

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
June 20, 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.

Regular Order of Business Suspended:

Police Department Promotions: Ricardo Oliveira to Lieutenant
 Sergio Henriques to Lieutenant
 Andrew Medeiros to Detective
 Mark Detore to Detective

Police Department Awards

Regular Order of Business Resumes

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:

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through June 6, 2022 in the amount of \$247,947.65

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:

1. Certifying to the Local Finance Board of the State of New Jersey that the members of the Governing Body have reviewed as a minimum, sections of the 2021 Annual Audit entitled General Comments and Recommendations
2. Board of Adjustment Appointments - Christopher Tierney, Regular Member until 12/31/24 filling the unexpired term of Steven Kaminsky; Marc Hayden, Alternate I Member until 12/31/22 filling the unexpired term of Christopher Tierney; Dante Tignini, Alternate II Member until 12/31/23 filling the unexpired term of Marc Hayden
3. Rejecting all bids for the 2022 Brush and Log Grinding project as the lowest bid substantially exceeded the cost estimates
4. Award of Contract to The Standard Insurance Company for Life and Accidental Death & Dismemberment Insurance, Short-term Disability and Long-term Disability in the amount of \$42,456.32 annually beginning July 1, 2022 representing a savings of \$29,195.33 over the current provider
5. Canceling the remaining balance in the 2020 NJDOT Grant in the amount of \$846.05
6. **Council as the ABC Board:** Authorizing the annual renewal of Alcoholic Beverage Licenses for the 2022-2023 term
7. Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Stonehenge Terrace Improvement Project
8. Authorizing submission of a strategic plan for the Clark Municipal Alliance grant for fiscal year 2023 in the amount of \$1,883.00

CONSENT AGENDA RESOLUTIONS:

9. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 131 Lot 20 in accordance with a directive from the U.S. Department of Veterans Affairs
10. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$3,806.88

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:

PRIVATE MEETING:

- A matter involving the investigation of possible legal violations;
- Anticipated litigation;
- A matter falling within the attorney-client privilege

ADJOURNMENT:

TOWNSHIP OF CLARK
Resolution 22-100
June 20, 2022

WHEREAS N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52 - to wit:

R.S.52:27BB-52 - "A local officer or member of a local
Governing Body who, after a date fixed for compliance,
fails or refuses to obey an order of the Director of Local
Government Services, under the provisions of this Article,

shall be guilty of a misdemeanor and, upon conviction,
 may be fined not more than one thousand dollars (\$1,000.00)
 or imprisoned for not more than one year, or both, in
 addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 JAMES MINNITI
 Council President

Res22/6-20AuditReport-GroupAffidavit

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

TOWNSHIP OF CLARK
Resolution 22-101
June 20, 2022

2

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individuals are hereby appointed to the following positions as Members of the Board of Adjustment.

Regular Member

Term

Christopher Tierney

06/20/22 – 12/31/24
Filling the unexpired term of Steven Kaminsky

Alternate I Member

Marc Hayden

06/20/22 – 12/31/22
Filling the unexpired term of Christopher Tierney

Alternate II Member

Dante Tignini

06/20/22 – 12/31/23
Filling the unexpired term of Marc Hayden

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20BdofAdjAppointments-unexpiredterms

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

TOWNSHIP OF CLARK
 Resolution 22-102
 June 20, 2022

3

WHEREAS the Governing Body of the Township of Clark advertised and received two (2) bids for the 2022 Brush and Log Grinding project on June 14, 2022 at 10:00 a.m.; and

WHEREAS the lowest bid substantially exceeds the cost estimates for the service (N.J.S.A. 40A:11-13.2(a).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby rejects all bids for the 2022 Brush and Log Grinding project in the best interest of the Township.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 JAMES MINNITI
 Council President

Res22/6-20Reject2022BrushandLogGrinding

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

TOWNSHIP OF CLARK
Resolution 22-103
June 20, 2022

4

WHEREAS the Governing Body of the Township of Clark desires to retain insurance services covering employee Life and Accidental Death and Dismemberment, Short-Term and Long-Term Disability; and

WHEREAS The Standard Insurance Company, 110 SW Sixth Avenue, Portland OR 97204 has submitted a proposal in the amount of \$42,456.32 annually to provide the abovementioned coverage; and

WHEREAS the Governing Body desires to retain The Standard Insurance Company for a three-year term beginning July 1, 2022; and

WHEREAS said insurance services constitute extraordinary unspecified services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5, et. seq., authorizing the services without competitive bids, and

WHEREAS there are funds available in the 2022 budget as evidenced by the Finance Officer's Certification of Availability of Funds in Current Account 23-210-223 for said contract.

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby authorizes the Business Administrator to enter into a contract with The Standard Insurance Company on behalf of the Township of Clark for a three-year term commencing July 1, 2022 at an annual fee of \$42,456.32.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20AuthInsContract-TheStandardInsuranceCo

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

TOWNSHIP OF CLARK
Resolution 22-104
June 20, 2022

5

WHEREAS the Township of Clark received a New Jersey Department of Transportation (NJDOT) Grant for the 2020 Road Program; and

WHEREAS the project was completed for less than the projected amount and;

WHEREAS a balance remains on the books and records of the Township in the amount of \$846.05; and

WHEREAS the Chief Financial Officer has requested that the remaining balance in said project be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the balance remaining in the 2020 NJDOT Grant in the amount of \$846.05 be hereby cancelled.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20CancelBalance2020NJDOTGrant

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

TOWNSHIP OF CLARK

Resolution 22-105

June 20, 2022

6

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following licenses are approved for their annual renewal: Plenary Retail Consumption Licenses in the sum of \$2,500.00; Plenary Retail Distribution Licenses in the sum of \$1,728.00; Club Licenses in the sum of \$188.00, be renewed for the Year 2022-2023, effective as of July 1, 2022.

- 2002-33-001-003 Brinker New Jersey Inc.
t/a Chili's Grill & Bar
225 Central Ave., Clark, NJ 07066
- 2002-44-002-006 Clark Circle Liquors & Lounge Inc.
t/a Wine Anthology
1075 Raritan Road, Clark, NJ 07066
- 2002-33-003-006 Whole Foods Market Group, Inc.
t/a Whole Foods Market
1255 Raritan Road, Clark, NJ 07066
- 2002-33-004-007 Garry's Catering, LLC
440 Madison Hill Road, Clark, NJ 07066
- 2002-33-005-009 Clark BBQ Inc.
1419 Raritan Road, Clark, NJ 07066
- 2002-36-006-011 Holiday Clark, LLC
t/a Holiday Inn
36 Valley Road, Clark, NJ 07066
- 2002-33-007-007 Apple Food Service of Clark LLC
t/a Applebee's Neighborhood Grill & Bar
1255 Raritan Road, Clark, NJ 07066
- 2002-44-008-007 BV Liquor LLC
t/a Rotondo's Liquors Deli and Fine Foods Inc.
1040 Lake Avenue, Clark, NJ 07066
- 2002-33-009-004 1085 Central Ave. Restaurant Corp.
t/a Molly Maguire's Irish Pub & Restaurant
1085 Central Avenue, Clark, NJ 07066
- 2002-33-010-007 CLKDIN LLC
t/a Manny's Diner
1030 Raritan Road, Clark, NJ 07066

2002-33-011-009 Tarantellas Restaurant Inc.
1199 Raritan Road, Clark, NJ 07066

2002-31-012-001 Clark Post #328 The American Legion
t/a American Legion Clark Post 328
78 Westfield Avenue, Clark, NJ 07066

2002-31-013-002 Deutscher Club Clark Inc.
787 Featherbed Lane, Clark, NJ 07066

2002-31-017-001 John L. Ruddy Post 7363 VFW
6 Broadway, Clark, NJ 07066

2002-33-018-013 Paragon Restaurant Group LLC
t/a Paragon Tap & Table
77 Central Ave., Clark, NJ 07066

2002-31-020-001 Polish Cultural Foundation Inc.
177 Broadway, Clark, NJ 07066

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20ABC Renewals

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

7

TOWNSHIP OF CLARK
COUNTY OF UNION
STATE OF NEW JERSEY
Resolution 22-106
June 20, 2022

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE STONEHENGE TERRACE IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Clark formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2023-Stonehenge Terrace Improvements - 00297** to the New Jersey Department of Transportation on behalf of the Township of Clark; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Clark and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 20th day of June, 2022

Edith L. Merkel, Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20Sub2023NJDOTGrantApplStonehengeTerraceImprovements

	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 2020-June 2025
July 1, 2022 to June 30, 2023

8

TOWNSHIP OF CLARK
Resolution 22-107
June 20, 2022
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse 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; 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 funding to 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 a strategic plan for the Clark Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$ 1,883.00
Cash Match	\$ 471.00
In-Kind	\$ 1,412.00

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 2020-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

Res22/6-20MunAllianceSubmissionForm1B

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
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 20th day of June 2022.

 Edith L. Merkel, Municipal Clerk

TOWNSHIP OF CLARK
Resolution 22-108
June 20, 2022

CA 9

WHEREAS, the Tax Assessor has certified that the U.S. Department of Veterans Affairs has deemed Rolf W. Augenstein to be 100% permanently disabled, in accordance with N.J.S.A.54:4-3.30 et. seq.; and

WHEREAS, Rolf W. Augenstein owns the property listed in the tax duplicate as 21 Prospect Street, Clark, NJ, Block 131 Lot 20, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, Rolf W. Augenstein has paid the 1st and 2nd Quarter of 2022 taxes, amounting to \$5000.09; therefore, a refund will be issued to Rolf W. Augenstein, in the amount of \$5000.09, the remainder of 2022 will be cancelled, and preliminary billing for 2023 will be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Rolf W. Augenstein 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

JAMES MINNITI
Council President

Res22/6-20TaxExemptDisabledVet-Augenstein

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

TOWNSHIP OF CLARK
 Resolution 22-109
 June 20, 2022

CA 10

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

Res22/6-20SewerAdj

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

SEWER BILLING ADJUSTMENT 2022										
CLARK TOWNSHIP										
REF #	Acct #	Name	#	Address	Reason	Original	Revised	Credit	Addl	Comments
22	59	1273-0 Ranski, Kevi & Janine	56	Mae Belle Drive	sprinkler system issue	\$ 730.00	\$ 280.00	\$ 450.00		2021
22	60	1849-0 Clarke, Joan	28	Doris Way	leaky toilet	\$ 3,130.00	\$ 808.12	\$ 2,321.88		
22	61	4403-0 Roman Residential Const	7	Park Street	demo	\$ 280.00	\$ -	\$ 280.00		
22	62	5128-0 Lipiro-Gibb, Ann Marie	1511	Raritan Road	leaky toilet	\$ 1,430.00	\$ 655.00	\$ 755.00		
					Total Credits			\$ 3,806.88		

TOWNSHIP OF CLARK
Resolution 22-110
June 20, 2022

PRIVATE
MEETING

EXECUTIVE RESOLUTION

WHEREAS N.J.S. 10:4-12 permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS this public body is of the opinion that circumstances presently exist; and

WHEREAS the Mayor and Council wish to discuss:

- A matter involving the investigation of possible legal violations;
- Anticipated litigation;
- A matter falling within the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from the meeting at _____ and invited back to resume the regular order of business at _____; and

BE IT FURTHER RESOLVED that the subject matter of this meeting will be released when the reasons for discussion and action on it in closed session no longer exists

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/6-20Executive Resolution

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