

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  
430 WESTFIELD AVE., CLARK, NJ 07066  
Room 30 – 7:30 pm  
August 17, 2020**

**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 (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, 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 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](http://www.ourclark.com)

**REPORT OF COUNCIL COMMITTEES:**

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**INTRODUCTION OF PROPOSED ORDINANCE:**

- 1. 20-18 BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2020 CAPITAL ROAD IMPROVEMENT PROGRAM (PHASE II) IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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.**

Public Hearing September 8, 2020, Room 30, Municipal Building

**PAYMENT OF CLAIMS:**

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through July 29, 2020 in the amount of \$121,546.81

**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. Award of Contract for the Collection and Disposal of Leaves to Messercola Excavating Inc. in the amount of \$4.18 per cubic yard, not to exceed \$40,000.00
3. Authorizing the Mayor to sign an agreement with Union County for Leaf Composting at a rate of \$2.00 per yard, not to exceed \$32,000.00
4. Appointing Thomas Sweeney and Conor Kolchin as members of the Clark Volunteer Fire Department
5. Authorizing the Health Officer to enter into an Agreement with the Visiting Nurse and Health Service for the year 2021 in the amount of \$7,986.00
6. Authorizing the purchase of Surveillance Equipment in the amount of \$235,626.17 through the Union County Co-op for installation in the New Police Headquarters building
7. Authorizing the purchase of Audio-Visual Equipment in the amount of \$263,429.71 through State Contract for the New Police Headquarters building

**CONSENT AGENDA RESOLUTIONS:**

8. Authorizing the Chief Financial Officer to refund overpayment of 2020 taxes in the amount of \$1,605.35
9. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$5,100.00

**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 1

TOWNSHIP OF CLARK

Ordinance No. 20-18

Adopted \_\_\_\_\_

Introduced: August 17, 2020 Public Hearing: September 8, 2020

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2020 CAPITAL ROAD IMPROVEMENT PROGRAM (PHASE II) IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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.**

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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 2020 Capital Road Improvement Program (Phase II) (including roadway and parking lot reconstruction and resurfacing and the undertaking of the following, where necessary: signalization improvements, 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:

- Wilson Drive
- Waterson Drive
- Emerald Place
- Emerald Court
- Clark Library parking lot

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 \$750,000 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 and the State grant 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 \$750,000, and (4) \$329,000 of said sum is to be provided by the State grant hereinafter appropriated, and (5) \$21,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (6) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$400,000, and (7) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$94,000, 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 the sum of \$329,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Wilson Drive and Waterson Drive set forth in Section 1 hereof.

Section 5. It is hereby determined and stated that moneys exceeding \$21,000, 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 \$21,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 6. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$400,000 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 7. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$400,000 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 8. 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 9. 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 10. 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 \$400,000 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 11. 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 (other than the State grant hereinbefore appropriated, which shall be applied to the cost of said purpose but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), 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 12. 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 13. 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 14. 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 15. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: October 1, 2020

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**PATRICK J. O'CONNOR**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor

Ord20/8-17 20-18Bond-2020CapRoadPhaseII 750K

	Motion to	Second	Motion to	Second				
	Introduce		Adopt		Aye	Nay	Abstain	Absent
Albanese								
Barr								
Hund								
Mazzarella								
Smith								
Toal								
O'Connor								
Entire Council								
<b>TOTAL</b>								

TOWNSHIP OF CLARK  
Resolution 20-102  
August 17, 2020

2

**WHEREAS** the Governing Body of the Township of Clark advertised on July 16, 2020 and received two (2) bids for the Collection and Disposal of Leaves on August 5, 2020 at 10:00 a.m.; and

**WHEREAS** the two (2) lowest responsible bidders were:

<u>Bidder</u>	<u>Amount per cubic yard</u> (with Disposal)	<u>Amount per cubic yard</u> (without Disposal)
Britton Industries, Lawrenceville, NJ	\$7.50	\$7.50
Messercola Excavating, Plainfield, NJ	No bid submitted	\$4.18

**WHEREAS** it is in the best interest of the township to award the contract without disposal fees; and

**WHEREAS** the lowest responsible bidder was Messercola Excavating, Inc., 549 East Third Street, Plainfield, NJ 07060 in the amount of \$4.18 per cubic yard; and

**WHEREAS** the Business Administrator has reviewed all the documents required by the bid specifications and recommends award of contract to Messercola Excavating, Inc.; and

**WHEREAS** the Chief Financial Officer has ascertained funds are available in the 2020 Municipal Budget, Account Number 26-306-223, not to exceed \$40,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby award a contract to Messercola Excavating, Inc., in the amount of \$4.18 per cubic yard, not to exceed \$40,000.00, subject to review of the bid by the Township Attorney who will draw up the contract.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17AwardLeaves-Messercola

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

TOWNSHIP OF CLARK  
Resolution 20-103  
August 17, 2020

3

**WHEREAS** the Governing Body of the Township of Clark, County of Union, New Jersey desires to enter into a Memorandum of Understanding and a Hold Harmless Agreement with the County of Union for leaf composting; and

**WHEREAS** leaf composting at the Union County Facility is charged at the rate of \$2.00 per yard loose or \$4.00 per yard compacted; and

**WHEREAS** the Chief Financial Officer has ascertained funds are available in the 2020 Municipal Budget, Account Number 26-306-223, not to exceed \$32,000.00.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby directs the Mayor to sign the agreement for leaf composting at the Union County Facility on behalf of the Township of Clark.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17UCLeafCompostingAgreement

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

TOWNSHIP OF CLARK  
Resolution 20-104  
August 17, 2020

4

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Thomas Sweeney and Conor Kolchin are hereby appointed as Members of the Clark Volunteer Fire Department effective this 17<sup>th</sup> day of August 2020.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17AppointFireFighters-Sweeney-Kolchin

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

5

TOWNSHIP OF CLARK  
Resolution 20-105  
August 17, 2020

**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, 2021 and terminating on December 31, 2021, pending the approval of the 2021 Municipal Budget.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17VNHS2021Contract

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

TOWNSHIP OF CLARK  
Resolution 20-106  
August 17, 2020

6

**WHEREAS** the Police Department has requested that the Township Council authorize the appropriate Township Officials to approve the purchase of Surveillance Equipment, installation, and maintenance services for the New Police Headquarters; and

**WHEREAS** the Business Administrator has recommended that the Township use the following Cooperative Purchasing Contract which provides predetermined preferential pricing through approved vendors which have been bid at the county level:

Vendor: Johnston Communications (JCT Solutions Security, Communications & Networking) – Quote #JCTQ1340 in the total amount of \$235,626.17  
Union County Coop Contract 8-UCCP Coop/Bid #42-2017  
Telephone/Associated Services Systems surveillance equipment, installation, maintenance services (Avaya, Cameras, NVR's, Door Security, Cabling)

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$235,626.17 funded by Capital Account C-04-19-016-001, as authorized by Bond Ordinance 19-16 and 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 proceed with the abovementioned purchases through Cooperative Pricing as indicated.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17 PDHeadquarters-SurveillanceEquip-CooperativePurchasing

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

TOWNSHIP OF CLARK  
 Resolution 20-107  
 August 17, 2020

7

**WHEREAS** the Administration has requested that the Township Council authorize the appropriate Township Officials to approve the purchase of Audio-Visual Equipment for the Courtroom in the New Police Headquarters; and

**WHEREAS** the Business Administrator has recommended that the Township use the following State Contracts which provide predetermined preferential pricing through approved vendors which have been bid at the state level:

Vendor: Tele-Measurements, Inc., 145 Main Avenue, Clifton, NJ 07014  
 NJ State Contracts #T1466 and #T0114  
 Audio-Visual Equipment – Courtroom Budgetary Quote \$263,429.71

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$263,429.71 funded by Capital Account C-04-19-016-001, as authorized by Bond Ordinance 19-16 and 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 proceed with the abovementioned purchases through NJ State Contracts as indicated.

ATTEST:

APPROVED:

\_\_\_\_\_  
 EDITH L. MERKEL, RMC  
 Township Clerk

\_\_\_\_\_  
 PATRICK J. O’CONNOR  
 Council President

Res20/8-17AudioVisualEquipCourtroom-StateContract

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

TOWNSHIP OF CLARK  
Resolution 20-108  
August 17, 2020

CA 8

**WHEREAS** in accordance with a request from the Tax Collector for authorization to refund overpayment of 2020 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:

<b>CLARK TOWNSHIP</b>						
<b>TAX REFUNDS- 2020</b>						
<b>BLOCK</b>	<b>LOT</b>	<b>QUAL.</b>	<b>NAME</b>	<b>#</b>	<b>ADDRESS</b>	<b>REFUND</b>
19	2		Andrew Daniello	12	Grove Street	\$ 1,605.35

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
PATRICK J. O'CONNOR  
Council President

Res20/8-17TaxRefund(s)

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

TOWNSHIP OF CLARK  
 Resolution 20-109  
 August 17, 2020

CA 9

**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

\_\_\_\_\_  
 PATRICK J. O'CONNOR  
 Council President

Res20/8-17 SewerAdj

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

