

This Notice is for reference purposes, as per the Open Public Meetings Act requirements during a declared emergency N.J.S.A. 10:4-9.1

**AGENDA
COUNCIL MEETING
Conference Call – No Physical Meeting Place
April 20, 2020
7:30 pm**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act (N.J.S.A. 10:4-6, Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings and by electronic advanced notice of at least 48 hours pursuant to N.J.S.A. 10:4-9.1, as permitted during a declared emergency, 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, the Official Website of the Township and the proper filing of said Notice. Formal action may be taken at this meeting.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF COUNCIL AND TOWNSHIP

OFFICERS: will be available on the township website www.ourclark.com

ORDINANCES, APPROPRIATIONS AND CLAIMS:

INTRODUCTION OF PROPOSED ORDINANCE:

- 1. 20-13 AN ORDINANCE TO SUPPLEMENT CHAPTER 347 ENTITLED “VEHICLES AND TRAFFIC” OF THE CODE OF THE TOWNSHIP OF CLARK**

This ordinance prohibits left turns from Featherbed Lane onto Raritan Road between the hours of 7:00 am and 7:00 pm

PAYMENT OF CLAIMS:

Council President O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through April 15, 2020 in the amount of \$212,784.96

CITIZEN HEARING ON THE AGENDA:

The Clerk will read emails and text messages received from the public regarding agenda items, for response by Council or Township Professionals as appropriate.

RESOLUTIONS:

2. Budget Compliance Resolution allowing the Budget to be read by title
3. **Public Hearing and Adoption of the Municipal Budget for Calendar Year 2020**

The Clerk will read emails and text messages received from the public regarding the Budget, for response by Council or Township Professionals as appropriate.

4. Authorizing the Township of Clark to assume the responsibility of conducting the Annual Budget examination pursuant to N.J.S.A. 40A:4-78b
5. Establishing a Storm Recovery Reserve to be used for the Coronavirus Response
6. Authorizing the proper Township Officials to negotiate a contract for the Operation and Maintenance of the Pool Food Concession after two unsuccessful attempts to bid the project

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

The Clerk will read emails and text messages received from the public for response by Council or Township Professionals as appropriate.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

Resolution 20-56

April 20, 2020

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

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

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

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Res20/4-20BudgetCompliance-Library

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

TOWNSHIP OF CLARK
Resolution 20-57
April 20, 2020

Adoption of the Municipal Budget of the Township of Clark for Calendar Year 2020

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

\$ 17,656,131.00 for municipal purposes, and
\$ 944,127.00 Minimum Library Levy

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	\$ 2,160,000.00
Miscellaneous Revenues Anticipated	\$ 3,731,655.28
Receipts from Delinquent Taxes	\$ 450,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	<u>\$ 17,656,131.00</u>
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	<u>\$ 944,127.00</u>
 Total Revenues	 \$ 24,941,913.28 =====

SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$ 16,367,265.00
Deferred Charges and Statutory Expenditures – Municipal	\$ 2,305,699.00
Excluded from "CAPS"	
Operations – Total Operations Excluded from "CAPS"	\$ 1,829,699.28
Capital Improvements	\$ 250,000.00
Municipal Debt Service	\$ 2,641,250.00
Deferred Charges – Municipal	\$ 548,000.00
Reserve for Uncollected Taxes (Include Other Reserves, if Any)	\$ 1,000,000.00
 Total Appropriations	 \$ 24,941,913.28 =====

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 20th day of April, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Res20/4-20BudgetAdoption

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

TOWNSHIP OF CLARK
Resolution 20-58
April 20, 2020

WHEREAS N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Clark has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that in accordance with N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Res20/4-20BudgetSelfExam

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

TOWNSHIP OF CLARK
Resolution 20-59
April 20, 2020

WHEREAS municipalities and counties with Storm Recovery Reserves may use those funds for the coronavirus response; and

WHEREAS N.J.S.A. 40A:4-62.1 permits a municipality or county to adopt a resolution authorizing storm recovery reserve funds to be used for “any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by an emergency declared by the Governor or the President of the United States”; and

WHEREAS any reimbursement of these expenditures shall be deposited back into the reserve; and

WHEREAS it is in the best interest of the township to establish a Storm Recovery Reserve to ensure the safety, security, health and welfare of its citizens from damage caused by the Coronavirus Emergency; and

WHEREAS Local Finance Notice 2020-06 requires the Governing Body to adopt a resolution establishing a Storm Recovery Reserve for the above stated purpose, to be submitted to the Division of Local Government Services.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby establishes a Storm Recovery Reserve to be used for the Coronavirus Response in accordance with N.J.S.A. 40A:4-62.1; and

BE IT FURTHER RESOLVED that this resolution shall be filed with the Division of Local Government Services.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O’CONNOR
Council President

Res20/4-20EstablishStormRecoveryReserve-CoronavirusResponse

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
Smith						
Toal						
O’Connor						
Entire Council						
TOTAL						

TOWNSHIP OF CLARK
 Resolution 20-60
 April 20, 2020

WHEREAS the Township has solicited proposals for the Operation and Maintenance of the Pool Food Concession Stand for the 2020 season; and

WHEREAS two attempts were made to solicit bids by public advertisement with the openings scheduled in accordance with the Local Public Contracts Law on March 4, 2020 and March 26, 2020; and

WHEREAS one bid was received on March 4, 2020 which did not meet the needs of the Township and no bids were received on March 26, 2020 in connection with this solicitation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby rejects the bid received on March 4, 2020 and authorizes the proper Township Officials to negotiate a contract in accordance with N.J.S.A. 40A:11-5 in the best interest of the Township.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 PATRICK J. O'CONNOR
 Council President

Res20/4-20PoolConcession-Negotiate

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