

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
October 15, 2018
7:30 pm**

ROLL CALL:

Councilwoman Albanese _____	Councilman Mazarella _____
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:

Mayor: Community Service Certificates presented to members of Cub Pack 145
for their assistance with the UNICO clean-up

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:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. 18-21 AN ORDINANCE TO AMEND CHAPTER 347, ENTITLED VEHICLES AND TRAFFIC, ARTICLE V. TRAFFIC REGULATIONS, SECTION 39 BUS STOPS OF THE CODE OF THE TOWNSHIP OF CLARK**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through October 3, 2018 in the amount of \$199,247.43

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:

2. Authorizing the Health Officer to enter into an Agreement with the Visiting Nurse and Health Service for 2019 in the amount of \$7,986.00
3. Authorizing the Administration to execute an agreement to renew Membership in the New Jersey Municipal Self Insurers' Joint Insurance Fund
4. Approving the purchase of a 2019 Ford F350 Pickup Truck, a Bobcat Skid-Steer Loader and an Asphalt Hot Patcher Recycling Dump Trailer for use by the Department of Public Works in an amount not to exceed \$150,000.00
5. Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Meadow Road Improvement Project
6. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$180.42

CONSENT AGENDA RESOLUTIONS:

7. Authorizing the Tax Collector to refund overpayment of 2018 taxes in the amount of \$1,175.22
8. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$420.00
9. Authorizing the Tax Collector to make the proper adjustments for 100% property tax exemption of Block 173 Lot 34 in accordance with a directive of the U.S. Department of Veterans Affairs

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

PH 1

Ordinance No. 18-21

Adopted _____

Introduced: September 17, 2018 Public Hearing: October 15, 2018

**AN ORDINANCE TO AMEND CHAPTER 347, ENTITLED VEHICLES AND TRAFFIC,
ARTICLE V. TRAFFIC REGULATIONS, SECTION 39 BUS STOPS
OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 347, of the Code of the Township of Clark is hereby amended in the following particulars:

SECTION 1: Section 347-39, Bus Stops, is amended to delete the following described locations as bus stops:

1. Along Raritan Road, northbound, on the easterly side thereof at:

(f) Central Avenue – Far Side

Beginning at the northerly curblines of Central Avenue and extending 100 feet northerly therefrom.

2. Along Raritan Road, southbound, on the westerly side thereof at:

(a) Central Avenue – Near Side

Beginning at the northerly curblines of Central Avenue and extending 105 feet northerly therefrom.

SECTION 2: Section 347-39, Bus Stops, is amended to add the following described locations as bus stops:

1. Along Raritan Road, northbound, on the easterly side thereof at:

Between Shop Rite Way and Central Avenue Mid-Block

Beginning 536 feet north of the northerly curblines of Shop Rite Way and extending 135 feet northerly therefrom. (Clark Commons, near the traffic light and pedestrian crosswalk)

2. Along Raritan Road, southbound, on the westerly side thereof at:

Between Shop Rite Way and Central Avenue Mid-Block

Beginning 536 feet north of the northerly curblines of Shop Rite Way and extending 135 feet northerly therefrom. (Golf Club, near the traffic light and pedestrian crosswalk)

TOWNSHIP OF CLARK
Resolution 18-132
October 15, 2018

2

BE IT RESOLVED by the Governing Body of the Township of Clark that the Health Officer is hereby authorized to enter into an agreement between the Township of Clark and the Visiting Nurse and Health Service (VNHS) dba Holy Redeemer Home Care, Inc. in the amount not to exceed \$7,986.00 for the period commencing January 1, 2019 and terminating on December 31, 2019, pending the approval of the 2019 Municipal Budget.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15VNHSContract

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

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
NEW JERSEY MUNICIPAL SELF INSURERS' JOINT INSURANCE FUND**

WHEREAS the Township of Clark is a member of the New Jersey Municipal Self Insurers' Joint Insurance Fund; and

WHEREAS said renewal membership terminates as of January 1, 2019, 12:01 a.m., unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Township of Clark agrees to renew its membership in the New Jersey Municipal Self Insurers' Joint Insurance Fund for a period of three (3) years beginning January 1, 2019, and ending January 1, 2022 at 12:01 a.m. and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor/Business Administrator/Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Municipal Self Insurers' Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

This resolution agreed to this 15th day of October, 2018 by the vote recorded below.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15 JIFMembershipRenewal

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

I hereby certify the above to be a true copy of Resolution No. 18-133 adopted by the Governing Body of the Township of Clark at a meeting held on October 15, 2018.

Edith L. Merkel, RMC

**Agreement to Renew Membership in the
New Jersey Municipal Self Insurers' Joint Insurance Fund**

WHEREAS, the New Jersey Municipal Self Insurers' Joint Insurance Fund (hereinafter the FUND) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq; and

WHEREAS, the TOWNSHIP OF CLARK is currently a member of said FUND; and,

WHEREAS, effective January 1, 2019*, said membership will expire unless earlier renewed; and

WHEREAS, the governing body of the TOWNSHIP OF CLARK has resolved to renew said membership;

NOW, THEREFORE, it is agreed as follows:

TOWNSHIP OF CLARK hereby renews its membership in the New Jersey Municipal Self Insurers' Joint Insurance Fund for a three (3) year period, beginning January 1, 2019, and ending January 1, 2022*.

TOWNSHIP OF CLARK hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the New Jersey Municipal Self Insurers' Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

1. TOWNSHIP OF CLARK agrees to be a participating member of the FUND for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
2. In consideration of the continuing membership of TOWNSHIP OF CLARK, the New Jersey Municipal Self Insurers' Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Banking and Insurance to accept the renewal application of TOWNSHIP OF CLARK.
- 5 Executed this 15th day of October, 2018 as the lawful and binding act and deed of the TOWNSHIP OF CLARK, which execution has been duly authorized by public vote of the governing body.

ATTEST:

TOWNSHIP OF CLARK

Edith L. Merkel, RMC
Township Clerk

John F. Laezza
Business Administrator

New Jersey Municipal Self Insurers' Joint Insurance Fund

* 12:01 a.m.

(Authorized Signature)

TOWNSHIP OF CLARK

Resolution 18-134

October 15, 2018

4

WHEREAS the Department of Public Works has requested that the Township Council authorize the appropriate Township Officials to approve the purchase of one (1) 2019 Ford F350 Pickup Truck, one (1) Bobcat Skid-Steer Loader and one (1) Asphalt Hot Patcher Recycling Dump Trailer; and

WHEREAS the Business Administrator has recommended that the Township use State Contracts as well as Cooperative Pricing through Sourcewell and ESCNJ, as authorized by Resolutions 18-26 and 18-83 for the purchase of Capital Equipment from organizations that have generated quality control and quantity price reductions:

Equipment: One (1) 2019 Ford F350 4WD Pickup Truck including original apparatus and equipment Pricing through State Contract A88758, T2101

Vendor: Cherry Hill Winner Ford

Total Equipment Price: \$40,778.00

Funded by Account No. c-04-18-005-001

Equipment: One (1) 4-Ton Falcon RME Asphalt Hot Patcher Recycling Dump Trailer Pricing through Sourcewell Cooperative Pricing System, Member ID#28171

Vendor: Falcon Road Maintenance Equipment, Contract No. 052417-FRM

Total Equipment Price: \$32,017.00

Funded by Account No. c-04-18-005-001

Equipment: One (1) S595 T4 Bobcat Skid-Steer Loader, including A91 Option Package and Cab Accessories Package

Pricing through ESCNJ Cooperative Pricing System, Co-op #65MCESCCPS

Vendor: Garden State Bobcat

Total Equipment Price: \$72,364.24

Funded by Account No. c-04-18-005-001

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$145,159.24 funded by Account No. c-04-18-005-001, as attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator to purchase the abovementioned equipment through State Contract and Authorized Cooperative Pricing Systems as indicated.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15PurchaseDPWEquipCo-op

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

RESOLUTION 18-135
TOWNSHIP OF CLARK
COUNTY OF UNION
STATE OF NEW JERSEY
October 15, 2018

5

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MEADOW ROAD
IMPROVEMENT PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Clark, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor, Business Administrator, Township Engineer and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Meadow Road Improvements- NJDOT 2019-00457 to the New Jersey Department of Transportation on behalf of the Township of Clark; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Clark and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Council
on this Fifteenth day of October, 2018.

Edith L. Merkel, Clerk

ATTEST and AFFIX SEAL:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15Auth2019NJDOTGrantMeadowRd

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

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

EDITH L. MERKEL, RMC
Township Clerk

JOHN F. LAEZZA
Business Administrator

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TOWNSHIP OF CLARK
Resolution 18-136
October 15, 2018

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2018 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.

REF	#	Acct #	Name	#	Address	Reason	Refund
17	24R	1348-0	Coimbra, Adilia	473	Madison Hill Road	overpayment	\$ 10.00
17	25R	3296-0	Scipini, Valentino	17	Runnymede	overpayment	\$ 75.42
17	26R	4260-0	Francotti, Mark Trust	223	East Lane	overpayment	\$ 10.00
17	27R	1421-0	Superak, Richard & Barbara	453	Madison Hill Road	overpayment	\$ 85.00
TOTAL REFUNDS:							\$ 180.42

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15SewerRefund(s)

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

CA 7

TOWNSHIP OF CLARK
 Resolution 18-137
 October 15, 2018

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2018 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- 2018						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
29	9		G & G Development LLC	492	Raritan Road	\$ 212.36
38.08	7		Robert Kowalski	125	Dorset Drive	\$ 962.86
TOTAL REFUNDS:						\$ 1,175.22

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/10-15TaxRefund(s)

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

CA 8

TOWNSHIP OF CLARK
 Resolution 18-138
 October 15, 2018

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 following schedule.

SEWER BILLING ADJ 2018	REF	#	Acct #	Name	#	Address	Reason	Original	Revised	Credit
	18	48	51-0	Matos, Paul	275	Laurel Ln	demo	\$ 280.00	\$ -	\$ 280.00
	18	49	3764-0	Castro, Arminda	11	Union St	SCD	\$ 280.00	\$ 140.00	\$ 140.00
				Total Adjustments						\$ 420.00

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/10-15SewerAdj

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

CA 9

TOWNSHIP OF CLARK
Resolution 18-139
October 15, 2018

WHEREAS, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Vincent Decristofo to be 100% permanently disabled effective May 18, 2016, in accordance with N.J.S.A. 54:4-3.30 et. seq.

WHEREAS, Vincent Decristofo owns the property listed in the tax duplicate as 198 Miller Avenue, Clark, NJ, Block 173 Lot 34, and is entitled to one hundred percent of the taxes for this property exempt.

WHEREAS, Vincent Decristofo has paid his 1st, 2nd & 3rd Quarter 2017 taxes, amounting to \$12,394.85, therefore, a refund will be issued to Vincent Decristofo, in the amount of \$12,394.85 and the 4th Quarter taxes of 2018, and 1st & 2nd quarter of 2019 will be cancelled.

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Vincent Decristofo is an owner of the property.

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 make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/10-15DisabledVeteranTaxExemptionDecristofo

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