation and Estimated Cost	\$ 320,000
Down Payment Appropriated	\$ 15,250
Bonds and Notes Authorized	\$ 304,750
Period of Usefulness	10 years

D. Acquisition of new automotive vehicles, including original apparatus and equipment, for the use of the Department of Public Works consisting of (i) a pickup truck with plow and (ii) a hook lift truck with attachments.

Appropriation and Estimated Cost	\$ 200,000
Down Payment Appropriated	\$ 10,425
Bonds and Notes Authorized	\$ 189,575
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$1,870,000
Aggregate Down Payment Appropriated	\$ 90,000
Aggregate Amount of Bonds and Notes Authorized	\$1,780,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$224,000 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 moneys exceeding \$90,000, 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 \$90,000 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 \$1,780,000 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 \$1,780,000 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 9.46 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 \$1,780,000 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. Section 4.E of Bond Ordinance No. 21-24 adopted by the Township Council of the Township on October 18, 2021 is hereby amended to add replacement of the HVAC system and energy efficiency improvements at various public buildings, to the purposes authorized, and shall hereafter read as follows:

"[Section 4.] E. Undertaking of the following improvements to public buildings: (i) exterior improvements and replacement of the HVAC system at the Clark Public Library and (ii) replacement of the HVAC system and energy efficiency improvements at various public buildings. It is hereby determined and stated that said public buildings 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").

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

Section 14. 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 15. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1, 4 and 13 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 16. 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 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: May 26, 2022

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

SALVATORE BONACCORSO
Mayor

Ord22/4-18 22-05MultiPurposeBondOrd1,870,000

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

**AUTHORIZING THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED
STUDY AREA, WHICH INCLUDES LOTS 8.01, 9, 10, 10.01, 35, 36 AND 37 IN BLOCK 91
QUALIFIES AS AN AREA IN NEED OF REDEVELOPMENT
PURSUANT TO N.J.S.A. 40A:12A-5.**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Section 5 thereof; and

WHEREAS, the Township wishes to utilize the Planning Board's knowledge and expertise in exploring whether the parcels with frontage on Westfield Avenue and Washington Street identified on the official tax map of the Township as Block 91, Lots 8.01, 9, 10, 10.01, 35, 36 and 37 (the "Study Area") meet the criteria established by the Act; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the Governing Body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the Township Mayor and Council finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board to undertake such preliminary investigation of the study area, Block 91, Lots 8.01, 9, 10, 10.01, 35, 36 and 37, as a Redevelopment Area.

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

I. INVESTIGATION OF STUDY AREA AUTHORIZED

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J. S.A.40A:12A-6 to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Act, including N.J.S.A.40A:12A-5, to be designated as a Redevelopment Area.

II. MAP TO BE PREPARED

As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained therein.

III. PUBLIC HEARING REQUIRED

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Redevelopment Area.

At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Redevelopment Area. All objections to a determination that all or a portion of the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

IV. PLANNING BOARD TO MAKE RECOMMENDATIONS

After conducting its investigation, preparing a map of the proposed Redevelopment Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council in the form of a resolution as to whether the Township should designate the Study Area as a Redevelopment Area. Such recommendation shall be submitted to the Township Council by May 2022.

V. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

VI. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Non-Condemnation Redevelopment Area; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Clark.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.
Adopted by the Township Council on April 18, 2022.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AuthPBStudy-Area in Need of Redev – Westfield&Washington

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

TOWNSHIP OF CLARK
Resolution 22-64
April 18, 2022

3

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby re-appoint Nancy Raymond as Registrar of Vital Statistics effective this 18th day of April 2022 for a term of three (3) years, pursuant and subject to the provisions of N.J.S.A. 26:8-13 et seq.; and

BE IT FURTHER RESOLVED that the Governing Body hereby concurs with the appointments made by the Registrar pursuant to N.J.S.A. 26:8-17 et seq. as follows:

David DeRosa – Deputy Registrar

Nicole Castellucci – Alternate Deputy Registrar

Gail Paterno – Alternate Deputy Registrar

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AppointRegistrarDeputyandAlternates

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

TOWNSHIP OF CLARK
Resolution 22-65
April 18, 2022

4

WHEREAS the Police Department has requested that the Township Council authorize the appropriate Township Officials to approve the authorization of the purchase of one (1) 2022 Ford Police Utility Interceptor marked police vehicle to replace the vehicle lost due to flooding caused by Hurricane Ida, for use by the Police Department; and

WHEREAS the Administration recommends an outright purchase payable upon delivery of the Police Vehicle:

Pricing of the Vehicle through the Educational Services Commission of New Jersey (ESCNJ);

ESC Co-op #65MCESCCPS-ESCNJ 20/21-09

Dealer: Beyer Ford LLC, 170 Ridgedale Avenue, Morristown, New Jersey, 07962

Funded by: Insurance Account #T-16-56-900-103

One (1) Vehicle, Total Price \$31,983.78

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$31,983.78 funded by Insurance Acct #T-16-56-900-103 as attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator to purchase one (1) 2022 Ford Police Utility Interceptor marked police vehicle from Beyer Ford LLC, of Morristown, New Jersey.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18PoliceVehicle-FloodReplacement

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

TOWNSHIP OF CLARK
Resolution 22-66
April 18, 2022

5

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 22-25; and

WHEREAS the Clark Police Department wishes to purchase and install equipment for four Police Utility Vehicles from an authorized vendor as follows:

Triangle Communications NJ State Contracts: #17-Fleet-00739, 00762, 00770, 00792
2362 Waldheim Avenue
Scotch Plains, NJ 07076-2152

Equipment List:

Lighting, Sirens, Cages, Mobile Radios, Console Boxes, Computer Mounts, Push Bumpers, necessary to upfit four 2022 Ford Police Utility Interceptors

Total equipment and installation price not to exceed \$64,800.56 (four vehicles at \$16,200.14 each) payable upon completion; and

WHEREAS the Business Administrator recommends the utilization of these contracts on the grounds that they meet all industry standards; and

WHEREAS the Chief Financial Officer has certified the availability of funds for these contracts in Police O/E Account #2-01-25-240-237 in the amount of \$48,600.42 for three vehicles and in Insurance Account #T-16-56-900-103 in the amount of \$16,200.14 for one vehicle.

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18PoliceVehicleEquipment-4Cars

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

TOWNSHIP OF CLARK
Resolution 22-67
April 18, 2022

6

WHEREAS S. Brothers, Inc. has completed work on the 2021 NJDOT –Lincoln Boulevard and Lupine Way Improvements and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Two Hundred Fifty-Nine Thousand, Three Hundred Thirteen Dollars and Thirty-Six Cents (\$259,313.36) including change order #1 (final) which increases the adjusted contract amount by Fourteen Thousand, Seven Hundred Ninety-One Dollars and Twenty-Two Cents (\$14,791.22); and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Capital Account C-04-21-012-002 as attached hereto as a “Certification of Availability of Funds”; and

WHEREAS Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Bond and Final Payment; and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by S. Brothers, Inc. to be Twenty-Five Thousand, Three Hundred Thirteen Dollars and Thirty-Six Cents (\$25,313.36); and

WHEREAS S. Brothers, Inc. has submitted a Maintenance Bond in the amount of \$25,313.36.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to S. Brothers, Inc., P.O. Box 317, South River, New Jersey 08882 in the amount of \$259,313.36 including final change order and release of the Performance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18FinalPymt2021NJDOT-S.Bro

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

TOWNSHIP OF CLARK
Resolution 22-68
April 18, 2022

7

WHEREAS the Township solicited quotes seeking proposals from Garden State Fireworks, Schaefer Fireworks, International Fireworks Mfg. Co., and Volt Live for a Fireworks Display to be presented on July 4, 2022; and

WHEREAS proposals were received for a show on July 4th as follows:

Garden State Fireworks, Inc.	\$30,000.00
Schaefer Fireworks	\$17,350.00
International Fireworks Mfg. Co.	Fully Booked
Volt Live	No Proposal Submitted

WHEREAS Schaefer Fireworks, 370 Hartman Bridge Road, Ronks, PA 17572, submitted a responsible, responsive proposal in the amount of \$17,350.00.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby commits to a fireworks display presented by Schaefer Fireworks, to be held on Monday, July 4, 2022 with a rain date of Tuesday, July 5, 2022, and authorizes the Mayor and/or Business Administrator to enter into a contract, as sufficient funds have been appropriated in the 2022 Municipal Budget, Celebration and Public Events account.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18Fireworks

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

TOWNSHIP OF CLARK
Resolution 22-69
April 18, 2022

8

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 Developer's Agreement with SPRING ENTERPRISES, LLC, a New Jersey corporation, having its principal office located 34 Upper Drive, Summit, New Jersey 07901 for the property identified as Block 106, Lots 3 and 4 on the Tax Maps of the Township of Clark, located at 60-62 Westfield Avenue.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AuthDevelopersAgreement-SpringEnterprisesLLC

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

TOWNSHIP OF CLARK
Resolution 22-70
April 18, 2022

9

WHEREAS the Department of Public Works has solicited and received quotes for Grass Disposal Services with the following results:

Frank Galbraith & Son	\$17.75 per cubic yard
The Yard	\$19.25 per cubic yard + fuel surcharge \$100.00 per week
Rivers Edge Contracting	No quote submitted

WHEREAS Frank Galbraith & Son Excavation and Demolition LLC, 831 Raritan Road, Scotch Plains, New Jersey 07076 provided the lowest responsible quote in the amount of Seventeen Dollars and Seventy-Five Cents (\$17.75) per cubic yard which meets the needs of the Township; and

WHEREAS the total contract amount for the 2022 grass season is not to exceed Thirty-Five Thousand Dollars (\$35,000.00).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby awards a contract for Grass Disposal to Frank Galbraith & Son Excavation and Demolition LLC of Scotch Plains, New Jersey in a total amount not to exceed \$35,000.00 for the 2022 grass season.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AwardGrassDisposal-Galbraith

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

TOWNSHIP OF CLARK
Resolution 22-71
April 18, 2022

10

WHEREAS there exists a need for Information Technology and Network Support Services for the Township of Clark; and

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS three (3) proposals were received for the above-mentioned services and were publicly opened at 10:00 am on March 30, 2022 as follows:

TeliApp Corporation	\$100.00 per hour during business hours
	\$125.00 per hour non-business hours
Lifeline Technology Solutions	\$4,800.00 per month
Vertilocity	\$2,985.00 per month

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Proposals (RFP) and recommend award of professional services contract to the firm of Vertilocity, 100 Walnut Avenue, Suite 103, Clark, New Jersey 07066 in the amount of Two Thousand, Nine Hundred Eighty-Five Dollars (\$2,985.00) per month beginning April 1, 2022 and ending December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Information Technology and Network Support Services to the firm of Vertilocity in accordance with NJSA 19:44A-20.5 et. seq.; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to sign a contract with said firm.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AwardInfoTechnologyNetworkSupportServices-Vertilocity

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

TOWNSHIP OF CLARK
Resolution 22-72
April 18, 2022

//

WHEREAS DWW Clark Developers, LLC has requested release of Performance Bond #PR2717138 in the amount of One Hundred Thirty-Seven Thousand, Forty-One Dollars and Twenty-Five Cents (\$137,041.25) and the Cash Bond in the amount of Fifteen Thousand, Two Hundred Twenty-Six Dollars and Eighty-One Cents (\$15,226.81) for the CVS Pharmacy project, Block 77, Lots 13-15 and 17; and

WHEREAS the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of the Performance Guarantee(s); and

WHEREAS section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Guarantee(s); and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by DWW Clark Developers, LLC for CVS Pharmacy to be Thirty-Seven Thousand, Seven Hundred Eighty-Three Dollars and Fifty Cents (\$37,783.50) to cover the improvements in the Township Right-of-Way, landscape buffering and stormwater quality structures to be held for one year from the date of the release of the Performance Guarantee(s).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and authorizes release of the Performance Guarantee(s) as stated herein for the abovementioned project.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AuthPerfBondReleaseCVS-DWWClarkDevelopers

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

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2021-June 2025
July 1, 2022 to June 30, 2023

12

TOWNSHIP OF CLARK
Resolution 22-73
April 18, 2022
FORM 1B

WHEREAS the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS the Township Council of the Township of Clark, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS the Township Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Union.

NOW, THEREFORE, BE IT RESOLVED by the Township of Clark, County of Union, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of an application for DMHAS Grant funding for the Clark Municipal Alliance for Year One Grant Term 07/01/22 – 03/14/23 in the amount of:

DMHAS Grant Funding \$ 3,646.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2021-June 2025
July 1, 2022 to June 30, 2023

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

APPROVED:

SALVATORE BONACCORSO,
Mayor

Res22/4-18MunAllianceSubmissionForm1B

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

CERTIFICATION

I, Edith L. Merkel, Municipal Clerk of the Township of Clark, County of Union, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 18th day of April, 2022.

Edith L. Merkel, Municipal Clerk

TOWNSHIP OF CLARK
Resolution 22-74
April 18, 2022

13

WHEREAS N.J.S.A. 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 and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, 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 2022 in the sum of \$31,059.46 which is now available from the State of New Jersey Recycling Tonnage Grant in the amount of \$31,059.46; and

BE IT FURTHER RESOLVED that the like sum of \$31,059.46 is hereby appropriated under the caption Recycling Tonnage Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$31,059.46.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18Ch159RecyclingTonnageGrant

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

TOWNSHIP OF CLARK

Resolution 22-75

April 18, 2022

14

WHEREAS Fourth MPPL Realty Co. has requested release of Performance Bond (90%) in the amount of One Hundred Thirty-Four Thousand, On Hundred Ninety-Five Dollars and Forty Cents (\$134,195.40) and the Cash Guarantee (10%) in the amount of Fourteen Thousand, Nine Hundred Ten Dollars and Sixty Cents (\$14,910.60) for the Kathy Estates project, located at 565 Raritan Road, Block 28, Lots 9; and

WHEREAS the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of the Performance Guarantee(s); and

WHEREAS section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Guarantee(s); and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Fourth MPPL Realty Co. for the Kathy Estates to be Seven Thousand, Seventy-Two Dollars and Thirty-Five Cents (\$7,072.35) to cover the improvements in the Township Right-of-Way, landscape buffering and stormwater quality structures; and

WHEREAS Seven Thousand, Seventy-Two Dollars and Thirty-Five Cents (\$7,072.35) of the Cash Guarantee will be retained by the Township to be converted to a Maintenance Bond and held for one year from the date of the release of the Performance Guarantee(s).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and authorizes release of the Performance Guarantee(s) as stated herein for the abovementioned project.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18AuthPerfBondReleaseKathyEstates-FourthMPPLRealty

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

TOWNSHIP OF CLARK
Resolution 22-76
April 18, 2022

15

WHEREAS Kevin O'Brien of Shamrock Enterprises, Ltd., was appointed as the Township Planner in 2010, by the Township of Clark; and

WHEREAS during his 12 years of service he has had a close working relationship with the Mayor, Council, Business Administrator, Land Use Boards, as well as the Engineering and Construction Department; and

WHEREAS a large part of Mr. O'Brien's responsibilities included reviewing proposed development plans, the preparation of special planning reports, providing technical assistance in the development of plans, and assisting staff personnel on administrative and technical matters; and

WHEREAS in complying with local, state, and federal laws, codes and regulations he performed professional planning and technical administrative consulting services for both the Planning Board and Board of Adjustment, he continually attended regular, special and emergency meetings, performing detailed and accurate work which ultimately led to a better quality of life for our residents and the positive growth of our township; and

WHEREAS because of Kevin's broad vision of our community and his ensuring compliance with Town goals, we successfully met our Affordable Housing obligation, revised zoning ordinances and completed work on the Master Plan Reexamination Report.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council wish to express their sincere gratitude for Kevin's invaluable contributions to the township, we are grateful for his 12 years of Professional Planning Services, and wish to express our hope for continued health, happiness and fulfilling retirement.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18 O'Brien Township Planner

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

TOWNSHIP OF CLARK
Resolution 22-77
April 18, 2022

CA 16

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2022 taxes; the Mayor has recommended to Council that such authorization be granted.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Tax Collector is hereby authorized and directed to make refund(s) in accordance with the following schedule:

CLARK TOWNSHIP						
TAX REFUNDS- 2022						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
85	56		Grow, Geoffrey	8	Cornell Drive	\$ 77.00
55	1		Lasinski, Edmund	3	Garside Place	\$ 853.63
108	51		Sam Pizzarelli	70	Broadway	\$ 831.50
91	20		FAMA Syko LLC	77	Westfield Avenue	\$2,162.50
164	48.02		Goldstein, Lisa	336	Valley Road	\$4,264.99
179	30		Moore, Joseph	29	Colonial Drive	\$ 427.66
					Total Refunds	\$ 8,617.28

ATTEST:

APPROVED:

EDITH L. MERKEL
Township Clerk

JAMES MINNITI
Council President

Res22/4-18TaxRefund(s)

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

TOWNSHIP OF CLARK
Resolution 22-78
April 18, 2022

CA 17

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2022 sewer fees; the Mayor has recommended to Council that such authorization be granted.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Tax Collector is hereby authorized and directed to make the refund(s) as per the following schedule.

CLARK TOWNSHIP			Sewer Refund 2022				
REF		Acct#	Name	#	Address	Reason	Refund
22	4R	2546-0	Lawrence Morse	69	Riverside Drive	overpayment	\$ 165.00
22	5R	172-0	Cassano, Vito & Georgann	33	Roberts Rd	overpayment	\$ 10.00
22	6R	143-0	Trader, Paulette	77	Schwin Dr	overpayment	\$ 280.00
22	7R	660-0	Szulimowski	623	Raritan Rd	overpayment	\$ 600.00
22	8R	1880-0	Chieco, David A	77	Winthrop Rd	Overpayment	\$ 140.81
					Total Refunds		\$ 1,195.81

ATTEST:

APPROVED:

EDITH L. MERKEL
Township Clerk

JAMES MINNITI
Council President

Res22/4-18SewerRefund(s)

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

TOWNSHIP OF CLARK
Resolution 22-79
April 18, 2022

CA 18

WHEREAS the Tax Collector has certified that sewer utility account(s) require balance adjustments; and

WHEREAS the Business Administrator has reviewed and approved the sewer fee adjustment(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Tax Collector be authorized to apply the sewer account balance adjustments according to the attached schedule.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/4-18SewerAdj

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

