

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
April 17, 2017
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 (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 proper filing of said Notice. Formal action may be taken at this meeting.

Regular order of business suspended

Police Department Awards Ceremony

Promotions: Daniel Joy to Detective, Christian Lott to Detective Sergeant, Ricardo Oliveira to Sergeant

Regular Order of Business resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: The Police, Fire, Emergency Management and First Aid Squad reports for the month of March 2017 are available in the Clerk's office and on the township website www.ourclark.com

REPORT OF COUNCIL COMMITTEES:

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through April 13, 2017 in the amount of \$253,916.34

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:

1. Appointing Agata Kozak as the Certified Court Administrator for the Township
2. Authorizing final payment to Underground Utilities Corp. for the Lexington Boulevard Sewer Improvements in the amount of \$5,470.26
3. Award of Contract to S. Brothers for the 2017 Capital Road Improvements in the amount of \$490,143.54
4. Award of Contract to Cifelli & Son General Construction for the ADA Curb and Ramp Improvements Project in an amount not to exceed the Community Development Block Grant amount of \$20,000.00
5. Appointing Luis Casais and Laurence Lane as Members of the Clark Volunteer Fire Department
6. Council as the Pool Utility: Appointments to the Pool Advisory Board

Jennifer Freese	Regular Member	3-year term
Donna Borrelli	Regular Member	1-year term
Eddie Mitjans	Regular Member	1-year term
Geraldine Peyre	Alternate Member	1-year term

CONSENT AGENDA RESOLUTIONS:

7. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$1,053.01
8. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$23,894.41 and additional charges in the amount of \$140.00
9. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$1,894.60
10. Authorizing the Tax Collector to refund \$7,011.47 for the 3rd and 4th Quarters of 2016 and the 1st Quarter of 2017 with credit in the amount of \$2,279.81 for the 2nd Quarter of 2017 for Block 80 Lot 16, Zion Lutheran Church and to make the proper adjustments to exempt 100% of the taxes for as long as the Church owns the property

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

Resolution _____

April 17, 2017

Motion _____ Second _____

WHEREAS Lorraine Disko has retired as the Court Administrator effective October 1, 2016; and

WHEREAS the Clark Township Municipal Court is in need of a Certified Municipal Court Administrator; and

WHEREAS Agata Kozak, Deputy Court Administrator has effectively been serving as the Township's Court Administrator and has completed the certification to become the Court Administrator in accordance with N.J.S.A. 2B:12-11 and Chapter 3, Section 3-41 of the Code of the Township of Clark.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby appoints Agata Kozak as the Court Administrator, effective immediately; and

BE IT FURTHER RESOLVED that Ms. Kozak will receive a salary of \$60,000.00 per year with health benefits, commensurate sick, vacation and personal days, maintain office hours of Monday through Friday 8:30 am to 4:00 pm, work the necessary and pre-requisite court session, and will not receive overtime or compensatory time, and follow all of the rules and regulations established by the Township of Clark.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17AppointCourtAdministrator
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution _____

April 17, 2017

2

Motion _____ Second _____

WHEREAS Underground Utilities Corp. has completed work on the Lexington Boulevard Sewer Improvements and has requested Final Payment including Change Order No. 1; and

WHEREAS the Township Engineer recommends payment in the sum of Five Thousand, Four Hundred Seventy Dollars and Twenty-Six Cents (\$5,470.26) including Change Order No. 1 which decreases the adjusted contract amount by Seven Thousand, Five Hundred Twenty-One Dollars and Six Cents (\$7,521.06); and

WHEREAS the Chief Financial Officer has determined sufficient funds are available in Ordinance 16-04 as evidenced by the Certification of Availability of funds attached; and

WHEREAS Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Bond and Final Payment; and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Underground Utilities Corp. to be Twenty-Seven Thousand, Three Hundred Fifty-One Dollars and Thirty Cents (\$27,351.30); and

WHEREAS Underground Utilities Corp. has submitted a Maintenance Bond in the amount of \$27,351.30.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036 in the amount of \$5,470.26 including change order #1 and release of the Performance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17FinalPymtLexingtonSewerImpr-Underground Utilities Corp
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK

Resolution _____

April 17, 2017

3

Motion _____ Second _____

WHEREAS the Governing Body of the Township of Clark has advertised for bids on March 30, 2017 for the 2017 Capital Road Improvement Program; and

WHEREAS six (6) bid proposals were received on April 12, 2017 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were S. Brothers, Inc. of South River, NJ with a bid in the amount of \$490,143.54, Top Line Construction Corp. of Somerville, NJ with a bid in the amount of \$493,544.74 and P & A Construction, Inc. of Colonia, NJ with a bid in the amount of \$515,698.64; and

WHEREAS S. Brothers, Inc., PO Box 317, South River, NJ 08882 submitted the lowest responsible bid in the amount of \$490,143.54 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinances 16-06 and 16-07 as attached hereto as a "Certification of Availability of Funds"; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to S. Brothers, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to S. Brothers, Inc. in the amount of \$490,143.54; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17Award2017CapitalRoads-SBrothers
Aye Nay Abstain Absent

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

4

TOWNSHIP OF CLARK
Resolution _____
April 17, 2017

Motion _____ Second _____

WHEREAS the Township of Clark entered into a Grant Agreement with the County of Union on September 23, 2016 covering the period from September 1, 2016 to August 31, 2017 to receive the Year 42 Community Development Block Grant (CDGB) award of \$20,000.00 for ADA Curb and Ramp Rehabilitation; and

WHEREAS the Township Engineer has solicited quotes from four (4) contractors for the for construction of ADA Curb and Ramp Improvements; and

WHEREAS of the four solicited, two contractors responded; Cifelli & Son General Construction in the amount of \$3,450.00 per ramp and S. Brothers, Inc. in the amount of \$3,500.00 per ramp; and

WHEREAS the Township Engineer has presented a written recommendation for the award of contract to Cifelli & Son General Contractor, 4 Coppola Street, Nutley, NJ 07110 for a total contract not to exceed the CDBG amount of Twenty Thousand Dollars (\$20,000.00).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and awards a contract to Cifelli & Son General Contractor, for the ADA Curb and Ramp Improvements Project in an amount not to exceed \$20,000.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17AwardADAcurbsCifelli
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
April 17, 2017

5

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individuals are hereby appointed as Members of the Clark Volunteer Fire Department effective this 17th day of April, 2017.

Luis Casais
1535 Raritan Road
Clark, NJ 07066

Laurence Lane
316 Parkway Drive
Clark, NJ 07066

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17AppointFirefightersCasaisLane
Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
April 17, 2017

Motion _____ Second _____

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that the following individuals are hereby appointed as Members of the Clark Community Pool Advisory Board effective April 17, 2017.

Regular Members:

Effective

Jennifer Freese	04/17/17 – 12/31/18
Donna Borrelli	04/17/17 – 12/31/17
Eddie Mitjans	04/17/17 – 12/31/17

Alternate Member:

Geraldine Peyre	04/17/17 – 12/31/17
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ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17AppointPoolAdvisory

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

TOWNSHIP OF CLARK
 Resolution _____
 April 17, 2017

CA 7

Motion _____ Second _____

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2017 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:

CLARK TOWNSHIP						
TAX REFUNDS- 2017						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
33.11	2		Cheryl Jobson	6	White Place	\$ 1,053.01

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res17/4-17TaxRefund
 Aye Nay Abstain Absent

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

TOWNSHIP OF CLARK
Resolution _____
April 17, 2017

CA 8

Motion _____ Second _____

WHEREAS the Treasurer/CFO 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 Treasurer/CFO 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

Res17/4-17SewerAdj

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

SEWER BILLING ADJUSTMENT 2017									
CLARK TOWNSHIP									
REF #	Acct #	Name	#	Address	Reason	Original	Credit	Addl	
17 29	3334-0	Tomkowski, Michael	137	Liberty Street	water issue	\$ 930.00	\$ 280.00	\$ 650.00	
17 30	4554-0	Manal Youssef	411	Valley Road	new owner	\$ 4,305.00	\$ 225.00	\$ 4,080.00	
17 31	4863-0	Sa, Luiz	1710	Westover Road	actual ussage	\$ 830.00	\$ 280.00	\$ 550.00	
17 32	4992-0	Majorie Messler	29	James Avenue	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 33	4762-0	Susan Salkins	93	St. Laurent Drive	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 34	4705-0	Estate of Genne Legan	65	Colonial Drive	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 35	5043-0	Teddy & Angela Prokos	42	James Avenue	scd	\$ 280.00	\$ 140.00	\$ 140.00	
17 36	3822-0	Thomas Palmquist	20	Lexington Blvd	scd	\$ 280.00	\$ 140.00	\$ 140.00	
17 37	3729-0	Nicole Marrugo	18	Propsect Street	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 38	1863-0	Earnest & Dolores Jandersit	652	Madison Hill Rd	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 39	120-0	Georgia Soro	16	Brookside Terrace	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 40	1848-0	Patsy & Carole Robertazzi	20	Doris Way	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 41	369-0	Henry & Phyllis Forfa	251	Willow Way	SCD	\$ 280.00	\$ 140.00	\$ 140.00	
17 42	3371-0	Barbara Cosmos	56	Malvern Drive	SCD -Disallowed	\$ 140.00	\$ 280.00	\$ -	\$ 140.00
17 43	2056-0	Ronald & Anabela Ordner	89	Francis Drive	broken pipe	\$ 1,530.00	\$ 280.00	\$ 1,250.00	
17 44	1295-0	Antonio & Maria Ribeiro	32	Stemmer Drive	demo	\$ 280.00	\$ -	\$ 280.00	
17 45	3008-0	Margaretis, Gus	44	Harrison Street	leak	\$ 3,930.00	\$ 280.00	\$ 3,650.00	
17 46	4314-0	Domenic Lettini	31	Doris Way	demo	\$ 280.00	\$ -	\$ 280.00	
17 47	1233-0	Muriel Guskowski	361	Madison Hill Rd	well	\$ 500.00	\$ 335.00	\$ 165.00	
17 48	4880-0	New Jersey Home Renovations	9A	Crestwood lane	vacant	\$ 280.00	\$ -	\$ 280.00	
17 49	2263-3	Villa Stefano	1129	Raritan Road	water issue	\$ 5,140.00	\$ 280.00	\$ 4,860.00	
17 50	3318-0	Robert & Melissa Sakowski	48	Joseph Street	broken pipe	\$ 1,180.00	\$ 280.00	\$ 900.00	
17 51	4070-0	Timothy & Bridget Grogan	3	Norwood Circle	meter issue	\$ 3,030.00	\$ 280.00	\$ 2,750.00	
17 52	2261-0	Clark French Cleaners	1131	Raritan Road	meter issue	\$ 809.41	\$ 280.00	\$ 529.41	
17 53	4912-0	William Gambin	12	Ridgeview Terrace	leak	\$ 730.00	\$ 280.00	\$ 450.00	
17 54	2522-0	Ramiro Quintans	11	Riverside Drive	error readings	\$ 2,000.00	\$ 280.00	\$ 720.00	
17 55	1466-0	Robert & Heather Brede	62	Jupiter Street	prior owner	\$680	\$ 280.00	\$ 400.00	
17 56	1177-0	Alysha Baldwin	57	White Place	water issue	\$ 1,180.00	\$ 480.00	\$ 700.00	
17 57	5323-0	Gary Webb	22	Harvey Court	new owner	\$ -	\$ 140.00	\$ -	
17 58	5335-0	Enrico & Janis Sico	39	Harvey Court	new owner	\$ -	\$ 280.00	\$ -	
17 59	5319-0	Fern Friedman	18	Harvey Court	new owner	\$ -	\$ 140.00	\$ -	
							\$23,894.41	\$ 140.00	

TOWNSHIP OF CLARK

Resolution _____

April 17, 2017

CA 9

Motion _____ Second _____

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2017 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.

Sewer Refunds 2017							
REF	#	Acct #	Name	#	Address	Reason	Refund
17	2R	1863-0	Ernest & Dolores Jandersit	652	Madison Hill Rd	SCD	\$ 140.00
17	3R	227-0	Antonio & Maria Isabel Costa	34	Roberts Road	overpayment	\$ 10.00
17	4R	3360-0	Charles Bertsch	29	Oleander Way	overpayment	\$ 110.00
17	5R	1411-0	Otto & Stelle Brylski	68	Amelia Drive	overpayment	\$ 169.60
17	6R	1785-0	Stephen Ortiz & Susan Donovan	33	Wendell Place	overpayment	\$ 360.00
17	7R	3334-0	Michael & Dana Tomkowski	137	Liberty Street	overpayment	\$ 185.00
17	8R	1201-0	Antonio & Julia Lotta	97	Mae Belle Drive	overpayment	\$ 920.00
						Total Refunds	\$1,894.60

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17SewerRefunds

Aye Nay Abstain Absent

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

CA 10

TOWNSHIP OF CLARK
Resolution _____
April 17, 2017

Motion _____ Second _____

WHEREAS Zion Lutheran Church owns the property listed in the tax duplicate as 135 Gertrude Street, Clark, NJ, Block 80 Lot 16, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS one hundred percent of the taxes on this property is entitled to exemption beginning in 2016 and will be exempt for as long as Zion Lutheran Church is the owner of the property; and

WHEREAS a refund will be issued for the 3rd and 4th Quarters 2016, and 1st Quarter 2017 payments that were made by Zion Lutheran Church, in the amount of \$7,011.47, and a credit be issued for the 2nd Quarter 2017 installment due, in the amount of \$2,279.81.

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 refund and issue credit for 2016 and 2017 taxes as hereinabove stated and to make the proper adjustments to exempt this property as long as Zion Lutheran Church is the owner of the property.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/4-17TaxExemptionZion

Aye Nay Abstain Absent

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