

REVISED

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
June 15, 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 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:

PAYMENT OF CLAIMS:

Current and Capital expenditures have been received and encumbered through June 9, 2020 in the amount of \$250,794.08

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:

1. Opposing and condemning the hatred, violence, and rhetoric that constitutes racism, ethnic, religious, or sexual orientation discrimination as incompatible with the Township’s values

2. Authorizing the Tax Collector to make the proper adjustments for 100% property tax exemption of Block 108 Lot 51 in accordance with a directive of the U.S. Department of Veterans Affairs
3. Ratifying the action taken by the Business Administrator to hire Hull Vicci Construction Corp. to install glass partitions in two Town Hall offices to protect the health and safety of employees and citizens from the spread of COVID-19 in anticipation of the phased in re-opening of the state
4. Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Lincoln Boulevard and Lupine Way Road Improvement Project
5. Authorizing Replacement of the Gym Floors in the Municipal Building by FieldTurf USA, Inc., through the Keystone Purchasing Network in the amount of \$352,278.00

CONSENT AGENDA RESOLUTIONS:

6. Authorizing the Chief Financial Officer to refund overpayment of 2020 taxes in the amount of \$22,379.02
7. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$17,150.00
8. Authorizing the Chief Financial Officer to refund overpayment of 2020 sewer fees in the amount of \$70,564.90

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 20-75

June 15, 2020

WHEREAS, enshrined in every fiber of our country from the Declaration of Independence to the present is the principal that every man, woman and child is endowed by their Creator with the inalienable right to the pursuit of life, liberty and happiness; and

WHEREAS, hatred, discrimination, and violence are incompatible with this promise, our national character, and the character and community of the Township of Clark; and

WHEREAS, this promise is far too often honored in the breach, when at times like the present we are confronted as both a nation and a community with the reality that too many Americans – our friends, neighbors, and colleagues – are confronted daily with hatred, discrimination and violence based on their race, ethnicity, religion, gender, or sexual orientation; and

WHEREAS, these unprovoked and intentional acts of hatred and violence represent a blatant disregard for the dignity and sanctity of human life; and

WHEREAS, the First Amendment to the United States Constitution and Article I, Section 6 of the New Jersey Constitution guarantee citizens of this country and state the inalienable right to freely speak, write, debate, discuss and publish ideas, opinions, and sentiments on all subjects without government abridgement, interference or censorship; and

WHEREAS, the inalienable right to freedom of speech is not unlimited and carries with it the responsibility to exercise that right in ways compatible with the first principal of this Nation and this Community, that every man, woman and child, is entitled to be free from discrimination, hatred, and violence based on their race, ethnicity, religion, gender or sexuality; and

WHEREAS, the Township Council of the Township of Clark is aware of the pernicious effect social media platforms can play in facilitating discrimination, hate-speech, and racism, individually and in groups organized around divisive commentary; and

WHEREAS, the Township Council condemns, in the strongest terms, hatred, violence, and rhetoric that constitutes race, ethnic, religious, gender, or sexual orientation discrimination as incompatible with the values of the Clark community; and

WHEREAS, the Township of Clark's social media policy for municipal employees prohibits, consistent with the First Amendment, municipal employee use of social media to engage in and support unlawful discrimination, based on race, ethnicity, religion, gender or sexuality.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Clark, in the County of Union, New Jersey that the Township Council opposes and condemns the hatred, violence, and rhetoric that constitutes racism, ethnic, religious, or sexual orientation discrimination as incompatible with the values of the Clark community; and

BE IT FURTHER RESOLVED, that the Township Council disavows and condemns the use of the Township of Clark's name, and any association with Clark, by individuals and social media groups, that target and harass individuals based on their race, ethnicity, religion, gender or sexual orientation.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res20/6-15CondemningRacismandallDiscrimination

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

TOWNSHIP OF CLARK
Resolution 20-76
June 15, 2020

2

WHEREAS, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Sam Pizzarelli to be 100% permanently disabled effective August 26, 2019, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

WHEREAS, Sam Pizzarelli owns the property listed in the tax duplicate as 70 Broadway, Clark, NJ, Block 108, Lot 51, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, the total 2020 taxes on this property were \$4,276.56, and Sam Pizzarelli, being owner of the property is entitled to a one hundred percent exemption of the property taxes; and

WHEREAS, \$4,276.56 has been paid in 2020 and should be refunded to Sam Pizzarelli; the 1st quarter of 2020, for \$2,138.28; and 2nd quarter of 2020, for \$2,138.28; and the 3rd & 4th quarters of 2020 should be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Sam Pizzarelli 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 Vice President

Res20/6-15DisabledVeteranTaxExemption-Pizzarelli

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

TOWNSHIP OF CLARK
Resolution 20-77
June 15, 2020

3

WHEREAS on March 9, 2020, Governor Murphy declared a State of Emergency and a Public Health Emergency (EO 103), in addition, Public Health Officials have determined that COVID-19 is a serious public health concern which continues to affect the public health and welfare of the municipality; and

WHEREAS the Mayor and Business Administrator of the Township of Clark took decisive action to immediately safeguard employees as well as the citizens due to the COVID-19 emergency, requiring the immediate delivery of goods or the performance of services in order to prevent the spread of the virus; and

WHEREAS the Business Administrator acquired the services of Hull Vicci Construction Corp. to install a protective physical barrier in offices that were otherwise vulnerable in order to protect the employees and citizens during the course of business in Town Hall; and

WHEREAS on May 30, 2020 glass partitions were installed by Hull Vicci Construction Corp., in both the Construction and Clerk's offices in response to the COVID-19 Pandemic, in anticipation of the phased in re-opening of the State by the Governor, in an effort to stop the spread of the virus and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey in accord with the provisions of N.J.S.A. 40A:11-6 that it does hereby ratify the action taken by the Business Administrator to acquire the materials and services necessary to protect the health and welfare of the municipality during the emergency and beyond, in compliance with the requirements of the aforesaid statute.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res20/6-15Exigency-GlassPartitionsCOVID-19expense

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

June 15, 2020

4

TOWNSHIP OF CLARK
COUNTY OF UNION
STATE OF NEW JERSEY

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE LINCOLN BOULEVARD AND
LUPINE WAY 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 and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Lincoln Boulevard and Lupine Way- 00137 to the New Jersey Department of Transportation on behalf of the Township of Clark; and

BE IT FURTHER RESOLVED that the Mayor and 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 approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 15th day of June, 2020

Edith L. Merkel, RMC
Clerk

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.

ATTEST and AFFIX SEAL

Edith L. Merkel
Clerk

Steven M. Hund
Council Vice-President

Res20/6-15 NJDOT2021 Grant-LincolnBlvd&LupineWay

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

TOWNSHIP OF CLARK
Resolution 20-79
June 15, 2020

5

WHEREAS the Department of Recreation has requested that the Township Council authorize the appropriate Township Officials to approve the replacement of the two gym floors in Town Hall; and

WHEREAS the Business Administrator has recommended that the Township use the Keystone Purchasing Network (KPN) Contract #201801-01 which provides predetermined preferential pricing through approved vendors which have been bid at the national level; and

Materials and Installation: Replacement of floors in both Town Hall Gyms
 Pricing: KPN Contract #201801-01
 Vendor: FieldTurf USA, Inc.
 Total Price: \$352,278.00
 Funded by: Capital Accounts c-04-20-015-001 (Bond Ordinance 20-15)

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$352,278.00 funded by the abovementioned Account, 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 proceed with the abovementioned project through the Cooperative Pricing Contract as indicated.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res20/6-15AuthGymFloors-KeystoneCoopPricing-FieldTurf USA

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

TOWNSHIP OF CLARK
Resolution 20-80
June 15, 2020

CA 6

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:

CLARK TOWNSHIP						
TAX REFUNDS- 2020						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
108	42		Meredith & Marra Fitzgibbon	53	Liberty Street	\$ 2,553.81
11	4		Joseph & Catherine DiFabio	451	Oak Ridge Rd	\$ 3,224.73
49	16		Peter Luongo	47	Shading Place	\$ 2,272.46
33.04	9		Michael Corso	83	Victoria Drive	\$ 3,423.84
151	7		Corelogic Cent. Refunds	13	Florence Drive	\$ 1,863.42
196	13		James Fenimore	30	Coldevin Dr	\$ 1,757.37
13	18		Ajello, Anthony & Miranda	96	Briarheath	\$ 6,023.19
30.02	14		Sermen, Hillery	110	Hall Drive	\$ 1,260.20
TOTAL REFUNDS:						\$ 22,379.02

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res20/6-15TaxRefunds

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

TOWNSHIP OF CLARK
Resolution 20-81
June 15, 2020

CA 7

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

STEVEN M. HUND
Council Vice President

Res20/6-15 SewerAdj

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

SEWER BILLING ADJUSTMENT 2020

REF	#	Account #	Name	#	Address	Reason	Original	Revised	Credit	Addl	Comments
20	39	1268-0	Downey, Brian & Gina	18	Meissner Way	water issue	\$ 3,280.00	\$ 1,155.00	\$ 2,125.00		
20	40	2797-0	Frodella, Nicholas	38	Kathryn	leaky toilet	\$ 930.00	\$ 605.00	\$ 325.00		
20	41	1538-0	Van Natten, Paul	187	Jupiter St.	faulty water meter	\$ 2,280.00	\$ 280.00	\$ 2,000.00		2019
20	42	1538-0	Van Natten, Paul	187	Jupiter St.	faulty water meter	\$ 3,280.00	\$ 280.00	\$ 3,000.00		2020
20	43	1742-0	Beck, Daniel & Nicole	48	Wendell Place	leaky faucet	\$ 2,030.00	\$ 280.00	\$ 1,750.00		
20	44	1663-0	Ayre, Anthony & Denise	3	Rolling Hill Way	water meter issue	\$ 3,080.00	\$ 280.00	\$ 2,800.00		
20	45	1659-0	Signorella, Joseph & Susan	11	Rolling Hill Way	sump pump issue	\$ 4,080.00	\$ 1,680.00	\$ 2,400.00		
20	46	207-0	Sikoriak, Michael & Nicole	111	Rutgers Road	water meter issue	\$ 1,280.00	\$ 280.00	\$ 1,000.00		
20	47	1241-0	Chavez, Armando	81	Mae Belle Drive	water meter issue	\$ 2,030.00	\$ 280.00	\$ 1,750.00		
TOTAL CREDITS:											
									\$ 17,150.00		

CA 8

TOWNSHIP OF CLARK
Resolution 20-82
June 15, 2020

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2020 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 refund(s) as per the following schedule.

CLARK TOWNSHIP			Sewer Refund 2020				
REF	Acct #	Name	#	Address	Reason	Refund	
20	3 3922-19	Panda Express	1255	Raritan Rd	Issue with pipes	\$ 70,564.90	

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res20/6-15SewerRefund(s)

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