

This Notice is being sent to you, 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
February 16, 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 (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 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 a Presentation by Recreation Director, Ralph Bernardo
Regular order of business resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Police, Fire, Emergency Management and First Aid Reports for the month of January 2016 have been received and are on file in the Clerk's office

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 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 February 10, 2016 in the amount of \$227,435.63

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.

RESOLUTIONS:

4. Introduction of the 2016 Municipal Budget

CONSENT AGENDA RESOLUTIONS:

5. Authorizing the Tax Collector to refund overpayments of \$9,326.65 and transfer overpayment of \$540.46 of 2015 taxes
6. Authorizing the Tax Collector to settle tax appeals authorized by the Tax Court of New Jersey with credit to be issued in the amount of \$159,586.00 and a refund in the amount of \$18,831.47
7. Appointing Marc Hayden as Alternate II Member of the Environmental Commission for a one-year term

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 _____

PH #1

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

Motion: Smith Motion: _____

Seconded: O'Connor 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: March 9, 2016

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 _____

PH # 2

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

Motion: Barr Motion: _____

Seconded: Albanese 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: March 9, 2016

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 _____

PH # 3

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

Motion: O'Connor Motion: _____

Seconded: Albanese 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: March 9, 2016

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	_____

4

TOWNSHIP OF CLARK
Resolution _____
February 16, 2016

Motion _____ Second _____

Municipal Budget of the Township of Clark County of Union for Calendar Year 2016

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2016:

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2016**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)		16,630,723.00
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)		4,679,028.43
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)		4,679,028.43
3. Reserve for Uncollected Taxes (Item M. Sheet 29) – Based on Estimated <u>98.53</u> Percent of Tax Collections		800,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2016 for Schools –State Aid 2015 \$ _____		22,109,751.43
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,768,818.43
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)		15,514,919.00
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		826,014.00

BE IT RESOLVED that notice is hereby given that the Budget and Tax Resolution was introduced by the Municipal Council of the Township of Clark, County of Union on February 16, 2016; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County LocalSource in the issue of March 3, 2016; and

BE IT FURTHER RESOLVED that a Regular Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Council Chambers, 315 Westfield Avenue, on March 21, 2016 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2016 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/2-16BudgetIntro

Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
February 16, 2016

CA 5

Motion _____ Second _____

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/2-16TaxRefundsTransfers

Aye Nay Abstain Absent

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

CLARK TOWNSHIP									
TAX REFUNDS- 2016									
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	AMT TRNS	TRANS FROM	TRANS TO
24	3		Dominic Giagaglione	16	Kennedy Drive	\$ 388.40			
13	3		Patrick Cook	5	Orchard Terrace	\$ 2,817.98			
176	49		Beverly Cunningham	45	Lupine Way		\$540.46	2015/2	2015/4
120	14		Joshua Bettinger	131	Nassau Street	\$ 2,203.91			
173	28		Rosemary Gillespie	204	Miller Avenue	\$ 3,916.36			
			Totals			\$ 9,326.65	\$540.46		

TOWNSHIP OF CLARK
Resolution _____
February 16, 2016

CA 6

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize the Tax Collector to settle Tax Appeal(s) and Issue Refund(s) and or Credit in the amounts indicated as authorized by the Tax Court of New Jersey in accordance with the attached schedule.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/ 2-16TaxAppealSettlements

Aye Nay Abstain Absent

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

STATE TAX APPEAL - APPROVAL 2/16/2016							
Block/Lot	Address	Original	New	Reduction	Year	Refund	Credit
		Assessment	Assessment				
63/46.01	472 Westfield Avenue	264,200	204,200	60,000	2014		\$ 4,713.00
63/46.01	472 Westfield Avenue	264,200	204,200	60,000	2015		\$ 4,814.41
						Principal	\$ 9,527.41
						5% Int.	Waived
						Total	\$ 9,527.41
91/18	67 Westfield Avenue	580,100	550,100	30,000	2012		\$ 2,283.90
91/18	67 Westfield Avenue	580,100	555,100	25,000	2013		\$ 1,936.75
91/18	67 Westfield Avenue	580,100	555,100	25,000	2014		\$ 1,963.76
						Principal	\$ 6,184.41
						5% Int.	Waived
						Total	\$ 6,184.41
135/18	57 Brant Avenue	422,800	345,500	77,300	2009		\$ 5,412.55
135/18	57 Brant Avenue	422,800	354,100	68,700	2010	\$1,841.35	\$3,069.32
135/18	57 Brant Avenue	422,800	359,900	62,900	2011	\$4,640.14	
135/18	57 Brant Avenue	422,800	342,800	80,000	2012	\$6,090.40	
135/18	57 Brant Avenue	422,900	342,000	80,800	2013	\$ 6,259.58	
						Principal	\$18,831.47
						5% Int.	Waived
						Total	\$18,831.47
144/2.01	100 Walnut Avenue	8,000,000	7,900,000	100,000	2010		\$7,148.00
144/2.01	100 Walnut Avenue	8,000,000	7,700,000	300,000	2011		\$ 22,131.00
144/2.01	100 Walnut Avenue	8,000,000	6,800,000	1,200,000	2012		\$ 91,356.00
144/2.01	100 Walnut Avenue	8,000,000	7,700,000	300,000	2013		\$ 23,241.00
144/2.01	100 Walnut Avenue	8,000,000	7,800,000	200,000	2014		\$ 15,710.00
						Principal	\$159,586.00
						5% Int.	Waived
						Total	\$159,586.00

TOWNSHIP OF CLARK
Resolution _____
February 16, 2016

CA 7

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that Clark resident, Marc Hayden is hereby appointed as Alternate II Member of the Environmental Commission for an initial one-year term effective 02/16/16 to 12/31/16.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res16/2-16AppointAltIIEnvComm-Hayden

Aye Nay Abstain Absent

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