

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
Tuesday, January 19, 2016
7:30 PM**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, 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 and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

Regular Order of Business Suspended for Police Appointment and Promotions

Lieutenant Pat Grady	to	Police Captain
Police Officer Joseph Teston	to	Police Sergeant
Police Officer Brandon Pitts	to	Detective

Appointing New Police Officer Matthew Mulroy

Brief recess
Regular Order of Business resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Police and Fire Reports for the month of December, 2015 have been received and are on file in the Clerk's office

REPORT OF COUNCIL COMMITTEES:

INTRODUCTION OF PROPOSED ORDINANCES:

The Public Hearing on each of the following ordinances will be held on Tuesday, February 16, 2016

- 1. AN ORDINANCE TO SUPPLEMENT CHAPTER 145 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "FEES" TO ADD A SECTION ENTITLED "RECREATION DEPARTMENT"**
- 2. AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 3, ARTICLE 8, SECTION 3-30 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "VOLUNTEER FIRE DEPARTMENT"**
- 3. AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through January 13, 2016 in the amount of \$143,582.32

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration. The Public may speak on any agenda item that does not have its own public hearing

RESOLUTIONS:

4. Awarding General Improvement Refunding Bonds in accordance with Ordinance 15-19
5. Authorizing transfers of 2015 Appropriation Reserves
6. Affirming the hiring of Giovanni Principato as part-time Fire Inspector

Council sitting as the Municipal Pool Utility

7. Appointing Lynn Renda as an Alternate Member of the Pool Advisory Board for a one year term ending December 31, 2016

CONSENT AGENDA RESOLUTIONS:

8. Authorizing the Tax Collector to refund overpayment of 2015 taxes in the amount of \$16,805.22
9. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$25.00
10. Authorizing the Chief Financial Officer to issue a refund to Ryan Inc. due to cancellation of a Construction Permit in the amount of \$225.00

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

INTRO 1

Introduced: January 19, 2016 Public Hearing: February 16, 2016

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

AN ORDINANCE TO SUPPLEMENT CHAPTER 145 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "FEES" TO ADD A SECTION ENTITLED "RECREATION DEPARTMENT"

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 145 is hereby supplemented to authorize the Recreation Department to charge fees for programs as follows:

Preschool Programs

Mommy and Me Cooking	40.00
Total Sport Squirts	90.00
Lacrosse Squirts	90.00
Parent and Me Soccer	90.00
Parent and Me Total Sports Squirts	90.00
Tennis Squirts	120.00
Stretch N Grow	80.00
Kindertots	82.50
Introduction to Ballet	65.00
Movin and Groovin	80.00
Soccer Squirts	90.00
US Sports Institute Summer Sports Camps	90.00

Youth Programs

Scrapbooking Card Making	40.00
Making Magic	99.00
Kids Ceramics	10.00 per session
Art for All	100.00
Electronic Game Design: Platform Games	120.00
Motorized Lego Building	90.00
Cool Chemistry	99.00
Fun with Physics	99.00
Civil Engineering	108.00
Mechanical Engineering	108.00
Junior Engineers	99.00
Learn to Fly	125.00
Astronomy	75.00
Little Bakers	99.00
Cooking for Kids	35.00

Tree of Love Yoga	50.00
Comic Book Creation	99.00
Girls on the Run	185.00
Twisted Tumbling	80.00
Movin and Groovin	80.00
Zumba Kids	82.50
Hobby Quests, Designs and Trends	99.00
Hip Hop Kidz	65.00
Hip Hop Boyz	65.00
Hooked on Fishing	50.00
Intro to Rock Instruments	65.00
Drum Circle	65.00
The Actors Garage	70.00
Intro to Guitar	65.00

Youth Sports

Recreation Field Hockey	20.00-30.00-55.00 depending on equip.
Indoor Soccer	35.00
Recreation Roller Hockey	40.00
Bowling for Kids	90.00
Soccer	Varies depending on grade
Recreation Basketball	50.00
Jr. Crusader Recreation Wrestling	125.00 First child 75.00 each additional sibling
Skateboarding Scooters	40.00
Recreation Fencing	99.00
Recreation Lacrosse	150.00
Golf for Juniors	40.00
Summer Tennis	95.00
Fall Tennis Clinic	40.00
Spring Tennis Clinic	40.00
Spring into Volleyball	40.00
US Sports Institute First Play Tennis Clinic	90.00

Adult Programs

Soup and a Sandwich	35.00
Holiday Cookie Exchange	35.00
Creative Appetizers	35.00
Scrapbooking/Card Making	40.00
Ladies Night Out – Ceramics	10.00 per session
Got the Sugar Blues?	30.00
How to Stress Less and Live More	30.00
Digital Photography	75.00
Zumba	50.00
Astronomy	75.00
Y Squares Dance Club	6.00 per person per class
Square Dancing for Beginners	4.00 per person per class
Intro to Ballroom, Latin and Swing	50.00 residents 60.00 non-residents 12.00 walk-ins per night
The Vision Workshop	15.00

Adult Sports

Men's Basketball (30 and over)	Free to residents 25.00 non-residents
Adult Tennis	90.00
US Sports Institute Adult Cardio Tennis	90.00
Women's Softball	40.00

Senior Programs

Rejuvenate your Retirement	39.00 per couple
Intro to Ballroom, Latin and Swing	50.00 residents 60.00 non-residents 12.00 walk-ins per night
All other Senior Programs	Free for residents

Future changes in Programs and/or Fees shall be authorized by Resolution of the Governing Body.

Inconsistent Ordinances:

Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Effective Date:

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

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

SALVATORE BONACCORSO
Mayor

Ord16/1-19Ch145RecreationFees

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

TOWNSHIP OF CLARK
Ordinance No. _____
Adopted _____

INTRO 2

Introduced: January 19, 2015 Public Hearing: February 16, 2015

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF
CHAPTER 3, ARTICLE 8, SECTION 3-30
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
"VOLUNTEER FIRE DEPARTMENT"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Article 8, Sub-Section 30 of the Code of the Township of Clark entitled "Volunteer Fire Department" is hereby amended and supplemented, as follows:

SECTION 1: Sub-Section B (2) Line Officers, is hereby deleted and amended as follows:
(a) Battalion Chief (1)
(b) Captains (5)
(c) Officers may be appointed by the Director/Fire Chief/Fire Official as needed hereinafter.

SECTION 2: Sub-Section G is hereby amended to read "Election of officers. The Director/Fire Chief/Fire Official and Command Staff, and the Fire Department Association President, shall hold an election for the line officers, every two years, from the members of the Fire Department that are in good standing, for the positions of Battalion Chief (1) and Captains (5). The foregoing officers shall all be residents of the Township of Clark during the duration of their appointment. In the event an officer elects, pursuant to the provisions of this subsection, to relocate his/her residence from the Township of Clark, the rank of said officer shall be forfeited, and he/she shall be reduced in rank to that of a firefighter, provided, however, that the member's new residence is within three miles of the Clark Township municipal border. The biennial election shall be held during the month of October of every other year commencing December 19, 1967. The term of office shall be from October through September 30 of the next succeeding year. Officers shall be sworn in by the Township Clerk."

SECTION 3: Delete Sub-Section H (3) Lieutenants

SECTION 4: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

SALVATORE BONACCORSO
Mayor

Ord16//1-19AmendCh3Sec30FireDept

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

INTRO 3

Introduced: January 19, 2016 Public Hearing: February 16, 2016

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS the Governing Body of the Township of Clark in the County of Union finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$571,243.19 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2016 budget year, the final appropriations of the Township of Clark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$571,243.19 and that the CY 2016 municipal budget for the Township of Clark be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

SALVATORE BONACCORSO
Mayor

Ord16/1-19ExceedBudget-CapBank

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

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TOWNSHIP OF CLARK
Resolution _____
January 19, 2016

Motion _____ Second _____

RESOLUTION OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, PRESCRIBING THE DETAILS AND BOND FORM FOR \$5,575,000 GENERAL IMPROVEMENT REFUNDING BONDS (SERIES 2016), DATED JANUARY 29, 2016, AUTHORIZING THE ACCEPTANCE OF AN OFFER TO PURCHASE SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the refunding bond ordinance hereinafter described has been duly adopted and it is necessary to provide for the issuance of the refunding bonds authorized by such bond ordinance; NOW, THEREFORE,

BE IT RESOLVED by the Township Council of the Township of Clark, in the County of Union, New Jersey (the "Township"), as follows:

Section 1. There shall be issued at this time \$5,575,000 of the refunding bonds (the "Bonds") authorized pursuant to the refunding bond ordinance adopted by the Township Council of the Township on December 21, 2015 (Ord. No. 15-19) (the "Bond Ordinance"). The Bonds are being issued to refund \$5,542,000 aggregate principal amount of the Township's outstanding General

Improvement Bonds, dated August 15, 2005 and maturing in annual installments on August 15 of each year from 2016 to 2019, inclusive (the "Refunded Bonds"). The proceeds of the Bonds will be used to (A) redeem the Refunded Bonds on March 1, 2016 at the redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, and (B) pay the costs of issuance of the Bonds. The Township Council hereby specifically and irrevocably elects to redeem the Refunded Bonds on March 1, 2016 at a redemption price of 100% of the principal amount thereof, plus accrued interest to the date of redemption.

Section 2. The Bonds shall be issued as a single issue of bonds, aggregating \$5,575,000 consisting of an issue of bonds of the minimum authorized denomination of \$100,000 each with integral multiples of \$5,000 in excess thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on August 15 in each year as follows:

\$1,585,000 in the year 2016,
\$1,690,000 in the year 2017,
\$1,715,000 in the year 2018, and
\$585,000 in the year 2019.

The Bonds shall be designated "General Improvement Refunding Bonds (Series 2016)". The indebtedness evidenced by each Bond shall be deemed to have been incurred for the purpose described in the Bond Ordinance and in this resolution.

Section 3. The Bonds shall be dated January 29, 2016, and shall bear interest from their date until their respective maturities at the rate of 1.33% per annum, payable on each February 15 and August 15, commencing August 15, 2016 (each, an "Interest Payment Date"), in each year until maturity. The Bonds shall not be subject to redemption prior to their stated maturities.

Section 4. The Bonds will be issued in fully registered form. Interest on the Bonds will be payable at the times stated in Section 3 of this resolution, and principal of the Bonds will be paid annually on August 15 as set forth in the maturity schedule hereinbefore stated, to the registered owners of the Bonds. Interest will be payable to owners of Bonds shown on the records of the Bond Registrar/Paying Agent (as hereinafter defined) as of the last business day of the month preceding the month in which such Interest Payment Date occurs.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 5. The Bonds shall be signed by the Mayor by manual or facsimile signature and by the Director of Revenue and Finance by manual or facsimile signature, the corporate seal of

the Township shall be imprinted, affixed or reproduced thereon, and such seal shall be attested by the Township Clerk or Deputy Township Clerk by manual or facsimile signature. The Bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 6. Each of the Bonds shall be issued in substantially the following form:

[Form of Bond]

No. R-__

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF UNION
TOWNSHIP OF CLARK
GENERAL IMPROVEMENT REFUNDING BOND (SERIES 2016)

INTEREST RATE
PER ANNUM

MATURITY DATE

DATED DATE

1.33%

AUGUST 15, 201__

JANUARY 29, 2016

REGISTERED OWNER: TD BANK, N.A.

PRINCIPAL SUM: -----DOLLARS

The Township of Clark, a municipal corporation of the State of New Jersey, located in the County of Union (hereinafter referred to as the "Township"), for value received, hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each February 15 and August 15, commencing August 15, 2016 (each, an "Interest Payment Date"), of each year until maturity. This Bond is not subject to redemption prior to its stated maturity. The principal hereof is payable at the office of the Director of Revenue and Finance, Municipal Building, 430 Westfield Avenue, Clark, New

Jersey 07066 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the last business day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to a refunding bond ordinance adopted by the Township Council of the Township on December 21, 2015 (Ord. No. 15-19) and a resolution adopted by the Township Council of the Township on January 19, 2016. The Bonds are issued in minimum authorized denominations of \$100,000 each with integral multiples of \$5,000 in excess thereof.

The Bond Registrar/Paying Agent shall keep at its office the books of the Township for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the hereinabove mentioned resolution upon the surrender hereof to the Bond

Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bonds or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the Township are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the Township has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Director of Revenue and Finance by manual or facsimile signature and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its Township Clerk by manual or facsimile signature, and this Bond to be dated January 29, 2016.

[SEAL]

(manual or facsimile signature)
Mayor

ATTEST:

(manual or facsimile signature)
Township Clerk

(manual or facsimile signature)
Director of Revenue and Finance

AUTHENTICATION DATE: JANUARY 29, 2016

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution, and is one of the General Improvement Refunding Bonds (Series 2016), dated January 29, 2016 of the Township of Clark, in the County of Union, State of New Jersey.

Director of Revenue and Finance,
as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____

_____ the within Bond, and irrevocably appoints _____

_____ attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

[End of Form of Bond]

Section 7. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Township upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The Township or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including interest thereon, to the extent of the sum or sums so paid.

The Township shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to the then commercial standards for the timely payment of principal and interest with respect to the Bonds. The Director of Revenue and Finance is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the Township Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the Municipal Building, 430 Westfield Avenue, Clark, New Jersey 07066, the books of the Township for the registration, registration of transfer, exchange and payment of the Bonds.

Section 8. The Mayor, the Director of Revenue and Finance and the Township Clerk are hereby authorized and directed to cause the Bonds to be prepared and to execute and deliver the Bonds upon payment of the purchase price therefor.

Section 9. The Bonds are hereby sold to TD Bank, N.A. (the "Purchaser") in accordance with its proposal received on January 7, 2016 at an interest rate of 1.33% per annum and a purchase price equal to the par amount of \$5,575,000. The sale of the Bonds at private sale upon such terms and at such purchase price

is hereby determined to be in the best interests of the Township. A proposal was also received from Sterling Bank to purchase the Bonds at par at an interest rate of 2.00% per annum.

Section 10. The Township Council hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Township (including the Bonds) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended.

Section 11. The Mayor, the Director of Revenue and Finance and the Township Clerk are hereby authorized and directed to execute and deliver such documents and to take such actions as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds and the refunding of the Refunded Bonds, including, without limitation, the execution and delivery of all closing documents and certificates and any agreements concerning the investment of funds to be used to redeem the Refunded Bonds.

Section 12. The Director of Revenue and Finance is hereby authorized and directed to deliver the Bonds to the Purchaser upon receipt of the purchase price therefor.

Section 13. It is hereby determined and stated the Bonds are being issued in accordance with the conditions set forth in N.J.S.A. 40A:2-51(c) and N.J.A.C. 5:30-2.5, which permit the issuance of refunding bonds without the prior approval of the Local Finance Board, in the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board"). The Director of Revenue and Finance is hereby authorized to file a certificate with the Local Finance Board after the issuance of the Bonds stating that such conditions have been met and including financial information concerning the refunding and a certified copy of this resolution.

Section 14. This resolution shall take effect immediately upon its adoption.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/1-19AwardRefundingBonds

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
O' Connor	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
Hund	_____	_____	_____	_____

TOWNSHIP OF CLARK
 Resolution _____
 January 19, 2016

5

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers are hereby authorized and directed to effect transfers of 2015 Appropriation Reserves according to the following schedule.

CLARK TOWNSHIP RESERVE APPROPRIATION TRANSFER	<u>To</u>	<u>From</u>
5-01-20-130-100 Finance - Salaries and Wages		30,500.00
5-01-20-155-200 Law - Other Expenses	5,000.00	
5-01-20-165-200 Engineering - Other Expenses	20,000.00	
5-01-25-252-200 Emergency Mgt. - Other Expenses	500.00	
5-01-26-310-200 Buildings & Grounds - Other Expenses	2,000.00	
5-01-31-435-223 Street Lighting - Other Expenses	3,000.00	
	<u>\$30,500.00</u>	<u>\$30,500.00</u>

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council President

Res16/1-19TransferReserves

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

TOWNSHIP OF CLARK
Resolution _____
January 19, 2016

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Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby affirms the hiring of Giovanni Principato as part-time Fire Inspector, retroactive to May 1, 2015.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/1-19FireInspector

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

TOWNSHIP OF CLARK
Resolution _____
January 19, 2016

7

Motion _____ Second _____

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that the following individual is hereby appointed as an Alternate Member of the Clark Community Pool Advisory Board effective January 19, 2016.

<u>Alternate Member:</u>	<u>Term</u>	<u>Effective</u>
Lynn Renda	(1 year term)	01/19/16 – 12/31/16

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/1-19 Appoint Pool Adv Bd Renda
Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____

TOWNSHIP OF CLARK
 Resolution _____
 January 19, 2016

CA 8

Motion _____ Second _____

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2015 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 Chief Financial Officer is hereby authorized and directed to make refund(s) in accordance with the following schedule:

TAX REFUNDS 2015						
BLOCK	LOT	QUAL	NAME	#	ADDRESS	REFUND
173	28		Rosemary Gillespie	204	Miller Avenue	9923.68
84	21		Tamie Walker & Brandon Stearns	44	Kathryn Street	286.22
181	15		Ramiro Castro	111 3	Maurice Avenue	2425.13
60	52		Jeffrey & Diane Joffe	1	Terry Lane	1432.72
67	31		Kristen Brennan	156	Lexington Blvd	2,737.47
					Total Refunds	\$16,805.22

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council President

Res16/1-19TaxRefunds

Aye Nay Abstain Absent

Albanese _____
 Barr _____
 Mazzarella _____
 O'Connor _____
 Smith _____
 Toal _____
 Hund _____

TOWNSHIP OF CLARK
 Resolution _____
 January 19, 2016

CA 9

Motion _____ Second _____

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2015 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 Treasurer/CFO is hereby authorized and directed to make the following refund(s) as per the following schedule.

CLARK TOWNSHIP								
SEWER REFUNDS - 2015								
REF	#	Account #	Name	#	Address	Reason	Refund	
15	29R	2256-0	Romulus Stoica	10	Terry Lane	overpaid	\$ 25.00	

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council President

Res16/1-19SewerRefund

Aye Nay Abstain Absent

Albanese _____
 Barr _____
 Mazzarella _____
 O'Connor _____
 Smith _____
 Toal _____
 Hund _____

TOWNSHIP OF CLARK
Resolution _____
January 19, 2016

CA 10

Motion _____ Second _____

WHEREAS Crestina A. Marujo, Ryan Inc., 741 Lehigh Avenue, Union, New Jersey 07083-7626 has requested a refund of Two Hundred, Twenty Five dollars (\$225.00) due to the cancellation of Construction Permit #15-1196 (11 School Street); and

WHEREAS the Construction Official has recommended to Council that authorization for the refund be granted.

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 Two Hundred, Twenty Five dollars (\$225.00) as hereinabove stated.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/1-19 PermitRefund-11SchoolSt
Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Hund	_____