

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, 2024
7:30 pm**

ROLL CALL:

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

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 Hawk, 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.

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:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. 24-11 AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 2 ENTITLED "FEES" OF CHAPTER 122 ENTITLED "CONSTRUCTION CODES, UNIFORM" OF THE CODE OF THE TOWNSHIP OF CLARK**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through June 12, 2024 in the amount of \$254,066.54

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 5 minutes in duration.

RESOLUTIONS:

2. **Council as the ABC Board:** Authorizing the annual renewal of Alcoholic Beverage Licenses for the 2024-2025 term
3. **Council as the Pool Utility:** Authorizing the Pool Rates and Fees for the 2024 pool season
4. Approving the submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the Valley Road Improvement Project - Section 2
5. Appointing Theodore Padavano and Alexander Medric as members of the Clark Volunteer Fire Department
6. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$39,833.21 for the Clean Communities Grant
7. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$64,000.00 for the Local Recreation Improvement Grant
8. Award of contract to Waste Management of NJ for solid waste services for Bulky Waste Type 13 and 13C at the rate of \$114.12 per ton
9. Authorizing the Tax Collector to prepare and mail Estimated Tax Bills in accordance with P.L. 1994, c.72

CONSENT AGENDA RESOLUTIONS:

10. Refunding construction permit #23-688 for 37 Lupine Way in the amount of \$400.00
11. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$150.00
12. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$17,639.71
13. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$458.37

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 5 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

Ordinance No. 24 - 11

Adopted _____

Introduced: May 20, 2024 Public Hearing: June 20, 2024

**AN ORDINANCE TO AMEND AND SUPPLEMENT
SECTION 2 ENTITLED "FEES"
OF CHAPTER 122 ENTITLED "CONSTRUCTION CODES, UNIFORM"
OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 122 Construction Codes, Uniform, Section 2 Fees, Sub-section C Plumbing is hereby supplemented as follows:

SECTION 1: Add §122-2 C(1) (hh) Annual Back Flow Inspection \$91 each

SECTION 2: **Inconsistent Ordinance**

Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: **Effective Date**

This Ordinance shall take effect upon adoption and upon publication according to law.

Effective Date: July 17, 2024

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

SALVATORE BONACCORSO
Mayor

TOWNSHIP OF CLARK
Resolution 24-99
June 20, 2024

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 \$2,073.00; Club Licenses in the sum of \$188.00, be renewed for the Year 2024-2025, effective as of July 1, 2024.

- 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
- 2002-33-009-005 TKG-LL Clark LLC (pocket)
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

ANGEL ALBANESE
Council President

Res24/6-20 99ABC Renewals

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK

Resolution 24-100

June 20, 2024

BE IT RESOLVED by the Governing Body of the Township of Clark, acting as the Municipal Pool Utility, that the Municipal Swimming Pool rates and fees be set for the year 2024 and forward, as follows:

Membership	Revised
Family	\$ 455.00
Family & Caregiver/Nanny	\$ 555.00
Husband & Wife	\$ 390.00
Individual (age 14 or older)	\$ 280.00
Senior Citizen (age 62 or older)	\$ 170.00
One Parent & One Child	\$ 385.00
Resident Military or Veteran	25% discount
Non-Resident Rates	
Family – Garwood/Non-Resident	\$555 / \$630
Non-Resident Family & Caregiver/Nanny	\$ 655.00
Non-Resident Husband & Wife	\$ 550.00
Non-resident individual (age 14 or older)	\$ 390.00
Non-Resident Senior Citizen (age 62 or older)	\$ 225.00
Non-Resident One Parent & One Child	\$ 550.00
Non-Resident Military or Veteran	Same as Resident

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res24/6-20 100PoolFees

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

**TOWNSHIP OF CLARK
COUNTY OF UNION
STATE OF NEW JERSEY
Resolution 24-101
June 20, 2024**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VALLEY
ROAD IMPROVEMENT PROJECT - SECTION 2**

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-2025-Valley Road Improvements - Section 2- 00030** 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 approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 20th day of June, 2024

Clerk: Edith L. Merkel, RMC

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

ANGEL ALBANESE
Council President

Res24/6-20 101ValleyRoadImprvmnts-Section2-NJDOT2025Grant

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O’Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-102
 June 20, 2024

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Theodore Padavano and Alexander Medric are hereby appointed as Members of the Clark Volunteer Fire Department effective this 20th day of June 2024.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res24/6-20 102AppointFireFighters-Padavano-Medric

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-103
June 20, 2024

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 2024 in the sum of \$39,833.21 which is now available from the State of New Jersey in the amount of \$39,833.21; and

BE IT FURTHER RESOLVED that the like sum of \$39,833.21 is hereby appropriated under the caption Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$39,833.21.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 103Ch159CleanCommunitiesGrant

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-104
June 20, 2024

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 2024 in the sum of \$64,000.00 which is now available from the State of New Jersey Local Recreation Improvement Grant in the amount of \$64,000.00; and

BE IT FURTHER RESOLVED that the like sum of \$64,000.00 is hereby appropriated under the caption Local Recreation Improvement Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$64,000.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 104Ch159LocalRecreationImprovementGrant

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-105
June 20, 2024

WHEREAS the Department of Public Works has solicited and received quotes for solid waste services with respect to Bulky Waste Type – 13 and Construction and Demolition Waste – Type 13C with the following results:

	Rate:
Waste Management	\$114.12 per ton, including recycling tax
Plainfield Municipal Utilities Authority	\$135.00 per ton
Bayshore	No quote

WHEREAS Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, New Jersey 08628 provided the lowest responsible quote in the amount of \$114.12 per ton, including recycling tax which meets the needs of the Township.

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 solid waste services with respect to Bulky Waste Type – 13 and Construction and Demolition Waste – Type 13C to Waste Management of New Jersey, Inc.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 105BulkyWasteType13&13C

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-106
June 20, 2024

RESOLUTION AUTHORIZING THE CLARK TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS due to the late adoption of the State of New Jersey’s Budget, the Union County Board of Taxation is unable to certify tax rates throughout Union County and the Clark Township Tax Collector will be unable to mail the Township’s 2024 tax bills on a timely basis; and

WHEREAS the Clark Township Tax Collector in consultation with the Clark Township Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.33 and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, in the County of Union and State of New Jersey on this 17th day of June 2024, as follows:

1. The Clark Township Tax Collector is hereby authorized to prepare, and issue estimated tax bills for the Township for the third installment of 2024 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax-levy for 2024 is hereby set at \$71,718,222.39.
3. In accordance with law the third installment of 2024 taxes shall not be subject to interest until the later of August 11 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 106EstimatedTaxBills

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-107
June 20, 2024

WHEREAS Solar Mite Solutions, 1525 Corlies Avenue, Neptune, New Jersey 07753 has requested a refund of Four Hundred Twenty-Nine Dollars (\$429.00) due to the cancellation of Construction Permit #23-688 for work at 37 Lupine Way; and

WHEREAS the Construction Official has recommended to Council that authorization for the refund be granted in the amount of \$400.00 since the State fee of \$29.00 is not refundable.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, that the Chief Financial Officer is hereby authorized and directed to refund Four Hundred Dollars (\$400.00) as hereinabove stated.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 107RefundConstPermit23-688-37LupineWay

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK

Resolution 24-108

June 20, 2024

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2024 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.

Sewer Refund 2024							
REF		Acct #	Name	#	Address	Reason	Refund
24	21	903-0	Hudak, Christopher & Terri	172	Stonehenge Terr	refund overpayment	\$ 60.00
24	22	1259-0	Brzezinski, Boleslaw & Jessica	43	Sandalwood Drive	refund overpayment	\$ 70.00
24	23	321-0	Ajello, Anthony & Miranda	86	Briarheath Lane	refund overpayment	\$ 20.00
						Total Refunds	\$ 150.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/6-20 108SewerRefund(s)

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK

Resolution 24-109

June 20, 2024

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2024 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)/transfer(s) in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
87	10		Erin Kurek	64	Cornell Drive	\$ 302.20
165	29.03		Wells Fargo	39	Emerson Road	\$ 2,487.43
65	7		Corelogic Refunds Dept.	8	Wilshire Road	\$ 1,459.83
61	4		Corelogic Refunds Dept.	1146	Raritan Road	\$ 3,906.17
61	5		Corelogic Refunds Dept.	1150	Raritan Road	\$ 3,613.92
36	5		Corelogic Refunds Dept.	25	Canterbury Drive	\$ 5,870.16
Total Refunds						\$ 17,639.71

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res24/6-20 109TaxRefund(s)

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-110
June 20, 2024

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

ANGEL ALBANESE
Council President

Res24/6-20 110SewerAdj

			Motion	Second	Aye	Nay	Abstain	Absent
		Hund						
Adopted		Mazzarella						
Adopted as Amended		Minniti						
Defeated		O'Connor						
Tabled		Smith						
Withdrawn		Toal						
		Albanese						
		Entire Council						
		TOTAL						

