

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
May 17, 2021
7:30 pm**

ROLL CALL:

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

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.

Regular order of business is suspended to appoint a new Director of Public Safety

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 ORDINANCE:

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

1. 21-17 AN ORDINANCE AMENDING ORDINANCE 19-17 ADOPTED AUGUST 19, 2019 ENTITLED "AN ORDINANCE TO DESIGNATE A CERTAIN PORTION OF LOT 1.01 IN BLOCK 198 AS A PUBLIC STREET TO BE NAMED WATERSON DRIVE"

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through May 11, 2021 in the amount of \$447,901.80.

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 to S. Brothers, Inc. for the 2021 Capital Road Improvement Program in the amount of \$1,130,432.90
3. Authorizing the purchase of 35 Bullet Proof Vests in the total amount of \$23,625.00
4. Authorizing the Mayor to enter into a lease agreement with the Union County Educational Services Commission for use of the gyms in the Municipal Building from September 2021 through June 2022

CONSENT AGENDA RESOLUTIONS:

5. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 163 Lot 2 in accordance with a directive of the U.S. Department of Veterans Affairs
6. Authorizing the Chief Financial Officer to refund overpayment of 2021 taxes in the amount of \$10,008.45
7. Authorizing the Chief Financial Officer to refund overpayment of 2021 sewer fees in the amount of \$295.00
8. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$16,340.00

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK
Ordinance No. 21-17
Adopted _____

PH 1

Introduced: May 3, 2021 Public Hearing: May 17, 2021

**AN ORDINANCE AMENDING ORDINANCE 19-17 ADOPTED AUGUST 19, 2019
ENTITLED "AN ORDINANCE TO DESIGNATE A CERTAIN PORTION
OF LOT 1.01 IN BLOCK 198 AS A PUBLIC STREET
TO BE NAMED WATERSON DRIVE"**

WHEREAS, the Governing Body of the Township of Clark dedicated the access portion of Lot 1.01 in Block 198 as a public street designated as William J. Waterson Drive as a memorial to honor Patrolman William J. Waterson who died in service to the community on July 4, 1971; and

WHEREAS, current and former active members of the Clark Policeman's Benevolent Association (PBA) will commemorate the 50th Anniversary of Patrolman Waterson's passing on July 4, 2021; and

WHEREAS, the Clark PBA would like to further honor the memory of Patrolman William J. Waterson by renaming the street William Waterson Way to highlight and remember the ultimate sacrifice of William Waterson as he protected and served the community.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey:

SECTION 1: The portion of Lot 1.01 in Block 198 previously named William J. Waterson Drive by Ordinance 19-17 is hereby renamed and shall hereinafter be known as **William Waterson Way**.

SECTION 2: 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.

TOWNSHIP OF CLARK
Resolution 21-84
May 17, 2021

2

WHEREAS the Governing Body of the Township of Clark has advertised for bids on April 29, 2021 for the 2021 Capital Road and School Parking Lot Improvements – Various Locations; and

WHEREAS nine (9) bid proposals were received on May 12, 2021 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were S. Brothers, Inc. of South River, NJ with a bid in the amount of \$1,130,432.90, American Asphalt & Milling Service of Kearney, NJ with a bid in the amount of \$1,149,082.40 and P & A Construction of Colonia, NJ with a bid in the amount of \$1,190,915.91; and

WHEREAS S. Brothers, Inc., PO Box 317, South River, NJ 08882 submitted the lowest responsible bid in the amount of \$1,130,432.90 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinance 21-12 as attached hereto as a “Certification of Availability of Funds”; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to S. Brothers, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to S. Brothers, Inc. in the amount of \$1,130,432.90; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/5-17Award2021CapRoad&SchoolParkingLots

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

TOWNSHIP OF CLARK
Resolution 21-85
May 17, 2021

3

WHEREAS the Police Department has solicited and received quotes for the purchase of 35 Bullet Proof Vests with the following results:

Vendor	Total Amount
Fit-Rite Uniform Company	\$23,625.00
WESHOOT	\$24,146.50

WHEREAS Fit-Rite Uniform Company, 657 Chestnut Street, Union, New Jersey 07083 provided the lowest responsible quote in the amount of Twenty-Three Thousand, Six Hundred Twenty-Five Dollars (\$23,625.00) which meets the needs of the Township; and

WHEREAS the total amount for the purchase is not to exceed Twenty-Four Thousand Dollars (\$24,000.00) available from Capital Surplus Funds appropriated in Ordinance 21-16; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$23,625.00 funded by Capital Account # C-04-21-016-001 as attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes the purchase of 35 Bullet Proof Vests from Fit-Rite Uniform Company of Union, New Jersey in a total amount of \$23,625.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/5-17AuthPurchaseofBulletProofVests

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

TOWNSHIP OF CLARK

Resolution 21-86

May 17, 2021

4

WHEREAS an agreement is proposed between the Township of Clark having offices at 430 Westfield Avenue, Clark, New Jersey, hereinafter referred to as the "Landlord" and Union County Educational Services Commission, a Commission of the State of New Jersey having its office at 45 Cardinal Drive, Westfield, New Jersey, hereinafter referred to as the "Tenant"; and

WHEREAS premises to be let is the Oliver B. Resch Gymnasium, containing a stage, to be made available Monday through Friday, 8:30 am through 2:30 pm commencing on September 1, 2021 and concluding on June 30, 2022 together with the second gymnasium, the Walter A. Bakum Gymnasium, to be made available on an "as needed" basis with usage, to be approved upon the request of Union County Educational Services Commission by the Business Administrator of the Township of Clark during the same term.

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Township of Clark, County of Union, State of New Jersey does hereby authorize the Mayor to enter into a lease agreement on behalf of the Township with the Union County Educational Services Commission, located at 45 Cardinal Drive, Westfield, New Jersey.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/5-17UCESCGymLease

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

TOWNSHIP OF CLARK

Resolution 21-87

May 17, 2021

5

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

WHEREAS, John DeSarno owns the property listed in the tax duplicate as 303 West Lane, Clark, NJ, Block 163 Lot 2, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, John DeSarno has pre-paid his 1st Quarter 2021 taxes, amounting to \$2,420.18; therefore, a refund will be issued to John DeSarno, in the amount of \$2,420.18 and the 2nd, 3rd, and 4th Quarter taxes of 2021 will be cancelled; and

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

STEVEN M. HUND
Council President

Res21/5-17DisabledVeteranTaxExemptionDeSarno

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

TOWNSHIP OF CLARK
Resolution 21-88
May 17, 2021

6

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2021 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:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
52	37		Sachewicz, Gerard & Karen	26	Francis Drive	\$ 3,279.37
48.01	18		Laura Philipone	658	Madison Hill Road	\$ 572.60
91	36		Michael Khoda	26	Washington Street	\$ 1,783.98
31.01	7		Christopher Hydak	172	Stonehenge Terrace	\$ 4,372.50
					TOTAL	\$ 10,008.45

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/5-17TaxRefund(s)

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

TOWNSHIP OF CLARK
Resolution 21-89
May 17, 2021

7

WHEREAS in accordance with a request from the Chief Financial Officer for authorization to refund overpayment of 2021 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 Chief Financial Officer is hereby authorized and directed to make the refund(s) as per the following schedule.

CLARK				Sewer Refund 2021			
REF		Acct #	Name	#	Address	Reason	Refund
21	5R	5346-0	Matthew Perlmutter	290	Madison Hill Rd	overpaid due to adjustment	\$ 35.00
21	6R	5189-0	John Whittle	7	Coldevin Rd	overpaid due to adjustment	<u>\$ 260.00</u>
						TOTAL	\$ 295.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council President

Res21/4-19SewerRefund(s)

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

TOWNSHIP OF CLARK
 Resolution 21-90
 May 17, 2021



WHEREAS the Chief Financial Officer 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 Chief Financial Officer be authorized to apply the sewer account balance adjustments according to the attached schedule.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council President

Res21/5-17SewerAdj

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

SEWER BILLING ADJUSTMENT 2021

CLARK TOWNSHIP									
REF #	Acct #	Name	#	Address	Reason	Original	Revised	Credit	
21	1533-0	Huff, Scott	147	Jupiter Street	refill pool	\$ 1,130.00	\$ 280.00	\$ 850.00	
21	3500-0	Dunford, Keith & Robyn	70	Fulton Street	refill pool	\$ 880.00	\$ 280.00	\$ 600.00	
21	2348-0	Yusupov, Iiovkhaim, Irina	73	Emerald Place	leaky hot water	\$ 1,480.00	\$ 280.00	\$ 1,200.00	
21	2291-0	Carbonara, Anthony	51	Dawn Drive	faulty meter	\$ 5,430.00	\$ 280.00	\$ 5,150.00	
21	4469-0	Greaves, John & Macri, Martha	30	Parkway Drive	prior resident usage	\$ 530.00	\$ 280.00	\$ 250.00	
21	2063-0	Sachewicz, Gerard & Karen	26	Francis Drive	faulty meter	\$ 2,030.00	\$ 280.00	\$ 1,750.00	
21	570-0	Jamroz, Joanne	19	Fairview Road	leaky toilets	\$ 1,480.00	\$ 1,000.00	\$ 480.00	
21	1455-0	Downing, Janet	154	Jupiter Street	broken sprinkler	\$ 2,180.00	\$ 280.00	\$ 1,900.00	
21	3294-0	Greenbush, Michael & Christine	27	Runnymede Rd	leaking hose bib	\$ 2,060.00	\$ 280.00	\$ 1,780.00	
21	4965-0	Mioduszewski, Diane	807	Riverbend Dr	leaking hose bib	\$ 1,080.00	\$ 280.00	\$ 800.00	
21	242-0	Fagbemi, Adebanke	1163	Lake Avenue	leaky outdoor faucet	\$ 1,580.00	\$ 280.00	\$ 1,300.00	
21	3468-0	Spring Enterprises	88	Westfield Ave.	demolished	\$ 280.00	\$ -	\$ 280.00	
					TOTAL			\$ 16,340.00	