

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
November 19, 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 is suspended

Police Department: New Officer, Nicholas A. Kurus Jr. takes Oath

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:

INTRODUCTION OF PROPOSED ORDINANCES:

- 1. AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 343 OF THE TOWNSHIP CODE ENTITLED “VEHICLES ABANDONED” AND CHAPTER 347 OF THE TOWNSHIP CODE ENTITLED “VEHICLES AND TRAFFIC”**

Public Hearing December 17, 2018

PAYMENT OF CLAIMS:

Councilman O’Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through November 2, 2018 in the amount of \$185,179.10

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:

2. Authorizing the Health Officer and Township Clerk to enter into an agreement between the Township of Clark and the City of Elizabeth, Division of Health, STD Clinic

CONSENT AGENDA RESOLUTIONS:

3. Authorizing the Tax Collector to settle a tax appeal for Block 60 Lot 13 as authorized by the Tax Court of New Jersey to be issued as credit in the amount of \$77,548.93
4. Authorizing the Tax Collector to make the proper adjustments for 100% property tax exemption of Block 120 Lot 13 in accordance with a directive of the U.S. Department of Veterans Affairs
5. Authorizing the Tax Collector to transfer overpayment of 2018 taxes in the amount of \$109.79
6. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$4,015.00
7. Affirming an amendment to the recycling contract with the Plainfield Municipal Utilities Authority to reflect the 5-year term ending January 1, 2024
8. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$2,251.18 for the NJ Drunk Driving Enforcement Fund

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:

INTRO /

Introduced: November 19, 2018 Public Hearing: December 17, 2018

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF
CHAPTER 343 OF THE TOWNSHIP CODE ENTITLED "VEHICLES ABANDONED"
AND CHAPTER 347 OF THE TOWNSHIP CODE ENTITLED
"VEHICLES AND TRAFFIC"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 343, Sub-Sections 1 and 3, and Chapter 347, Sub-Sections 25, 28, 33 and 51, are hereby amended and supplemented as follows:

SECTION 1: Chapter 343-1 is amended to delete therefrom the definition of unused vehicle.

SECTION 2: Chapter 343-3 is amended to delete in its entirety and replaced as follows:

A. No person shall keep, store, abandon, or leave upon any parcel of land, street, road, alley, way or parkway in the Township any motor vehicle which is in such defective condition as to be unable to be moved under its own power or which is not licensed or inspection for the current year, or any unused machinery or equipment, except in the case of emergency, and then for a period of not more than 24 hours, provided the police have been so notified.

B. No vehicle of any type that is parked upon any township roadway shall remain standing in one location for more than 72 consecutive hours.

SECTION 3: Chapter 347-25 is amended so as to include the following streets:
Bartell Place, west curb line extending 18 feet north from the north curb line of the exit to Bartell Park;
Bartell Place, west, extending 95 feet south from the south curb line of the exit of Bartell Park;
Bartell Place, east, extending 35 feet south from the south curb line of Gertrude Street;
Bartell Place, east, extending 85 feet north from the north curb line of Gertrude Street;
Gertrude Street, south, extending 55 feet east from the east curb line of Bartell Street.

SECTION 4: Chapter 347-28A is deleted and replaced with the following:
Between the hours of 2100 (9:00 p.m.) and 0700 (7:00 a.m.) only passenger type vehicles, which are not registered commercially or used for commercial purposes, may be parked upon any roadway within the Township. All other vehicles such as: recreational vehicles, campers, trailers of any type, trucks, tractors, semi-trailers, boats, work vans, work equipment, or construction equipment, whether registered commercially or not, shall not be parked upon any roadway within the Township.

Chapter 347-28B is deleted and replaced with the following:
 Between the hours of 0700 (7:00 a.m.) and 2100 (9:00 p.m.) only passenger type vehicles which are not registered commercially or used for commercial purposes may be parked upon any roadway within the Township. All other vehicles such as recreational vehicles, campers, trailers of any type, trucks, tractors, semi-trailers, boats, work vans, work equipment or construction equipment, whether registered commercially or not, shall not be parked upon any roadway within the Township. Exceptions: Vehicles making deliveries or conducting business within 200 feet of where they are parked.

SECTION 5: **Chapter 347-33** is amended so as to include the following:
 Intersection stop sign on Gertrude Street and Bartell Place.

SECTION 6: **Chapter 347-51(A)** is supplemented to include Byron Place.

SECTION 7: **Effective date:** This Ordinance shall take effect upon adoption and publication, according to law.

SECTION 8: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Effective Date: January 9, 2019

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

WILLIAM F. SMITH
 Council President

SALVATORE BONACCORSO
 Mayor

Ord18/11-19AmendCh343&347VehiclesandParking

	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 18-143
November 19, 2018

2

BE IT RESOLVED by the Governing Body of the Township of Clark that the Health Officer and Township Clerk are hereby authorized to enter into an agreement between the Township of Clark and the City of Elizabeth, Department of Health and Human Services, Division of Health; Sexually Transmitted Disease (STD) Clinic for the period commencing January 1, 2019 and shall remain valid through December 31, 2019.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/11-19STD Agreement

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

CA 3

TOWNSHIP OF CLARK
Resolution 18-144
November 19, 2018

BE IT RESOLVED, by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle Tax Appeal(s) authorized by the Tax Court of New Jersey according to the attached schedule.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/11-19TaxAppealB60L13

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

STATE TAX APPEALS - 2018

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>	<u>Refund</u>	<u>Credit</u>
60/13	277 Central Avenue	1,581,000	1,542,200	38,800	2013		\$ 3,005.83
60/13	277 Central Avenue	1,581,000	1,549,500	31,500	2014		\$ 2,474.32
60/13	277 Central Avenue	1,581,000	1,480,300	100,700	2015		\$ 8,080.16
60/13	277 Central Avenue	1,581,000	1,396,800	184,200	2016		\$ 14,931.25
60/13	277 Central Avenue	1,581,000	1,291,900	289,100	2017		\$ 24,330.65
60/13	277 Central Avenue	1,581,000	1,291,900	289,100	2018		\$ 24,726.72
					Principal		\$ 77,548.93
					5% Int.		Waived
					Total		\$ 77,548.93

TOWNSHIP OF CLARK
Resolution 18-145
November 19, 2018

CA 4

WHEREAS, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Martin Feeney to be 100% permanently disabled effective July 14, 2018, in accordance with N.J.S.A. 54:4-3.30 et. seq.; and

WHEREAS, Martin Feeney owns the property listed in the tax duplicate as 135 Nassau Street, Clark, NJ, Block 120 Lot 13, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, Martin Feeney has paid his 3rd & 4th Quarter 2018 taxes, amounting to \$6,740.10, therefore, a refund will be issued to Martin Feeney, in the amount of \$6,740.10 and the 1st & 2nd Quarter taxes of 2019, total amount of \$6,631.87, will be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Martin Feeney 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

Res18/11-19DisabledVeteranTaxExemptionFeeney

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

TOWNSHIP OF CLARK
Resolution 18-146
November 19, 2018

CA 5

WHEREAS in accordance with a request from the Tax Collector for authorization to refund/transfer 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)/transfer(s) in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	AMT TRNS	TRANS FROM	TRANS TO
89	40		La ferrera, Louis & Amelia	10	Harrison St		109.79	2018/3 & 4	2019/1

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/11-19TaxRefund(s)-Trans

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

TOWNSHIP OF CLARK
Resolution 18-147
November 19, 2018

CA 6

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

WILLIAM F. SMITH
Council President

Res18/11-19SewerAdj

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

SEWER BILLING ADJUSTMENT 2018

CLARK TOWNSHIP

REF	#	Account #	Name	#	Address	Reason	Original	Revised	Credit	Additional
18	50	1487-0	Lopez-Calleja, Eric	65	Skyline Drive	leak	\$ 1,630.00	\$ 555.00	\$ 1,075.00	
18	51	1671-0	Lettini, Domenico	559	Madison Hill Road	demo	\$ 280.00	\$ -	\$ 280.00	2017
18	52	1671-0	Lettini, Domenico	559	Madison Hill Road	demo	\$ 280.00	\$ -	\$ 280.00	2018
18	53	4314-0	Lettini, Domenico	332	Valley Road	demo	\$ 280.00	\$ -	\$ 280.00	
18	54	4246-0	Arias, Carlos	332	Parkway Drive	leak	\$ 2,380.00	\$ 280.00	\$ 2,100.00	
							Total Credits		\$ 4,015.00	

TOWNSHIP OF CLARK
 Resolution 18-148
 November 19, 2018

CA 7

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby affirms the action taken by the Business Administrator to execute an amendment to Section 4; Term, of the Recycling Contract with the Plainfield Municipal Utilities Authority (PMUA) to correctly reflect the five-year period beginning January 2, 2019 and ending January 1, 2024.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/11-19AmendPMUAcontract

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

TOWNSHIP OF CLARK
 Resolution 18-149
 November 19, 2018

CA 8

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$2,251.18 which is now available from the State of New Jersey Drunk Driving Enforcement Fund in the amount of \$2,251.18; and

BE IT FURTHER RESOLVED that the like sum of \$2,251.18 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$2,251.18.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/11-19Ch159DrunkDrivingEnfFund

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