

AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
April 3, 2017
Municipal Building, Room 30
7:30 PM

ROLL CALL:

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

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 Local Source, and TAP into Clark, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements and the proper filing of said Notice. Formal action may be taken at this meeting.

RESOLUTIONS:

1. Budget Compliance Resolution allowing the Budget to be read by title
2. **Public Hearing on the 2017 Municipal Budget**
3. Requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Municipal Public Defender Fees
4. Authorization to Appropriate Funds or Bond to Fund for Shortfall in the Township's Affordable Housing Program
5. Authorizing a reduction in the license fee for mobile food vendors at the UNICO Feast
6. Council as the Pool Utility: amending resolution 17-50 to re-set the guest fees

Weekdays	All ages	\$ 9.00
Holidays and Weekends	Children 13 and under	\$ 9.00
	Adults 14 and over	\$12.00
7. Resolution Approving the Certification List of Volunteer Members of the Clark Emergency Squad Qualifying for Credit Under the Length of Service Awards Program (LOSAP)

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

Resolution _____

April 3, 2017

Motion _____ Second _____

WHEREAS at least one (1) week prior to the date of the hearing a complete copy of the approved budget was delivered to the free public library and made available for public inspection; and

WHEREAS an Affidavit of Receipt of the Budget as attached hereto and made a part hereof has been obtained from the library pursuant to NJSA 40A:4-8; and

WHEREAS copies of the budget have been made available to each person requesting one at no charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that upon passage of this resolution by a majority of the full membership that the law has been met allowing the budget to be read by title.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3BudgetComplianceLibrary
Aye Nay Abstain Absent

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



TOWNSHIP OF

Clark NEW JERSEY

EDITH L. MERKEL
TOWNSHIP CLERK

430 Westfield Avenue
Clark, New Jersey 07066-1704
Tel: (732) 388-3669
Fax: (732) 388-1241
Email: clerk@ourclark.com

MEMORANDUM

TO: Dawn Jenkin, Library Director
FROM: Edith L. Merkel, Township Clerk
DATE: February 22, 2017
RE: 2017 Municipal Budget

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Attached please find a copy of the 2017 Municipal Budget of the Township of Clark as Introduced and Approved by the Governing Body at a Regular Council meeting held February 21, 2017, 315 Westfield Avenue, Clark, New Jersey at 7:30 p.m.

A hearing on the budget and tax resolution will be held at the Municipal Building, 430 Westfield Avenue on Monday, April 3, 2017 at 7:30 p.m. at which time and place objections to the Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

Additional copies are available in the office of the Township Clerk, room 28 of the Municipal Building, 430 Westfield Avenue and can also be viewed on the Township website at www.ourclark.com

Upon receipt of the Budget please sign and date as indicated below. Return this memo as attestation that the delivery was made.

ATTEST:

RECEIVED:

Edith L. Merkel 3/19/17
Edith L. Merkel
Township Clerk

Dawn Jenkin 3/19/17
Dawn Jenkin
Library Director

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Motion _____ Second _____

Adoption of the Municipal Budget of the Township of Clark for Calendar Year 2017

BE IT RESOLVED by the Township of Clark, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$16,853,439.00 (Item 2 below) for municipal purposes, and
\$ 872,388.00 Minimum Library Levy

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	\$ 1,100,000.00
Miscellaneous Revenues Anticipated	\$ 3,260,866.26
Receipts from Delinquent Taxes	\$ 430,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	<u>\$ 16,853,439.00</u>
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	<u>\$ 872,388.00</u>
 Total Revenues	 \$ 22,516,693.26 =====

SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$14,794,025.00
Deferred Charges and Statutory Expenditures – Municipal	\$ 2,128,245.40
Excluded from "CAPS"	
Operations – Total Operations Excluded from "CAPS"	\$ 1,713,768.26
Capital Improvements	\$ 100,000.00
Municipal Debt Service	\$ 2,239,337.00
Deferred Charges – Municipal	\$ 541,317.60
Reserve for Uncollected Taxes (Include Other Reserves, if Any)	\$ 1,000,000.00
 Total Appropriations	 \$22,516,693.26 =====

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 3rd day of April, 2017. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res17/4-3BudgetAdoption
 Aye Nay Abstain Absent

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

Motion _____ Second _____

**RESOLUTION OF THE GOVERNING BODY
OF THE TOWNSHIP OF CLARK, UNION COUNTY, NEW JERSEY,
ESTABLISHING A DEDICATED TRUST BY RIDER
FOR MUNICIPAL PUBLIC DEFENDER FEES
P.L. 1997, CHAPTER 256**

WHEREAS permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS N.J.A.C. 5:30-15 permits municipalities to receive amounts for costs incurred for Municipal Public Defender Fees; and

WHEREAS N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Municipal Public Defender Fees created in accordance with the provision of N.J.A.C. 5:30-15 and N.J.S.A. 40A:4-39; and
2. The Municipal Clerk of the Township of Clark is hereby directed to forward two (2) certified copies of this Resolution to the Director of the Division of Local Government Services.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3DedicatedTrustbyRider-PublicDefenderFees
Aye Nay Abstain Absent

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

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Motion _____ Second _____

RESOLUTION OF INTENT TO APPROPRIATE FUNDS OR BOND TO FUND FOR SHORTFALL IN THE TOWNSHIP'S AFFORDABLE HOUSING PROGRAM

WHEREAS, Clark Township has submitted to the Court of Competent Jurisdiction for substantive certification its adopted Housing Element and Fair Share Plan; and

WHEREAS, the plan submitted allocates funds for:

- 1. Housing Rehabilitation Program;
- 2. Market to Affordable Program; and
- 3. Affordability Assistance Program

WHEREAS, Clark Township anticipates that funding will come from the following sources to satisfy these obligations:

- 1. Development Fee Ordinance;
- 2. In-lieu of payments; and
- 3. Interest

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in Clark Housing Element and Fair Share Plan, Clark Township shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the Township Council of Clark Township, Union County, State of New Jersey, that the Township Council does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that, upon written notification by COAH or the Court of Competent Jurisdiction after a finding that inadequate funding exists, to complete the affordable housing programs included in Clark Township's certified Housing Element and Fair Share Plan, Clark Township agrees to appropriate funds or authorize the issuance of debt within 90 days of written notification by COAH or the Court of Competent Jurisdiction; and

BE IT FURTHER RESOLVED that Clark Township may repay debt through future collections of development fees, as such funds become available.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3Affordable Housing - Fund Shortfall

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

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TOWNSHIP OF CLARK
Resolution _____
April 3, 2017

Motion _____ Second _____

WHEREAS Clark UNICO has requested a reduction of the license fee for mobile food vendors (Township Code, Ch. 170) for the October feast; and

WHEREAS the Mayor has notified the Health Officer and recommends to Council that a reduction from \$275.00 to \$175.00 be granted due to the benefit UNICO provides to Clark organizations and programs and the charitable nature of the event.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby grants the license fee reduction as hereinabove stated.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3UNICOvendorfee
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
April 3, 2017

Motion _____ Second _____

WHEREAS the Governing Body of the Township of Clark as the Clark Swimming Pool Utility (the Utility) adopted Resolution 17-50 setting the 2017 Municipal Swimming Pool rates and fees on February 21, 2017; and

WHEREAS the Pool Advisory Board determined that there was an omission in the Guest Fees section of the resolution and made a recommendation to the Utility to amend the resolution.

NOW, THEREFORE BE IT RESOLVED by the Governing Body as the Clark Swimming Pool Utility that Resolution 17-50 be and is hereby amended to re-set the Guest Fees with all other rates and fees remaining unchanged:

FEES - ALL MEMBERS

GUEST FEES:

WEEKDAYS (All ages)	\$ 9.00
HOLIDAYS AND WEEKENDS	
Children (13 & under)	\$ 9.00
Adults (14 & over)	\$12.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3PoolFees amended
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
April 3, 2017

Motion _____ Second _____

RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF CLARK VOLUNTEER EMERGENCY SQUAD QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2016

WHEREAS the Township of Clark adopted Ordinance No. 99-15 which created the Length of Service Awards Program (LOSAP); and

WHEREAS N.J.S.A. 40A:14-191 requires that the Township of Clark Volunteer Emergency Squad furnish the Township Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby approves the list of the volunteer members of the Township of Clark Emergency Squad certified by the Squad President for the year 2016, a copy of which list is attached hereto; and

BE IT FURTHER RESOLVED that a copy of this list has been posted for at least thirty (30) days in the Emergency Squad Building; and

BE IT FURTHER RESOLVED that after the thirty (30) day posting period the Township Treasurer will issue a check to cover volunteers on the attached list to Lincoln Financial.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-3ApprovingEmergencySquadLOSAP
Aye Nay Abstain Absent

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

CLARK TOWNSHIP LOSAP 2016

	xxx-xx-	Last	First		Contribution 2016
#####	6936	AZOIA	CHRISTINA		
#####	7454	BARR	JON-HENRY		
#####	3368	BEACH	ANDREW	F	
#####	4215	BIONDI	MATTHEW		\$1,150.00
#####	2585	BIRITTERI	MICHAEL	W	
#####	4904	BLESSING	HOLLY	L	
#####	2354	BORDEN SR	JAMES	W	\$1,150.00
#####	3169	BORDEN JR	JAMES	W	
#####	6830	BORQUIST	MATTHEW		
#####	3443	BOYER	SCOTT		\$1,150.00
#####	6012	BRATTOLE	FRANK	P	\$1,150.00
#####	0839	BRATTOLE	RICHARD		\$1,150.00
#####	0665	BUCCARELLI	CHRIS		\$1,150.00
#####	9378	BUTTERLY	MATTHEW		
#####	8869	CAMPBELL	THOMAS		
#####	1868	CANGIARELLA	ANTHONY		\$1,150.00
#####	6881	CARO	JUAN	A	
#####	1440	CARRIG	MICHAEL		\$1,150.00
#####	6117	CERASA	FRANK	J	\$1,150.00
#####	4340	CHABAK	MICHAEL	J	\$1,150.00
#####	6339	CHMIELESKI	MICHELLE		
#####	7023	COYLE	ERIN		
#####	0440	COYLE	JAMES		
#####	8246	DAFONSECA	DANIEL	M	
#####	9308	DE ANGELO	JOHN	P	\$1,150.00
#####	6784	DE ANGELO	VICTOR		
#####	0453	DECRISTOFARO	JOSEPH	R	
#####	2973	DEFALCO	DYLAN		
#####	1356	DIMPERIO	RAYMOND		
#####	3211	FABIJANCZUK	JOSEPH	J	\$1,150.00
#####	4231	FABIJANCZUK	MICHAEL		\$1,150.00
#####	2108	FEWKES	JERRY	E	
#####	4798	FIORENZA	GIOVANNI	C	\$1,150.00
#####	6440	FIORENZA	NICOLLETTE		\$200.00
#####	2620	FRANKE	MICHAEL		
#####	6817	GAFFNEY	ANDREW	D	
#####	4964	GENNARO	MICHAEL		\$225.00
#####	4615	GEORGE II	ROY	E	\$1,150.00
#####	2323	GIARRIZZO	ANTHONY	S	
#####	1882	GONZALEZ	MICHAEL		\$1,150.00
#####	5787	GUENTHER	JEANNINE		
#####	1046	GUENTHER	JOSEPH	D	
#####	9730	GUSKIND	JAN	C	\$1,150.00
#####	1307	HAJKOWSKI	MICHAEL	E	\$1,150.00
#####	4032	HAMPP	MATTHEW	W	\$1,150.00
#####	4276	HARRISON	THOMAS	A	
#####	6529	HYDOCK	TIMOTHY		
#####	7931	ILLG III	FREDERICK	C	
#####	1127	JOY	MICHAEL		\$1,150.00
#####	5383	JUZEFYK	KIMBERLY		
#####	9638	KEHOE	LANCE		\$1,150.00
#####	9201	KOSOVAN	AMANDA	J	
#####	1610	KUREK	JOHN		
#####	8674	KURWEIL	KEVIN		

CLARK TOWNSHIP LOSAP 2016

#####	5934	LAKATA	TIMOTHY		
#####	5852	LIH	ADRIENNE		\$225.00
#####	3467	MAKOSIEJ JR	FRANK		\$1,150.00
#####	6628	MALONEY	BRIAN		
#####	8161	MARCZEWSKI JR	JAMES		
#####	9426	MASSARELLI	NICHOLAS		\$525.00
#####	9103	MC CABE	SCOTT		\$1,150.00
#####	1827	MIGHT	RYAN		\$1,150.00
#####	0192	MOGENSEN	KYLE		
#####	6890	MOKE	JOSHUA		
#####	9990	MORAN JR	ROBERT	F	
#####	7713	MOREIRA	JESSICA		
#####	4714	MUELLER	JOHN		
#####	0214	MULLIGAN	KEVIN		
#####	5183	NENORTAS	ADAM	M	\$1,150.00
#####	6677	NENORTAS	MICHAEL	A	\$1,150.00
#####	5606	NESHIMKE III	MICHAEL		\$1,150.00
#####	2097	NEWBY	DAVID	H	\$525.00
#####	1329	OLEAR	GEORGE	R	\$1,150.00
#####	9810	PERKS	ROBERT		
#####	5980	PINGOR	JOHN	P	\$1,150.00
#####	6420	PINKHAM	COURTNEY	E	
#####	9244	POBUTA	GERALD		
#####	7504	POYSSICK	ANTHONY		\$525.00
#####	7605	POYSSICK	CHARLES	W	\$525.00
#####	2486	POYSSICK	CHARLES	J	\$525.00
#####	0054	RAMOS	DANIEL	M	
#####	8280	REIS	CHRISTINA	M	
#####	6497	SANZO	DANIELLE		
#####	1929	SCHROECK III	JUSTIN		\$1,150.00
#####	4345	SERSON	CHARLES		
#####	0742	SHELDON	DANIEL	J	\$1,150.00
#####	5876	SHELDON	KATHERINE		\$525.00
#####	3885	SHELDON	LAURIE		\$1,150.00
#####	4387	SOINE	EDMUND	K	
#####	1409	SVACHAK	BARBARA		
#####	3161	SZILAGYI	KRISTEN	K	
#####	9913	TABORDA	RONNY		
#####	6044	TWERDAK	SEAN	J	
#####	3884	ULRICH	JAMES	F	\$525.00
#####	7959	URBANOVICH JR	JOSEPH	C	
#####	4808	URBANOVICH	JOSHUA		
#####	8929	VACCARO JR	MICHAEL		
#####	8444	VENTURELLA JR	ROBERT		
#####	6642	WAGNER	GARY	R	\$1,150.00
#####	7970	WAKSTEIN	RYAN		
#####	6881	WALTNER	WAYNE	E	\$525.00
#####	1102	WESLOSKY	RONALD	J	\$1,150.00
#####	0846	WESLOSKY	WILLIAM		\$525.00
#####	4237	WIERZBINSKI	TIMOTHY		\$1,150.00
#####	0525	WILLEY	BRIAN		
#####	9254	YELENOVSKY	CHRISTINE		
#####	7552	YELENOVSKY	KENNETH		
#####	6295	YOUNG	WARREN		\$1,150.00

CLARK TOWNSHIP LOSAP 2016

		NEW			
1E+08		ALACCHI	SUSAN		\$200.00 3*22*17
1E+08		MAKOSIEJ	NICHOLAS		\$525.00 3*22*17
1E+08		MENDYK	RYAN		\$525.00 3*22*17
1E+08		SWEENEY	MEGAN		\$500.00 3*22*17
1E+08		PENCINGER	AUSTIN		\$1,150.00 3*22*17
			TOTAL		\$49,675.00