

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
February 20, 2018
7:30 pm**

ROLL CALL:

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

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

Recreation Department: Volunteer of the Year Award and UNICO announcement

Regular Order of Business resumes

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:

INTRODUCTION OF THE BUDGET:

1. Introduction of the 2018 Municipal Budget

Public Hearing: April 2, 2018 at 7:30 p.m. in Town Hall, room 30

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCE:

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

2. **AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES) FOR THE YEARS 2018 THROUGH 2022**

3. **CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF POLICE SAFETY EQUIPMENT AND VEHICLE EQUIPMENT; FIRE DEPARTMENT TURNOUT GEAR AND HOSE REPLACEMENT AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$65,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS FUND OF THE TOWNSHIP OF CLARK**

INTRODUCTION OF PROPOSED ORDINANCES:

4. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 294 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SMOKING"**
5. The Supplemental Debt Statement for the following Bond Ordinance has been properly filed with the New Jersey Department of Community Affairs by the Chief Financial Officer

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2018 CAPITAL ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through February 15, 2018 in the amount of \$355,148.44

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:

6. Authorizing the Township Planning Board to undertake a preliminary investigation to determine whether the proposed Study Area, which includes Lot 2 in Block 105 and Lot 21 in Block 91 qualifies as an area in need of Condemnation Redevelopment pursuant to N.J.S.A. 40a:12a-5
7. Authorizing Change Order #1 in the amount of \$13,961.00 for the ALJ Field Replacement and Track Refurbishment
8. Appointing Rafal Gajko as a member of the Clark Volunteer Fire Department
9. Appointing Richard Leonardis as a Class II Special Law Enforcement Officer effective March 1, 2018
10. Appointing Kenneth Brennan as Alternate II Member of the Environmental Commission for an initial term ending December 31, 2018

Council as the Board of Health:

11. Accepting and Approving the Annual Health Report for 2017

Council as the Pool Utility:

12. Authorizing and Directing the Council President to enter into employment contracts with Mike Kozlowski as Pool Director and Robert Cahill and Matt Acosta as Assistant Managers for the 2018 pool season
13. Authorizing Amendments to the Pool Advisory Board By-laws
14. Adopting the Pool Rules and Regulations
15. Authorizing the Pool Fees to be charged for the 2018 Season
16. Authorizing extension of the Pool Concessionaire Contract to Bagel Giant Café and Catering for the 2018 and 2019 pool season

CONSENT AGENDA RESOLUTIONS:

17. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$3,295.91
18. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$2,184.71

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 18-37
 February 20, 2018

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Municipal Budget of the Township of Clark County of Union for Calendar Year 2018

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018:

**EXPLANATORY STATEMENT
 SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2018**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)		17,503,292.00
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)		4,769,877.48
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)		4,769,877.48
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated 98.46 Percent of Tax Collections		1,000,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance	2018	
for Schools –State Aid	2017	23,273,169.48
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,156,374.48
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)		17,224,416.00
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		892,379.00

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 20, 2018; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County LocalSource in the issue of March 22, 2018; and

BE IT FURTHER RESOLVED that a Special Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Building, 430 Westfield Avenue, on April 2, 2018 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20BudgetIntro

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Ordinance No. 18-04
Adopted February 20, 2018

PH 2

Introduced: January 16, 2018 Public Hearing: February 20, 2018

**AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF
PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES)
FOR THE YEARS 2018 THROUGH 2022**

BE IT ORDAINED Union Council No. 8, I.F.P.T.E., AFL-CIO representing our Blue Collar Employees have completed their salary negotiations for the years 2018 through December 31, 2022; and

BE IT FURTHER ORDAINED it is necessary to adopt an ordinance to implement said contract for the term of the contract; and

BE IT FURTHER ORDAINED such salaries shall be based upon the following:

Effective retroactive to January 1, 2018 each bargaining unit member employed, shall receive a salary based on the following compensation schedule:

COMPENSATION SCHEDULE 2018-2022

**GUIDE EFFECTIVE UPON RATIFICATION AND EXECUTION OF THE
COLLECTIVE NEGOTIATIONS AGREEMENT**

There shall be general wage increases for employees covered hereunder as follows:

Effective January 1, 2018 – 2% plus \$100.00 step increment
Effective January 1, 2019 – 2% plus \$100.00 step increment
Effective January 1, 2020 – 2% plus \$100.00 step increment
Effective January 1, 2021 – 2% plus \$100.00 step increment
Effective January 1, 2022 – 2% plus \$100.00 step increment

	<u>Minimum</u>	<u>Maximum</u>
Laborer 1	40,900	47,000
Laborer 2	48,000	56,000
Public Works Repairer 1	52,900	58,000
Public Works Repairer 2	59,000	65,000
Senior Public Works Repairer 1	66,000	73,000
Senior Public Works Repairer 2	74,000	80,000
Mechanic 1	55,000	65,000
Mechanic 2	66,000	75,000
Omni Bus Driver FT	25,000	50,000

Part Time Employees

Laborers \$15.00 to \$40.00 per hour depending on qualifications
Bus Driver \$20.00 to \$35.00 per hour depending on qualifications

PH 3

TOWNSHIP OF CLARK

Ordinance No. 18-05

Adopted February 20, 2018

Introduced: February 5, 2018 Public Hearing: February 20, 2018

CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF POLICE SAFETY EQUIPMENT AND VEHICLE EQUIPMENT; FIRE DEPARTMENT TURNOUT GEAR AND HOSE REPLACEMENT AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$65,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS FUND OF THE TOWNSHIP OF CLARK

BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, New Jersey, (The Township) is hereby authorized to acquire Police Safety Equipment; Vehicle Equipment; Fire Department Turnout Gear and Hose Replacement and any ancillary costs related thereto.

Section 2. The sum of \$40,000 is hereby appropriated for the acquisition of Police Department Equipment and \$25,000 is hereby appropriated for Fire Department Equipment for a total of \$65,000 and ancillary costs related thereto, as described in Section 1 hereof (hereinafter referred to as "capital purpose"). Said appropriation shall be funded from the Capital Surplus Fund of the Township of Clark for the payment of the cost of said "capital purpose".

Section 3. Said purpose is a lawful capital purpose of the Township having a period of usefulness of at least five (5) years.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and the capital program as approved by the Director, Division of Local Government Services.

Section 5. This Ordinance shall take effect at the time and in the manner provided by law.

Effective Date: March 14, 2018

INTRO

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TOWNSHIP OF CLARK
Ordinance No. 18-06
Adopted _____

Introduced: February 20, 2018 Public Hearing: March 19, 2018

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 294
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SMOKING"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 294, of the Code of the Township of Clark is hereby amended in the following particulars:

SECTION 1: The following section is hereby added and the remaining sections shall be re-numbered as appropriate:

Section 294-1 Definitions.

ELECTRONIC SMOKING DEVICE – as set forth in N.J.S.A. 26:3D-57 means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

SMOKING – as set forth in N.J.S.A. 26:3D-57 means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

SECTION 2: Section 294-2 is amended as follows:

Section 294-2 Prohibitions.

The burning of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco is hereby prohibited in all school buildings, administration buildings, accessory buildings and other properties, improved or unimproved, owned or under the jurisdiction of the Board of Education of the Township of Clark and existing within the Township of Clark.

SECTION 3: Section 294-6 is amended as follows:

Section 294-6 Prohibited areas.

The smoking of cigarettes, cigars, pipes, electronic smoking devices and other materials is not permitted in the following public areas, except in designated smoking areas: *(sub-sections A thru E remain unchanged)*

INTRO
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TOWNSHIP OF CLARK
Ordinance No. 18-07
Adopted _____

Introduced: February 20, 2018 Public Hearing: March 19, 2018

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2018 CAPITAL ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, New Jersey (the "Township"), is hereby authorized to undertake the 2018 Capital Road Improvement Program (including roadway reconstruction and resurfacing and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements) at the following locations in the Township:

Alice Lane
Peter Circle
Acorn Drive
Shadow Lane
Gertrude Street
Fan Street

Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction

as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,000,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,000,000, and (4) \$50,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$950,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$140,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$50,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$50,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is

hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$950,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose, shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The Township intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township

shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: April 12, 2018

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

WILLIAM F. SMITH
 Council President

SALVATORE BONACCORSO
 Mayor

Ord18/2-20BondOrd1M-2018CapitalRoadImprv

	Motion to	Second	Motion to	Second				
	Introduce		Adopt		Aye	Nay	Abstain	Absent
Albanese								
Barr								
Hund								
Mazzarella								
O'Connor								
Toal								
Smith								
TOTAL								

TOWNSHIP OF CLARK
Resolution 18-38
February 20, 2018

AUTHORIZING THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES LOT 2 IN BLOCK 105 AND LOT 21 IN BLOCK 91 QUALIFIES AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Section 5 thereof; and

WHEREAS, the Township wishes to utilize the Planning Board's knowledge and expertise in exploring whether the following parcels with frontage on Westfield Avenue, as identified on the official tax map of the Township as Block 105, Lot 2 and Block 91, Lot 21 (the "Study Area") meet the criteria established by the Act; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the Governing Body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Township Mayor and Council find it to be in the best interest of the Township and its residents to authorize the Township's Planning Board to undertake such preliminary investigation of the study area as a Condemnation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Clark, in the County of Union, and State of New Jersey, as follows:

I. INVESTIGATION OF STUDY AREA AUTHORIZED

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J. S.A.40A:12A-6 to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Act, including N.J.S.A.40A:12A-5, to be designated as a Condemnation Redevelopment Area.

II. MAP TO BE PREPARED

As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment areas and the location of the various parcels contained therein.

III. PUBLIC HEARING REQUIRED

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Condemnation Redevelopment Area.

At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Condemnation Redevelopment Area. All objections to a determination that all or a portion of the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

IV. PLANNING BOARD TO MAKE RECOMMENDATIONS

After conducting its investigation, preparing a map of the proposed Condemnation Redevelopment Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council in the form of a resolution as to whether the Township should designate the Study Area as a Condemnation Redevelopment Area. Such recommendation shall be submitted to the Township Council by May 2018.

V. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

VI. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Condemnation Redevelopment Area; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Clark.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately. Adopted by the Township Council on February 20, 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20AuthPB-RedevelopmentStudy-WestfieldAve

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-39
February 20, 2018

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WHEREAS Fieldturf USA, Inc. is under contract by the Township of Clark for the Replacement of the Synthetic Turf Athletic Field and Refurbishment of the Track at the Arthur L. Johnson High School Athletic Complex in the amount of \$598,241.32; and

WHEREAS the Business Administrator recommends that the specifications be amended in the amount of \$13,961.00 for additional work which includes replacement of some of the nailer board (\$2,261.00) and the installation of 30 safety netting sleeves (\$11,700.00); and

WHEREAS the aforesaid amendment to the specifications will result in a increase of \$13,961.00 over the original contract amount, necessitating a change order authorization by the Township Council.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes Change Order No. 1 in the amount not to exceed \$13,961.00 increasing the contract sum including Change Order 1 to \$612,202.32 funded by Ordinance 07-20, payable to Fieldturf USA, Inc.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20AuthChngOder1ALJField-Track

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-40
February 20, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individual is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 20th day of February 2018.

Rafal Gajko
517 Laurita Street
Linden, NJ 07036

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20 AppointFirefighter-Gajko

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-41
February 20, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark in accordance with the provisions of the Special Law Enforcement Officer’s Act (N.J.S.A. 40A:14-146.8 et seq.) and Pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark, that it does hereby duly appoint Richard Leonardis who is currently serving as a Class 1B Special Law Enforcement Officer to the classification of Class II Special Law Enforcement Officer to serve for the period commencing March 1, 2018 and concluding December 31, 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20SpecialPOLeonardisClassII

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-42
February 20, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as Alternate II Member of the Environmental Commission for an initial term ending December 31, 2018.

<u>Alternate II Member</u>	<u>Term</u>
Kenneth Brennan	02/20/18 – 12/31/18

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20AppointAltIIEnvironmentalComm

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-43
February 20, 2018

WHEREAS in accordance with the New Jersey Administrative Code, Title 8, Chapter 52 entitled "Public Health Practice Standards of Performance for Local Boards of Health" the Clark Township Health Department hereby submits the 2017 Annual Health Status Report for acceptance and approval by the Governing Body; and

WHEREAS the Governing Body sitting as the Board of Health has reviewed the report and is in agreement with its contents.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby accepts and approves the 2017 Annual Health Status Report for presentation to the residents of Clark in compliance with the New Jersey Administrative Code; and

BE IT FURTHER RESOLVED that copies of said report are available online at www.ourclark.com and in the Clerk's office, at no charge.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20AnnualHealthReport

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

POOL
13

TOWNSHIP OF CLARK
Resolution 18-45
February 20, 2018

WHEREAS the Business Administrator held a meeting with the Recreation Director and the Chairman of the Municipal Pool Utility (By-Laws sub-committee) to discuss amendments to the Pool Advisory Board By-Laws; and

WHEREAS the Pool Advisory Board (the Board) discussed the amendments at their meeting held February 12, 2018; and

WHEREAS the Sub-committee and the Board hereby recommend that the Governing Body, acting as the Municipal Pool Utility adopt the amendments to the By-Laws.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark acting as the Municipal Pool Utility that it does hereby authorize the adoption of the Clark Community Pool Advisory Board By-Laws as amended.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20PoolBoardBy-LawsAmended

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

POOL
14

TOWNSHIP OF CLARK
Resolution 18-46
February 20, 2018

WHEREAS the Pool Advisory Board discussed the Pool Rules and Regulations for 2018 at their meeting held February 12, 2018 and has recommended to the Township Council Liaison that the Governing Body approve and re-adopt last year's Rules and Regulations without change.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, acting as the Pool Utility, that it hereby approves and adopts the Clark Community Pool Rules and Regulations unchanged from 2017 for the 2018 season.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20PoolRulesRegs

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

POOL
15

TOWNSHIP OF CLARK
Resolution 18-47
February 20, 2018

BE IT RESOLVED by the Governing Body as the Clark Swimming Pool Utility that the 2018 Municipal Swimming Pool rates and fees be set as follows:

	CLARK	
MEMBERSHIPS	RESIDENT	NON-RESIDENT
FAMILY	375.00	550.00
GARWOOD RESIDENT FAMILY (Must show proof of affiliation with Clark Recreation and/or Clark Public Schools)		475.00
HUSBAND & WIFE	315.00	475.00
DOMESTIC PARTNERSHIP (as defined by Ch. 246 P.L.2003)	315.00	475.00
ONE PARENT & ONE CHILD	315.00	475.00
INDIVIDUAL	215.00	315.00
SENIOR CITIZEN (62 by June 1 st)	105.00	160.00
RETURNED CHECK FEE	35.00	35.00
LOST ID CARDS	15.00	15.00
FEES - ALL MEMBERS		
SWIM LESSONS	100.00 (session)	75.00 additional child (session)
SWIM TEAM	30.00 Members	50.00 Non-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

WILLIAM F. SMITH
Council President

Res18/2-20 PoolFees

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

POOL
16

TOWNSHIP OF CLARK
Resolution 18-48
February 20, 2018

WHEREAS Bagel Giant Café and Catering LLC (the vendor) was awarded the contract for catering services at the Clark Municipal Swim Pool for the 2017 pool season through a formal bidding process; and

WHEREAS the Vendor has submitted a written request to be considered for a two (2) year extension of this contract; and

WHEREAS the contract may be extended in accordance with paragraph 22 of Part D, entitled "Special Conditions" of the bid specifications at the sole option of the Township for up to an additional two (2) years, in the event of such an extension, the bid price for each extension year shall be agreed upon by negotiations; and

WHEREAS the vendor has agreed to the price of Eleven Thousand, Six Hundred Thirty-Nine dollars (\$11,639.00) for 2018 as well as 2019 and has agreed to comply with all the applicable terms and conditions as set forth in the aforesaid specifications.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark sitting as the Pool Utility that it hereby awards an additional two-year contract to Bagel Giant Café and Catering LLC and authorizes and directs the Business Administrator to execute said contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20PoolConcessionBagelGiant2yrExtension

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

CA 17

TOWNSHIP OF CLARK
 Resolution 18-49
 February 20, 2018

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 Refund 2018							
REF	#	Acct #	Name	#	Address	Reason	Refund
17	11R	5225-0	Clark 1711 LLC	1060	Raritan Road	refund overpayment	\$ 2,958.30
17	12R	5179-0	Gail Polcha	29	Coldevin Road	refund overpayment	\$ 20.00
17	13R	3987-0	Roman Residential Const	9	Florence Drive	refund overpayment	\$ 14.54
17	14R	3863-0	Kevin & Judy Rooney	327	Carolina Street	refund overpayment	\$ 11.67
17	15R	2119-0	Ralph Marrone	968	Raritan Road	refund overpayment	\$ 17.51
17	16R	1909-0	Peter Luongo	47	Shading Place	refund overpayment	\$ 25.00
17	17R	1826-0	James & Kathleen Borden	19	Post Road	refund overpayment	\$ 28.49
17	18R	947-0	Michael Busardo	15	Briarwood Path	refund overpayment	\$ 70.00
17	19R	703-0	Oak Ridge Enterprise LLC	1040	Lake Avenue	refund overpayment	\$ 10.40
17	20R	465-0	Jon-Henry & Lauren Barr	48	Skyline Drive	refund overpayment	\$ 140.00
						Total Refunds	\$ 3,295.91

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/2-20SewerRefunds

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

CA 18

TOWNSHIP OF CLARK
Resolution 18-50
February 20, 2018

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:

TAX REFUNDS-2017						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
30.04	72		Dixit, Anindya & Sonali	544	Oak Ridge Road	\$ 77.85
189	16		Fernandes, Richard & Susie	9	Crestwood Lane	\$ 844.46
135	17.01	C-003	Livingzen LLC	127	E. Mt. Pleasant Ave	\$ 1,262.40
					Total Refunds	\$ 2,184.71

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/2-20TaxRefund(s)

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						