

**AGENDA  
COUNCIL MEETING**

**315 WESTFIELD AVE., CLARK, NJ 07066**

**February 19, 2013**

**7:30 PM**

**ROLL CALL:**

<b>Councilwoman Albanese</b> _____	<b>Councilman Mazzarella</b> _____
<b>Councilman Barr</b> _____	<b>Councilman Smith</b> _____
<b>Councilman Kazanowski</b> _____	<b>Councilman Toal</b> _____
	<b>Council President O'Connor</b> _____

**PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE**

This meeting is in compliance with the Open Public Meetings Act 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 NJTODAY.NET, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

Regular Order of Business Suspended

1. Police Department Promotion: Patrick Grady to Lieutenant
2. Mayor's Proclamation: Acknowledging Franklin Stebbins' service on the Library Board of Trustees

Resume the Regular Order of Business

**COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:**

**Mayor:**

**Township Officers:**

**Business Administrator:** Overview of Business to be conducted during this meeting

**Clerk:** Police, Fire and First Aid Squad Reports for the month of January 2013 have been received and are on file in the Clerk's office

**REPORT OF COUNCIL COMMITTEES:**

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**INTRODUCTION OF PROPOSED ORDINANCES:**

1. **AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES) FOR THE YEARS 2010 THROUGH 2017**

Public Hearing March 4<sup>th</sup>

2. **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Public Hearing March 4<sup>th</sup>

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**PAYMENT OF CLAIMS:**

Council President O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through February 14, 2013 in the amount of \$228,529.23

**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.

**RESOLUTIONS:**

3. Introduction of the 2013 Municipal Budget
4. Authorizing Emergency Temporary Appropriations for the Current Fund in the amount of \$5,031,405.00
5. Authorizing Emergency Temporary Appropriations for the Sewer Utility in the amount of \$2,545,581.00
6. Authorizing Emergency Temporary Appropriations for the Swim Pool Utility in the amount of \$130,000.00
7. Authorizing the execution of the consent judgment for the settlement in the civil action entitled NJDEP v. Occidental Chemical Corporation
8. Forfeiting \$1,250.00 from an Escrow Fund to the General Trust Fund for the repair of the driveway located at 302 Valley Road
9. Assigning the current recycling contract from Great Northern Recycling to Giordano Company, Inc.
10. Ratifying the agreement between the Township and Union Council No. 8 representing Department of Public Works employees effective January 1, 2013 through December 31, 2017
11. Opposing Assembly Bill A-1196 and urging supporters of this legislation to work with the Municipal Excess Liability to develop less expensive ways to improve compensation to first responders
12. Council as Pool Utility: Setting the fees for 2013 pool season

**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:**

Introduced: February 19, 2013 Public Hearing: March 4, 2013

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

**AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF  
PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES)  
FOR THE YEARS 2010 THROUGH 2017**

**BE IT ORDAINED** Union Council No. 8, I.F.P.T.E., AFL-CIO representing our Blue Collar Employees have completed their salary negotiations for the years 2010 through December 31, 2017; and

**BE IT FURTHER ORDAINED** it is necessary to adopt an ordinance to implement said contract for the term of the contract; and

**BE IT FURTHER ORDAINED** such salaries shall be based upon the following:

Effective retroactive to January 1, 2010 each bargaining unit member employed, shall receive a salary based on the following compensation schedule:

**COMPENSATION SCHEDULE 2010-2017**

**GUIDE EFFECTIVE UPON RATIFICATION AND EXECUTION OF THE COLLECTIVE  
NEGOTIATIONS AGREEMENT**

Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Laborer	40,900	41,900	42,900	43,900	44,900	45,900	46,900	47,900	48,900	49,900
Public Works Repairer	52,900	54,200	55,300	56,400	57,500	58,600	59,700	60,900	62,900	64,400
Omnibus Driver	49,000	50,500	52,000	53,500	55,500	57,500	59,500	61,500	62,730	63,552
PT Omnibus Driver (Hourly)	15.00 to 20.00 per hour based on qualifications.									

All employees hired after January 1, 2010 shall start as Laborers and shall be placed in the step as it relates to their prior work qualifications upon the recommendations of the appointing authority under the rules of the New Jersey Civil Service Commission.

To qualify for promotion to the next category, a Laborer must be working in step 8; a Public Works Repairer must be in step 8 to qualify for a promotional exam for Senior Public Works Repairer.

Omnibus Driver salary schedule reflects a full time bus driver. At the present time this is a part time position compensated at 60% of the above salary schedule. The present driver is at step 10. Effective in 2011, the percentage increase for Omnibus Driver is 1.5% in each year.

Title	2010	2011	2012	2013	2014	2015	2016	2017
Senior Public Works Repairer	63,552	63,552	63,552	64,823	66,120	67,442	68,791	70,167
Mechanic/Senior Public Works Repairer	67,472	67,472	67,472	68,821	70,197	71,601	73,033	74,494

Effective January 1, 2011, a \$900 clothing allowance has been added to base pay.

**Pay Periods** The Township shall pay its employees on a bi-weekly payroll schedule of twenty-six (26) times annually. Each payroll period shall consist of ten (10) working days, so that the bi-weekly rate of pay of each employee shall be 1/26<sup>th</sup> of the employee's annual salary. In a year in which twenty-seven (27) pay periods shall occur, the bi-weekly rate of pay of each employee shall be 1/27<sup>th</sup> of the annual salary.

Any employee hired after January 1, 1991, shall not be eligible for the longevity program.

Each employee completing five (5) years of continuous uninterrupted service shall become eligible for longevity payment computed as follows:

a) For each five (5) year period of service as outlined above each employee of the Township shall receive the following in addition to the current annual salary:

After 5 continuous years	\$ 500.00
After 10 continuous years	1,000.00
After 15 continuous years	1,500.00
After 20 continuous years	2,000.00
After 25 continuous years	2,500.00

b) The effective date as to eligibility for longevity shall be the anniversary date of the individuals' employment by the Township of Clark, and the amount shall be as set forth above.

All Ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect immediately upon final passage and publication according to law.

Effective date: March 27, 2013

**ATTEST:**

**APPROVED:**

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

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

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

Ord13/2-19 Salary Blue Collar

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

INTRO

# 2

TOWNSHIP OF CLARK

Ordinance No. \_\_\_\_\_

Adopted \_\_\_\_\_

Introduced: February 19, 2013 Public Hearing: March 4, 2013

Motion: \_\_\_\_\_ Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_ Seconded: \_\_\_\_\_

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS the Governing Body of the Township of Clark in the County of Union finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS the Governing Body hereby determines that a 1.5% increase in the budget for said year, amounting to \$231,740.69 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2013 budget year, the final appropriations of the Township of Clark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$540,728.27 and that the CY 2013 municipal budget for the Township of Clark be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Effective Date: March 27, 2013

**ATTEST:**

**APPROVED:**

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

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

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

Ord13/2-19ExceedBudgetApprop  
Aye Nay Abstain Absent

Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

Motion Second

**Municipal Budget of the Township of Clark County of Union for Calendar Year 2013**

**BE IT RESOLVED** that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013:

**EXPLANATORY STATEMENT  
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2013**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)		15,522,732.67
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)		4,415,361.61
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)		4,415,361.61
3. Reserve for Uncollected Taxes (Item M. Sheet 29) – Based on Estimated <u>98.49</u> Percent of Tax Collections		850,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2013 \$ _____ for Schools –State Aid 2012 \$ _____		20,788,094.28
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,593,245.28
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)		14,391,206.67
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		803,642.33

**BE IT RESOLVED** that notice is hereby given that the Budget and Tax Resolution was introduced by the Municipal Council of the Township of Clark, County of Union on February 19, 2013; and

**BE IT FURTHER RESOLVED** that said Budget be published in summary in the Union County LocalSource in the issue of March 28, 2013; and

**BE IT FURTHER RESOLVED** that a Regular Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Council Chambers, 315 Westfield Avenue, on April 15, 2013 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

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

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

Res13/2-19BudgetIntro

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
February 19, 2013

4

Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTION REQUESTING APPROVAL FOR AUTHORIZING  
AN EMERGENCY TEMPORARY APPROPRIATION  
IN ACCORDANCE WITH N.J.S.A. 40A:4-20  
CURRENT FUND**

**WHEREAS** an emergent condition has arisen due to the anticipated delay in the adoption of the 2013 Budget, and adequate provision has not been made in the 2013 Temporary Budget for the appropriations specified on the attached page; and

**WHEREAS** the total emergency temporary resolutions adopted in fiscal year 2013 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$5,031,405.00.

**NOW, THEREFORE, BE, AND IT IS, HEREBY, RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made as specified on the attached page in the amount of \$5,031,405.00; and
2. That said emergency temporary appropriations will be provided in the 2013 budget under the headings as specified on the attached page.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

ATTEST:

APPROVED:

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

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

Res13/2-19 BudgetTempEmerg-Current

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTION REQUESTING APPROVAL FOR AUTHORIZING  
AN EMERGENCY TEMPORARY APPROPRIATION  
IN ACCORDANCE WITH N.J.S.A. 40A:4-20  
SEWER UTILITY**

**WHEREAS** an emergent condition has arisen due to the anticipated delay in the adoption of the 2013 Budget, and adequate provision has not been made in the 2013 Temporary Budget for the appropriations specified on the attached page; and

**WHEREAS** the total emergency temporary resolutions adopted in fiscal year 2013 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$2,545,581.00.

**NOW, THEREFORE, BE, AND IT IS, HEREBY, RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made:  
Other Expenses \$2,545,581.00; and
2. That said emergency temporary appropriations will be provided in the 2013 budget under the headings as specified on the attached page.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

ATTEST:

APPROVED:

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

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

Res13/2-19 BudgetTempEmerg-Sewer

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTION REQUESTING APPROVAL FOR AUTHORIZING  
AN EMERGENCY TEMPORARY APPROPRIATION  
IN ACCORDANCE WITH N.J.S.A. 40A:4-20  
SWIM POOL UTILITY**

**WHEREAS** an emergent condition has arisen due to the anticipated delay in the adoption of the 2013 Budget, and adequate provision has not been made in the 2013 Temporary Budget for the appropriations specified on the attached page; and

**WHEREAS** the total emergency temporary resolutions adopted in fiscal year 2013 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$130,000.00.

**NOW, THEREFORE, BE, AND IT IS, HEREBY, RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made:
 

Salaries and Wages	\$50,000
Capital Outlay	\$30,000
Debt Service	\$50,000; and
2. That said emergency temporary appropriations will be provided in the 2013 budget under the headings as specified on the attached page.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

ATTEST:

APPROVED:

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

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

Res13/2-19 BudgetTempEmerg-Pool

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

**RESOLUTION AUTHORIZING THE EXECUTION OF THE CONSENT JUDGMENT FOR THE SETTLEMENT WITH THE STATE PLAINTIFF'S IN THE CIVIL ACTION ENTITLED NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION V. OCCIDENTAL CHEMICAL CORPORATION, ET AL.**

Motion Entire Council Second Entire Council

**WHEREAS**, the Township of Clark has been involved in an extensive litigation in the matter of the NJDEP v. Occidental Chemical Corporation, et al., Docket Number ESX-L-9868-05 (PASR); and

**WHEREAS**, certain Third-Party Defendant municipalities, and municipal utilities authorities, including the Township of Clark, are members of a group known as the Municipal Joint Defense Group in the Litigation; and

**WHEREAS**, the Municipal Joint Defense Group on behalf of its members engaged in settlement negotiations with the State of New Jersey ("State Plaintiffs") towards the resolution of the Litigation through the entry of a Consent Judgment; and

**WHEREAS**, the parties have substantially settled the Litigation, and are presently submitting the Consent Judgment for the Court's approval; and

**WHEREAS**, the terms of the settlement require the Township of Clark to execute the Consent Judgment prior to the Consent Judgment being published in the New Jersey Register in accordance with the terms of the proposed Order; and

**WHEREAS**, the terms of the settlement require the Township of Clark to adopt a resolution authorizing its participation in the settlement and authorizing the payment of the sum of \$95,000 representing the Settlement Funds as that term is defined by the Consent Judgment on or before March 23, 2013;

**WHEREAS**, a copy of the Consent Judgment is on file in the Clerk's office and is incorporated by reference hereto;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, that is hereby authorized and directed to sign the signature pages of the Consent Judgment, and authorizes the payment of \$95,000 settlement amount, when due, in the manner prescribed for in the Consent Judgment.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC  
Township Clerk

PATRICK O'CONNOR  
Council President

TOWNSHIP OF CLARK

8

Resolution \_\_\_\_\_  
February 19, 2013

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** a Municipal Right of Way Permit for driveway repairs was issued to the prior owner of 302 Valley Road on May 4, 2011; and

**WHEREAS** a Performance Bond in the amount of \$250.00 was deposited with the Township by the prior owner; and

**WHEREAS** the driveway was inspected twice in May of 2011 and failed to comply with Township Standards in both instances; and

**WHEREAS** to avoid obstructing the sale of the residence, the Township required the previous owner to deposit an additional Bond in the amount of \$1,000.00 to ensure the issuance of a Continuing Certificate of Occupancy and in the event that repairs were not completed the bond could be utilized for the Township to correct the deficiency.

**NOW THEREFORE BE IT RESOLVED** that authorization is hereby granted to forfeit the \$250.00 deposit and the additional bond in the amount of \$1,000.00 from the Escrow Fund to the General Trust Fund for the repair of said driveway located at 302 Valley Road.

ATTEST:

APPROVED:

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

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

Res13/2-19Driveway302ValleyRd

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

February 19, 2013

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** effective January 1, 2013 all of the assets of Great Northern Recycling, Inc. including all trucks, containers and support vehicles merged into Giordano Company, Inc., a licensed solid waste hauler collector holding license #SW-470; and

**WHEREAS** Great Northern Recycling, Inc. holds a contract in effect until December 31, 2013 with the Township of Clark to service the recycling needs of the community; and

**WHEREAS** Giordano Company, Inc. agrees to be bound by all the terms and conditions of the contract and seeks a formal assignment of the contract from Great Northern Recycling, Inc. to Giordano Company, Inc.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby assigns the current recycling contract to Giordano Company, Inc.

ATTEST:

APPROVED:

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

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

Res13/2-19AssignRecyclingGiordano

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

10

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_  
February 19, 2013

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** Union Council No. 8, I.F.P.T.E., AFL-CIO, representing Blue Collar Employees have completed their salary negotiations for the years 2010 through December 31, 2017; and

**WHEREAS** the Township entered into an agreement with Union Council No. 8 on January 30, 2013 for the period beginning January 1, 2013 through December 31, 2017.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby ratifies the agreement between the Township and Union Council No. 8 representing Blue Collar Employees and directs the Administration to implement the new salary schedule retroactive to January 1, 2013.

ATTEST:

APPROVED:

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

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

Res13/2-19RatifyBlueCollarAgreement

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Kazanowski	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____

//

Motion \_\_\_\_\_ Second \_\_\_\_\_

**RESOLUTION OPPOSING A-1196**

**WHEREAS** Public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and

**WHEREAS** New Jersey's current Workers' Compensation law is already one of the broadest in the country; and

**WHEREAS** A-1196 as currently written will make it almost impossible to contest claims from injuries and illnesses caused off-the-job; and

**WHEREAS** This bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension did not occur on the job; and

**WHEREAS** The actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that A-1196 could easily double municipal Workers' Compensation expense of \$400 million per year; and

**WHEREAS** The MEL has offered to sit down with the supporters of this legislation to develop less expensive ways of improving the compensation to first responders.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that the legislature be urged to reject A-1196 and urges the supporters of this legislation to work with the MEL and representatives of other units of government to develop less expensive ways to improve compensation to first responders.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall send copies of this resolution to the Senate President, Assembly Speaker, members of the legislative delegation representing the municipality, and the Governor.

ATTEST:

APPROVED:

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

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

Res13/2-19MELJIFopposeA-1196

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____

Motion \_\_\_\_\_ Second \_\_\_\_\_

**BE IT RESOLVED** by the Clark Swimming Pool Utility that the 2013 Municipal Swimming Pool Utility rates and fees be set as follows:

<b>MEMBERSHIPS</b>	<b>CLARK RESIDENT</b>	<b>NON-RESIDENT</b>
FAMILY	360.00	525.00
GARWOOD RESIDENT FAMILY (Must show proof of affiliation with Clark Recreation and/or Clark Public Schools)		460.00
HUSBAND & WIFE	310.00	450.00
DOMESTIC PARTNERSHIP (as defined by Ch. 246 P.L.2003)	310.00	450.00
ONE PARENT & ONE CHILD	310.00	450.00
INDIVIDUAL	210.00	310.00
SENIOR CITIZEN (62 by June 1 <sup>st</sup> )	100.00	150.00
LATE FEE - SENIOR CITIZEN (after June 1 <sup>st</sup> )	20.00	20.00
LATE FEE (after June 1 <sup>st</sup> )	25.00	25.00
RETURNED CHECK FEE	35.00	35.00
LOST ID CARDS	15.00	15.00

**FEES - ALL MEMBERS**

SWIM LESSONS	50.00 First child 25.00 Second child
SWIM TEAM	25.00
GUEST FEES:	
WEEKDAYS (All ages)	7.00
HOLIDAYS AND WEEKENDS (Adults)	10.00

ATTEST:

APPROVED:

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

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

Res13/2-19PoolFees

Aye Nay Abstain Absent

Albanese	_____
Barr	_____
Kazanowski	_____
Mazzarella	_____
Smith	_____
Toal	_____
O'Connor	_____