

REORGANIZATION COUNCIL MEETING, 315 WESTFIELD AVE., CLARK NJ
January 5, 2026

The Reorganization Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 pm by Township Clerk, Edith L. Merkel acting as Council President Pro Tem who welcomed everyone

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION written by Fr. Bill Sheridan of Saint Agnes Church

Eternal God, we gather today at the very beginning of this new year of grace to offer our heartfelt thanks and to ask for blessings upon our gathering. We are grateful for the many gifts that you have lavished upon us. May we always respond generously to your call for us to use them on behalf of the common good. We ask your blessings, too, upon the elected officials of the township, its employees, and residents. May the coming year be one of happiness, health, and prosperity for all. We offer this prayer in your holy name. Amen.

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, The Leader, and Union County Local Source by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements, the Official Website of the Township <https://ourclark.com/> in compliance with P.L. 2025, c.72, effective March 1, 2026 and the proper filing of said Notice. Formal action may be taken at this meeting.

Reorganization meeting of the Township Council 2026 will commence

COUNCIL MEMBERS PRESENT:

ROLL CALL:

Present: Council Members Hoff, Hund, Mazzarella, Minniti, O'Connor, Smith, Toal

First Order of Business – Election of Council President

Township Clerk Edith Merkel opened the floor for nominations for Council President.

A motion to nominate Councilman William F. Smith as Council President made by Councilman Mazzarella, seconded by Councilwoman Hoff.

Township Clerk Edith Merkel called for additional nominations. There being none, nominations were closed.

Upon motion duly made by Councilman Mazzarella and seconded by Councilman Hund, the Council proceeded to a roll call vote on the nomination of Councilman William F. Smith as Council President.

Aye: Hoff, Hund, Mazzarella, Minniti, O'Connor, Smith, Toal

Reorganization Council Meeting January 5, 2026.....
Township Clerk Edith Merkel administered the Oath of Office to Council President William F. Smith.

Council President William F. Smith then assumed his place on the dais.

Council President Smith: extended New Year's greetings and welcomed those in attendance.

Election of Vice President

A motion to nominate Councilman Frank Mazzearella as Council Vice President was made by Councilman Hund and seconded by Councilman Hoff.

Council President Smith called for additional nominations. There being none, nominations were closed.

A motion to confirm the nomination was made by Councilman Toal and seconded by Councilwoman Hoff.

A roll call vote was taken on the nomination of Councilman Frank Mazzearella as Council Vice President.

Aye: Hoff, Hund, Mazzearella, Minniti, O'Connor, Toal, Smith

The Mayor administered the Oath of Office to Council Vice President Frank Mazzearella.

A motion to suspend the Regular Order of Business was made by Councilman O'Connor and seconded by Councilman Toal.

Laurie Sheldon was recognized for receiving the New Jersey Department of Health and Senior Services, Office of Emergency Medical Services, **2025 Lifetime Achievement Award for Volunteer EMS**, in honor of her decades of exemplary service and dedication.

A motion to resume the Regular Order of Business was made by Councilman Mazzearella and seconded by Councilman O'Connor.

Mayor's Appointments (Confirmation by Council required by resolution)
Terms of appointments shall run concurrently with the Mayor unless otherwise stated.

Resolution 26-01

WHEREAS the Mayor of the Township of Clark has appointed Albert E. Cruz, Esq., of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Warren, New Jersey 07059 as Director of the Department of Law; and

WHEREAS for such appointment to take effect, the advice and consent of the Township Council of the Township of Clark is necessary; and

WHEREAS the Township Council of the Township of Clark wishes to consent to the appointment of Albert E. Cruz, Esq., of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Clark hereby consents to the appointment of Albert E. Cruz, Esq., of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. as Director of the Department of Law.

Resolution 26-02

WHEREAS Mayor Angel Albanese has appointed the following individuals as Members of the Library Board of Trustees.

Cynthia Seng	Regular Member	01/01/26 – 12/31/30
Jessica Hoff	Mayor’s Alternate	01/01/26 – 12/31/26
Carla Wagner	Superintendent’s Alternate	01/01/26 – 12/31/26

WHEREAS these appointments require the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby confirms the above-mentioned appointments to the Library Board of Trustees.

A motion to confirm Resolutions No. 1 and No. 2, the Mayor’s Appointments, was made by Councilman Hund and seconded by Councilman Mazzarella.

Council President Smith directed the roll call vote.

Aye: Hoff, Hund, Mazzarella, Minniti, O’Connor, Toal, Smith

Mayor’s Appointments (Without confirmation of Council)

<u>Local Emergency Management Council</u>	1-year term	01/01/26 – 12/31/26
Michael Nenortas	Emergency Management Coordinator	
Adam Nenortas	Deputy EM Coordinator	
Angel Albanese	Mayor/Public Information Officer	
James F. Ulrich	Business Administrator	
Patrick O’Connor	Council Liaison	
Director Patrick Grady	Police Department	
Capt. Christian Lott	Police Department	
Capt. Miguel Acabou OIC	Police Department	
Frank Cerasa	Fire Chief	
Laurie Sheldon	Emergency Medical Coordinator	

David DeRosa	Health Officer
Scott McCabe	Supervisor Public Works
Elizabeth Clee	Director of Communications & Business Development
Jeff Regan	Communications Officer
Ralph Bernardo	Director of Senior Citizens
Megan Kociolek	Library Director
Edward Grande	Superintendent, Clark Public Schools
Brendan Sullivan	Director of Security, Clark Public Schools
Richard O'Connor	Township Engineer
Albert Cruz, Esq.	Township Attorney
Dr. Kamran Tasharofi	Township Doctor

Planning Board

Mayor Angel Albanese	Class I Member	1-year term	01/01/26 – 12/31/26
James F. Ulrich	Class II Member	1-year term	01/01/26 – 12/31/26
Eric Gerstner	Class IV Member	4-year term	01/01/26 – 12/31/29

Environmental Commission

Edward Dubroski	Regular Member	3-year term	01/01/26 – 12/31/28
Martha Kamichoff	Regular Member	3-year term	01/01/26 – 12/31/28

Union County Transportation Advisory Board

Christie Vieira	1-year term	01/01/26 – 12/31/26
James F. Ulrich, Alternate	1-year term	01/01/26 – 12/31/26

Union County Utilities Authority Solid Waste Advisory Board

Council Member Brian Toal	1-year term	01/01/26 – 12/31/26
Council Member Frank Mazzarella, Alternate	1-year term	01/01/26 – 12/31/26

Union County Community Development Revenue Sharing Committee (Public Improvements)

Council Member Jessica Hoff	Regular Member	1-year term	01/01/26 – 12/31/26
Mayor Angel Albanese	Alternate	1-year term	01/01/26 – 12/31/26

Traffic Advisory Board 1-year term 01/01/26 – 12/31/26

Police Director Patrick Grady
 Office in Charge, Police Captain Miguel Acabou OIC
 Police Captain Christian Lott
 Angel Albanese, Mayor
 James F. Ulrich, Business Administrator
 Richard O'Connor, Engineer
 Edward Grande, Superintendent Clark Public Schools

CITIZEN HEARING ON THE AGENDA:

The public comment portion of the meeting is to allow the public to bring to the Council's attention their concerns or comments. In accordance with N.J.S.A. 10:4-12(a) and the Code of the Township of Clark, each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in

Council President Smith opened the Citizen Hearing on the Agenda

John Greaves, Clark Resident:

Question was raised regarding the ordinance establishing the Human Resources Department, specifically requesting clarification on the total budgeted amount for the three proposed positions.

Seeing no further comments, the public comment period is now closed.

A motion for adjournment was made by Councilman Toal, seconded by Councilman Hoff

Council President Smith directed roll call:

Aye: Hoff, Hund, Mazzarella, Minniti, O’Connor, Toal, Smith

APPOINTMENTS BY THE DIRECTOR OF LAW

Jon-Henry Barr Esq.	Chief Municipal Prosecutor	01/01/26 – 12/31/26
Robert J. Pansulla Esq.	Alternate Prosecutor	01/01/26 – 12/31/26
Jared B. Weiss Esq.	Public Defender	01/01/26 – 12/31/26

CONSENT AGENDA RESOLUTIONS

The following resolutions #26-3 through #26-47 are considered routine and non-controversial items by the Township Council and will be enacted upon by one motion. There will be no separate vote on these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda to be discussed and voted on, following the approval of the remaining items listed on the Consent Agenda.

Professional Services

(Awarded through a fair and open process)

Resolution 26-03

WHEREAS, there exists a need for professional auditing services for the Township of Clark, including the annual audit of the Township’s financial statements, preparation of the Annual Financial Statement, and related reporting as required by law; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for auditing services were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Scott Clelland, CPA, RMA of PKF O'Connor Davies, LLP, 20 Commerce Drive, Suite 301, Cranford, New Jersey 07016**, based upon the firm's experience in municipal auditing, familiarity with State and federal reporting requirements, and the qualifications set forth in its submission; and

WHEREAS, the total engagement fee for said services shall not exceed **\$91,400**, which amount includes the annual audit services, preparation of the Annual Financial Statement, required audit reports and schedules, and audit services performed in accordance with Uniform Guidance and State OMB Circular 25-12 **only if applicable**; and

WHEREAS, in the event that the Uniform Guidance and State OMB Circular 25-12 audit is **not required** for the applicable audit year, the maximum allocation of **\$8,000** attributable to such services shall be **reduced accordingly**, consistent with the Request for Qualifications; and

WHEREAS, the Township further authorizes reimbursement of reasonable and necessary out-of-pocket expenses incurred in connection with said services, in an amount not to exceed **\$1,000**; and

WHEREAS, the total amount authorized for auditing services and reimbursable expenses shall therefore not exceed **\$92,400** for the applicable audit year; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Finance: Special Services Account #6-01-20-130-201

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for auditing services for calendar year 2026 is hereby awarded to **PKF O'Connor Davies, LLP, 20 Commerce Drive, Suite 301, Cranford, New Jersey 07016**, in accordance with the Township's 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall not exceed **\$91,400** for professional auditing services, inclusive of Uniform Guidance and State OMB Circular 25-12 services only if applicable, together with authorized reimbursable out-of-pocket expenses not to exceed **\$1,000**, for a total amount not to exceed **\$92,400**, all as set forth in the Township's 2026 Request for Qualifications; and

BE IT FURTHER RESOLVED that compensation shall be billed in accordance with the scope and rates outlined in the Township's 2026 Request for Qualifications, and the Township shall not be obligated to assign any additional services beyond those expressly authorized herein; and

BE IT FURTHER RESOLVED that any services requested or required outside the scope of the said stated services shall be subject to **separate authorization by the Governing Body**, including approval of an **estimated amount not to exceed by resolution**, prior to the performance of such services; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-04

WHEREAS, there exists a need for professional engineering services for the Township of Clark, including routine and customary engineering services associated with municipal operations, regulatory compliance, review of applications and plans, attendance at meetings, and related advisory services; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for engineering services were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Richard O’Connor, PE of Grotto Engineering, 77 Brant Avenue, Suite 105, Clark, New Jersey 07066**, based upon the firm’s municipal engineering experience, familiarity with Township infrastructure and regulatory requirements, and the qualifications set forth in its submission; and

WHEREAS, the proposed scope of services under this appointment is limited to routine and customary engineering services, to be provided on an as-needed basis, at the rates set forth in the Township’s 2026 Request for Qualifications; and

WHEREAS, the total compensation authorized for routine and customary engineering services shall not exceed \$84,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Engineering Misc Other Expenses Account #6-01-20-165-224.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Township Engineer for calendar year 2026 is hereby awarded to **Grotto Engineering, 77 Brant Avenue, Suite 105, Clark, New Jersey 07066**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for routine and customary engineering services shall be on an as-needed basis at the rates set forth in the 2026 Request for Qualifications, not to exceed \$475,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that any additional or special project services required or requested by the Governing Body and outside the scope of routine and customary engineering services shall be subject to separate authorization by the Governing Body, including approval of an estimated amount not to exceed by resolution, together with certification of available funds by the Chief Financial Officer, prior to the performance of such services; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-05

WHEREAS, there exists a need for professional planning services for the Township of Clark, including routine and customary municipal planning services, advisory services related to land use and zoning matters, review of applications and plans, attendance at meetings, and related planning services; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for planning services were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Paul Ricci, AICP, PP of Ricci Planning, 177 Monmouth Avenue, Atlantic Highlands, New Jersey 07716**, based upon the firm’s municipal

Reorganization Council Meeting January 5, 2026..... 9
planning experience, familiarity with Township land use regulations, and the qualifications set forth in its submission; and

WHEREAS, the proposed scope of services under this appointment is limited to routine and customary planning services, to be provided on an as-needed basis, at the rates set forth in the Township’s 2026 Request for Qualifications; and

WHEREAS, the total compensation authorized for routine and customary planning services shall not exceed \$20,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Planning Board: Special Services Account #6-01-21-180-201

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Township Planner for calendar year 2026 is hereby awarded to **Ricci Planning, 177 Monmouth Avenue, Atlantic Highlands, New Jersey 07716**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for routine and customary planning services shall be on an as-needed basis at the rates set forth in the 2026 Request for Qualifications, not to exceed \$20,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that any additional or special project services required or requested by the Governing Body and outside the scope of routine and customary planning services shall be subject to separate authorization by the Governing Body, including approval of an estimated amount not to exceed by resolution, together with certification of available funds by the Chief Financial Officer, prior to the performance of such services; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-06

WHEREAS, there exists a need for a Township Attorney to serve as general legal counsel to the Township of Clark, including providing legal advice to the Governing Body, preparing and reviewing ordinances, resolutions, contracts, and other legal documents, attending meetings, and representing the Township in legal matters as required; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of Township Attorney were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, with Albert Cruz, Esq. serving as Township Attorney, based upon his extensive municipal law experience, prior service as Planning Board Attorney, and the firm’s depth of municipal legal resources; and

WHEREAS, the proposed compensation for said “routine” services shall consist of an annual retainer in an amount not to exceed of \$60,000, payable in monthly installments of \$5,000, all in accordance with the Township’s Request for Qualifications, for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Township Attorney for calendar year 2026 is hereby awarded to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall consist of an annual retainer of an amount not to exceed of \$60,000, payable in monthly installments of \$5,000, with hourly rates for non-routine matters as set forth in the 2026 Request for Qualifications, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that, in the event legal services outside the scope of the “routine” services covered by the annual retainer are **identified or anticipated**, such “non-routine” services shall be subject to **separate authorization by the Governing Body**, including approval of an

Reorganization Council Meeting January 5, 2026..... 11
estimated amount not to exceed by resolution, with compensation to be billed at the hourly rates set forth in the Township's 2026 Request for Qualifications; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law

Resolution 26-07

WHEREAS, there exists a need for Labor Relations Counsel to represent the Township of Clark in connection with labor relations matters, including collective negotiations, contract administration, disciplinary actions, grievance arbitration, interest arbitration, and related employment and labor law matters; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township's official website; and

WHEREAS, qualification submissions for the position of **Labor Relations Counsel** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, with Richard Flaum, Esq. serving as Labor Relations Counsel, based upon his demonstrated experience representing the Township in labor relations matters and his familiarity with the Township's labor environment; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township's 2026 Request for Qualifications, including an hourly rate of \$200, not to exceed the total contract amount of \$40,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Labor Relations Counsel for calendar year 2026 is hereby awarded to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$40,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-08

WHEREAS, there exists a need for Bond Counsel to provide legal services to the Township of Clark in connection with the issuance of municipal bonds and notes, including the preparation and review of bond ordinances and resolutions, opinions as to the validity and tax-exempt status of municipal debt, and related financial and legal matters; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of **Bond Counsel** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Steven L. Rogut, Esq. of Rogut McCarthy LLC, 37**

Reorganization Council Meeting January 5, 2026..... 13
Alden Street, Cranford, New Jersey 07016, based upon the firm’s extensive experience in municipal debt issuance, long-standing service to the Township, and demonstrated ability to provide reliable and effective bond counsel services; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the rates set forth in the Township’s 2026 Request for Qualifications and the firm’s submission, not to exceed the total contract amount of \$15,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient Capital Account funds by the Chief Financial Officer, subject to the adoption of each 2026 Bond Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Bond Counsel for calendar year 2026 is hereby awarded to **Rogut McCarthy LLC, 37 Alden Street, Cranford, New Jersey 07016**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the rates set forth in the 2026 Request for Qualifications, not to exceed \$15,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-09

WHEREAS, there exists a need for Special Legal Counsel to represent the Township of Clark in connection with civil rights litigation, tort claims, and related matters, including matters involving law enforcement and municipal liability; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of **Special Legal Counsel – Civil Rights / Tort Claims** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, with **Richard Guss, Esq.** serving as Special Legal Counsel for Civil Rights and Tort Claims matters, based upon the firm’s demonstrated experience in federal and state civil rights litigation, tort defense, and prior representation of the Township in police-related liability matters; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township’s 2026 Request for Qualifications, including an hourly rate of \$200, not to exceed the total contract amount of \$50,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Special Legal Counsel – Civil Rights / Tort Claims for calendar year 2026 is hereby awarded to DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059, with Richard Guss, Esq., in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$50,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-10

WHEREAS, there exists a need for Special Legal Counsel to represent the Township of Clark in connection with special litigation matters, including police and law enforcement–related litigation, advisory matters, internal affairs issues, and other matters involving municipal and law enforcement liability; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a **fair and open process** in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of **Special Legal Counsel – Special Litigation / Police & Law Enforcement Matters** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, with **Richard Guss, Esq.** serving as Special Legal Counsel for Special Litigation and Police & Law Enforcement matters, based upon the firm’s demonstrated experience in police-related litigation, civil liability matters, and prior representation of the Township in law enforcement matters; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township’s 2026 Request for Qualifications, including an hourly rate of \$200, not to exceed the total contract amount of \$25,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to **N.J.S.A. 40A:11-5(1)(a)(i)** as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Special Legal Counsel – Special Litigation / Police & Law Enforcement Matters for calendar year 2026 is hereby awarded to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17,**

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$25,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-11

WHEREAS, there exists a need for Special Legal Counsel to represent the Township of Clark in connection with affordable housing matters, including compliance with the Fair Housing Act, Round 4 affordable housing obligations, certification, reporting, negotiations, litigation, and related filings with the Fair Share Housing Center and State agencies; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township's official website; and

WHEREAS, qualification submissions for the position of **Special Legal Counsel – Affordable Housing (COAH / Fair Share Housing)** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Jeffrey Surenian, Esq. of Surenian, Edwards, Buzak & Nolan LLC, 311 Broadway, Suite A. Point Pleasant Beach, NJ 08742**, based upon the firm's extensive experience in affordable housing law and its prior service to the Township during the Round 4 affordable housing process, including securing agreements with the Fair Share Housing Center; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township's 2026 Request for Qualifications, including rates of \$250 per

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Housing Trust Account #T-18-56-250-101.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Special Legal Counsel – Affordable Housing (COAH / Fair Share Housing) for calendar year 2026 is hereby awarded to Surenian, Edwards, Buzak & Nolan LLC, 311 Broadway, Suite A. Point Pleasant Beach, NJ 08742 in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that this appointment shall supersede and replace any prior resolutions, agreements, or appointments authorizing professional services for Special Legal Counsel – Affordable Housing (COAH / Fair Share Housing); and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$10,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-12

WHEREAS, there exists a need for Special Legal Counsel to represent the Township of Clark in matters involving the State of New Jersey, including representation before State agencies, the New Jersey Attorney General’s Office, and other State departments, boards, and commissions; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of **Special Legal Counsel – State of New Jersey Matters** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Mark Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 N Avenue E, Cranford, New Jersey 07016**, based upon the firm’s demonstrated experience interacting directly with State agencies, including the New Jersey Attorney General’s Office, and its familiarity with State-level legal matters affecting municipalities; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township’s 2026 Request for Qualifications, including hourly rates of \$200 for attorneys and \$50 for paralegal and secretarial support, not to exceed the total contract amount of \$10,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Special Legal Counsel – State of New Jersey Matters for calendar year 2026 is hereby awarded to **Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 N Avenue E, Cranford, New Jersey 07016**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$10,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-13

WHEREAS, there exists a need for **Workers’ Compensation Counsel** to represent the Township of Clark in connection with workers’ compensation claims, including appearances before the Division of Workers’ Compensation, settlement negotiations, hearings, and related litigation matters; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of Workers’ Compensation Counsel were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Mark Dugan, Esq. and Marc Sposato, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 N Avenue E, Cranford, New Jersey 07016**, based upon the firm’s demonstrated experience in workers’ compensation matters and its prior service to the Township; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township’s 2026 Request for Qualifications, including hourly rates of \$200 for attorneys and \$50 for paralegal and secretarial support, not to exceed the total contract amount of **\$10,000 for calendar year 2026**; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Workers’ Compensation Counsel for calendar year 2026 is hereby awarded to **Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 N Avenue E, Cranford, New Jersey 07016**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed **\$10,000 for calendar year 2026**, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-14

WHEREAS, there exists a need for Tax Appeal Counsel to represent the Township of Clark in connection with real property tax appeals, including matters before the County Board of Taxation, the New Jersey Tax Court, settlement negotiations, and related tax litigation matters; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of **Tax Appeal Counsel** were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **Martin Allen, Esq. of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, based upon the firm’s extensive experience in tax appeal litigation and the specialized expertise of its tax appeal practitioners; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates set forth in the Township’s 2026 Request for Qualifications, including rates of \$200 per hour for partners and \$175 per hour for associates, not to exceed the total contract amount of \$25,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Assessment: Tax Appeals/Appraisals Account #6-01-20-150-250.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Tax Appeal Counsel for calendar year 2026 is hereby awarded to **DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Boulevard, Suite 17, Warren, New Jersey 07059**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$25,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

Resolution 26-16

WHEREAS, the Township of Clark issued a Request for Proposals (RFP) for Information Technology and Network Support Services pursuant to the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq.; and

WHEREAS, the RFP provided for an initial two-year contract term, with the option for the Township to exercise three (3) one-year renewal terms, at the same prices and under the same terms and conditions, subject to Governing Body approval; and

WHEREAS, proposals were received and evaluated in accordance with the criteria and weighting published in the RFP, and the Business Administrator, acting as Evaluator, prepared a written evaluation report and recommendation of award; and

WHEREAS, the evaluation report was made available to the public at least forty-eight (48) hours prior to award, in accordance with N.J.A.C. 5:34-4.3(f) and the Open Public Meetings Act; and

WHEREAS, based upon the evaluation, the Business Administrator recommended award of the contract to **LawSoft, Inc.**, whose address is **8 Woodlot Road, Bloomingdale, New Jersey 07403**; and

WHEREAS, the Governing Body has reviewed the evaluation report and finds that LawSoft, Inc. submitted the most advantageous proposal, price and other factors considered, and that award of this contract is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, as follows:

1. The contract for Information Technology and Network Support Services is hereby awarded to LawSoft, Inc., 8 Woodlot Road, Bloomingdale, New Jersey 07403, pursuant to the competitive contracting provisions of N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq.
2. The award is for an initial two-year contract term, commencing January 1, 2026 through December 31, 2027, in accordance with the RFP and the proposal submitted by LawSoft, Inc.
3. The contract amount shall not to exceed \$11,246.00 per month, for services as set forth in the RFP.
4. Funding for Calendar Year 2026 is subject to the certification of funds by the Chief Financial Officer and the adoption of the 2026 Municipal Budget in Communications: Special Services Account #6-01-20-101-201 and funding for subsequent years shall be subject to appropriation and certification as required by law.
5. The RFP provides that the Township may, at its sole option, exercise up to three (3) one-year renewal terms, which shall be authorized, if exercised, by subsequent resolution of the Governing Body upon completion of the initial contract term, at the prices and terms set forth in the RFP.
6. Any services or costs outside of the regular monthly services described herein shall be as set forth in the RFP and shall require the issuance of a separate purchase order with prior certification of funds by the Chief Financial Officer.
7. The Business Administrator is hereby authorized to finalize and execute the contract and any related documents, subject to review and approval by Township Counsel and the Chief Financial Officer.

Resolution 26-17

WHEREAS, there exists a need for construction and general building contractors who specialize in maintenance and construction services in order to call upon such contractors as needed for miscellaneous projects, including but not limited to painting, plumbing, electrical work, building renovations and maintenance, fencing, and other miscellaneous rehabilitation projects; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.5, Requests for Qualifications (RFQs) were solicited through a **Fair and Open Process**, as advertised on the Official Website of the Township of Clark; and

WHEREAS, RFQ submissions were received from qualified contractors seeking inclusion on the Township’s **On-Call General Contractor and Facilities Maintenance Contractors List**, and were publicly opened on **December 16, 2025** at 10:00 a.m.; and

WHEREAS, the **Business Administrator** has reviewed all submissions required by the RFQ and has determined that the respondents listed below are qualified and responsible and recommends their placement on the Township’s On-Call Contractors List for calendar year 2026; and

WHEREAS, the RFQ provides for an initial contract term of one (1) year, with the option for the Township to extend the contract for one (1) additional one-year term pursuant to **N.J.S.A. 40A:11-15**, subject to Governing Body approval by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that the following contractors are hereby awarded placement on the Township’s **On-Call General Contractor and Facilities Maintenance Contractors List** for an **initial one (1) year term commencing January 1, 2026 and ending December 31, 2026**, in accordance with the RFQ and applicable law:

M&M Construction Company, Inc.,
33 Commerce Drive, Cranford, New Jersey 07016;

Ochoa Enterprises, LLC,
15 Carmer Avenue, Belleville, New Jersey 07109;

GPC, Inc.,
20 East Willow Street, Millburn, New Jersey 07041;

Lenny’s Plumbing & Heating, Inc.,
27 Devon Lane, Clark, New Jersey 07066;

RJT Electrical Contractors, Inc.,
133 Dorset Drive, Clark, New Jersey 07066;

Kobra Electric LLC,
7 Bartell Place, Clark, New Jersey 07066.

BE IT FURTHER RESOLVED that each contractor’s approved trade classifications and rate schedules are set forth in **Exhibit A**, attached hereto and made a part hereof, which reflects the qualifications, specialties, and pricing submitted pursuant to the RFQ.

BE IT FURTHER RESOLVED that this award authorizes placement on an on-call list only and does **not** guarantee any minimum amount of work; all services shall be provided on an as-needed basis and subject to the issuance of properly authorized work orders and purchase orders with certification of funds.

BE IT FURTHER RESOLVED that any extension of the contract beyond December 31, 2026 shall require approval by **separate resolution of the Governing Body**, in accordance with **N.J.S.A. 40A:11-15**.

BE IT FURTHER RESOLVED that all work performed under this resolution shall comply with applicable statutory thresholds, including public bidding requirements and prevailing wage laws, where applicable.

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to issue work orders as needed to the approved listed contractors in accordance with the RFQ and applicable law.

Council’s Appointments

Resolution 26-18

WHEREAS Christie Vieira has served as the Certified Finance Officer to ensure the continued oversight and management of municipal financial operations for the Township of Clark since July 21, 2025; and

WHEREAS in accordance with N.J.S.A. 40A:9-140.10 in every municipality there shall be a Certified Finance Officer appointed by the Governing Body of the municipality; and

WHEREAS Christie Vieira, as a Certified Finance Officer is qualified for the position of Certified Finance Officer in accordance with N.J.S.A. 40A:9-140.2.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Township Council of the Township of Clark, County of Union, New Jersey hereby re-appoint Christie Vieira to serve as the Certified Finance Officer for the Township of Clark for a four (4) year term, commencing January 1, 2026 until December 31, 2029.

Resolution 26-19

BE IT RESOLVED by the Governing Body of the Township of Clark that Nicole Castellucci is hereby appointed as Acting Township Clerk in the absence of Township Clerk Edith Merkel as the need may arise from time to time until December 31, 2026; and

BE IT FURTHER RESOLVED that the need may arise for an Alternate Acting Clerk due to the unforeseen and/or unavoidable absence of both Edith Merkel, Township Clerk and Nicole Castellucci, Acting Clerk; and

BE IT FURTHER RESOLVED by the Governing Body of the Township of Clark that Christina DePack is hereby appointed as Alternate Acting Township Clerk in the absence of both the Township Clerk, Edith Merkel and the Acting Township Clerk, Nicole Castellucci as the need may arise from time to time until December 31, 2026.

Resolution 26-20

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individuals are hereby appointed to the Planning Board effective January 1, 2026.

CLASS III MEMBER (Council’s Representative to Board)

Council Member James Minniti 01/01/26– 12/31/26

ALTERNATE I MEMBER

Matthew Siessel 01/01/26 – 12/31/27

Resolution 26-21

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby re-appointed as a Member of the Board of Adjustment

Regular Member

Term

Thomas E. Meade 01/01/2026 – 12/31/2029

Resolution 26-22

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby re-appointed as a Member of the Environmental Commission

Alternate I Member

Term

Fernando Fraga 01/01/2026 – 12/31/2027

Resolution 26-23

WHEREAS Mayor Angel Albanese has appointed the following individuals to the Union County Community Development Revenue Sharing Committee, Public Improvements Sub-committee effective January 1, 2026

Regular Representative (Public Improvements)

Term

Council Member Jessica Hoff 01/01/26 – 12/31/26
24 Colonial Drive
Clark, New Jersey 07066
jhoff@ourclark.com
908-612-1376

Alternate Representative

Mayor Angel Albanese
33 Victoria Drive
Clark, New Jersey 07066
mayor@ourclark.com
732-319-0234

01/01/26 – 12/31/26

WHEREAS the Township Council is the appointing authority for the Public Facilities Sub-committee of the Union County Community Development Revenue Sharing Committee.

Regular Representative (Public Facilities)

Term

Council Member Frank Mazzarella
1 Fairview Road
Clark, New Jersey 07066
fmazzarella@ourclark.com
732-574-9130

01/01/26 – 12/31/26

Alternate Representative

Council Member Brian Toal
116 Dorset Drive
Clark, New Jersey 07066
btoal@ourclark.com
732-388-9209

01/01/26 – 12/31/26

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby appoints the above-named individuals to the Public Facilities Sub-committee and acknowledges the mayor’s appointments to the Public Improvements Sub-committee as stated above.

Resolution 26-24

BE IT RESOLVED, on this fifth day of January 2026, by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that the appointment of James F. Ulrich as Insurance Fund Commissioner and Christie Vieira as Alternate Fund Commissioner for the New Jersey Municipal Self Insurers’ Joint Insurance Fund and is hereby authorized.

Resolution 26-25

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby appoints the following Members of the Municipal Alliance Committee from January 1 – June 30, 2026, in accordance with N.J.S.A. 26:2BB-9.

- Municipal Alliance Committee
- Andrew Calo - Coordinator
- Detective Brian Soos - Chairperson/Police Department Youth
- Tara Oliveira – Secretary/Arthur L. Johnson Principal
- Angel Albanese - Mayor
- Detective Mark DeTore - Dare Officer
- Ralph Bernardo - Citizen Representative/Recreation
- Kelly Gencarelli - Citizen Representative
- Emily Lambert - Citizen Representative
- Richard Delmonaco - Carl H. Kumpf Principal
- Joseph Beltramba - Valley Road Principal
- Stephen Kalblein - Student Assistant Coordinator
- Jamie Wronski - Student Assistant Coordinator
- Angela DeMarzo - Teen Center Youth Representative
- Ana Minniti – PTA Representative
- Rachael Yellen - PTA Representative
- Trish Malcolm - PTA Representative
- Jackie Sulikowski - PTA Representative
- Madeline Schmidtberg - Youth Representative
- Joaquin Nikolic - Youth Representative

Finance/Tax Resolutions

Resolution 26-26

BE IT RESOLVED the Township Council does hereby desire to enter into a Cash Management Plan for the Township of Clark pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for deposits, investment of certain public funds, and the assurance that all public funds identified herein are deposited in interest or dividend bearing accounts. (copy of plan to be made part of the resolution); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Clark at a meeting held on January 5, 2026 that the Chief Financial Officer be and hereby is authorized to utilize as depositories any banking institution which can provide a Government Unit Deposit Protection Act (GUDPA) Certificate issued by the State of New Jersey, Department of Banking.

THEREFORE, BE IT RESOLVED the designated officials authorized to make deposits and investments under the plan, are the Township Administrator, and the Township Chief Financial Officer.

THEREFORE, BE IT FURTHER RESOLVED the Township Council authorizes and directs the Chief Financial Officer and other officials to follow the Cash Management Plan as may be modified from time-to-time effective January 1, 2026 to December 31, 2026.

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK
IN THE COUNTY OF UNION, NEW JERSEY 2026**

1. STATEMENT OF PURPOSE.

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest or dividend bearing accounts or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the Maximum within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. CASH MANAGEMENT POLICY.

A. Objectives: The priority of investing policies shall be, in order of insure Descending Importance, security, liquidity, and yield.

1. Security: The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

2. Credit Risk: Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

- (a) Limiting investments to the safest types of securities.
- (b) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
- (c) Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

3. Interest Rate Risk: Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates.
Interest rate risk may be mitigated by:
 - (a) Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - (b) By investing operating funds primarily in shorter-term securities.
4. Liquidity: The investment portfolio must remain sufficiently liquid to meet all structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
5. Yield: The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions.
 - (a) A declining credit security could be sold early to minimize the loss of principal.
 - (b) A security swap would improve the quality, yield, or target duration in the portfolio.
 - (c) Liquidity needs of the local unit require that the security be sold.

B. Standard of Care

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with the State Law and this policy. The Chief Financial Officer, acting in accordance with written procedures and this cash management plan and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviation from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the cash management plan and policy.

Investments shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

2. Ethics and Conflicts of Interest

The designated officials involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of individuals involved in administering the cash management plan shall be governed by the Local Government Ethics Law. They shall disclose any personal financial/investments positions that could be related to the performance of the investment portfolio. The designated officials shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.

3. Delegation of Authority

Authority to manage the cash management plan is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A:5-14.

Responsibility for the operations of the cash management plan is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township (and any other that may be needed during the plan period).

- | | |
|----------------------|-----------------------------------|
| Current Fund | Dog License Fund |
| Capital Fund | Housing Development Fund |
| Insurance Trust Fund | Unemployment Insurance Trust Fund |
| Pool Utility Fund | Other Trust Fund |
| Sewer Utility Fund | |

And the following interest accounts:

- Payroll Agency Account

IV. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Township Administrator and the Chief Financial Officer are hereby jointly or severally authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

V. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan. The Chief Financial Officer may designate other institutions, during the period of this plan, as deemed necessary for successful accomplishment of the plan objectives:

- | | |
|-----------------|------------------------|
| TD Bank | Columbia Bank |
| Community Bank | Investors |
| Wells Fargo | Provident Savings Bank |
| Bank of America | Santander Bank |

Also, for purposes of investing, all institutions presenting a GUDPA certificate may be used. All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

VI. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Officials of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in the Plan as Permitted Investments or otherwise providing for Deposits. The Designated Officials of the Township referred to Section IV above may designate additional brokerage firms and/or dealers. All such brokerage firms and/or dealers shall acknowledge in writing receipts of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

Columbia Savings Bank

VII. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of American or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;
 - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (c.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;

- (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c236 (C.17:9-4 1); and
- (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposed of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940”, 15U.S.C. sec.80a-1 et seq., and operated in accordance with 17 C.F.R. sec270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
 - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisor Act of 1940”, 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act”, P.L. 1968, c410 (c.51:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure

and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer,

government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56 and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities

VIII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is not unauthorized use of the funds or the Permitted Investments or Deposits.

IX. BEST PRACTICES FOR WIRE TRANSFERS AND ACH PAYMENTS

- (1) **Review contracts with financial institutions** – Township of Clark’s legal counsel must review all agreements and be certain that the “presumptive liability” is placed on financial institutions that process wire transfers and ACH payments.
- (2) **Confirm receipts of Best Practices** – Township of Clark’s Chief Financial Officer has reviewed each of these practices and provides specific “no exception guidelines” as to wire transfer and ACH payment policy procedures.
- (3) **Include Best Practices in Annual Cash Management Plan** – Requires that Chief Financial Officer includes the entire Best Practices for Wire Transfer, ACH Payments, and Check

Issuance protocol as part of the Annual Cash Management Plan pursuant to N.J.S.A. 40A:5-14, which is required to be adopted annually by the governing body.

(4) Establish specific wire transfer and ACH payment requirements – Wire transfer payments are completed the same day while the ACH payments take 1-2 business days for the transaction to be completed. Banking institutions have indicated that ACH payments are more secure than wire transfers. The following requirements must be part of your wire transfer and ACH payments policy:

- a. The Chief Financial Officer, Assistant Treasurer, and Administrator are authorized individuals in the covered entity who are authorized to execute and confirm wire transfers and ACH payments, respectively. The Official with financial administrative rights that is tasked with this process is required to have an appropriate level of responsibility. The official will set up the wire transfer or the ACH payment and the other official, also with an appropriate level of responsibility will authorize the release of the wire or ACH payment directly with the bank utilizing a separate platform other than the electronic platform utilized to initiate the wire, i.e., Telephone, not an email on the same network.
- b. Free form wire transfers and ACH payments must be blocked in the banking system. Only wire where an approved wire or ACH template is authorized are allowed. Wire and ACH Template authorizations should go through the same approval process as noted in a. above, wherein Official 1 initiates and Official 2 confirms. Also, any changes to a template must be authorized using this same process. A wire transfer or ACH payment requires at least two forms of verification from the vendor bank before a transfer can be authorized. The verification should include: (i) multi-factor authentication for each authorized user; (ii) user verbal authorization and verbal confirmation using phone contact information on file, not the phone number in an email; and (iii) a limited email exchange to confirm the wire transfer. The additional factor(s) can be a text with a code sent to an authorized user's smartphone, a hard token, or biometrics. The email exchange shall never contain specific information relating to the actual contents of the transfer.
- c. For all wire/ACH transfer of funds, the following information is required:
 - i. Must create a template for all transactions.
 - ii. Name of person spoken to, including the recipient vendor title and telephone number.
 - iii. Name of the two individuals from the covered entity that verbally and in writing confirmed the authorization of the transfer, and the receiving bank information, including routing number, account number and dollar amount.
 - iv. Confirming telephone call to vendor/receiving entity verifying transfer authorization, receiving bank information including routing number, account number and dollar amount.
 - v. Memorialization of the transfer and confirmation of completion of the transaction.

- vi. Exception to the above is when a recurring transaction with an established template is transacted, steps iii-v will not have to be completed.
- d. Memorialization of each transfer/payment must be filed in the Finance Department and made available for audit.
- e. A detailed description of all wire transfers and ACH payments must be filed with the Finance Office.
- f. Verbally confirm or email confirm, within 24 hours, with receiving vendor/entity that the funds were credited to their account.
- g. The frequency of wire transfers restricted to infrequent or emergent matters, rather than for routine payments to vendors. The frequency of fraudulent transactions for wire transfers is far greater than for checks. Templates must be set up for wire transfers and ACH payments.
- h. The Chief Financial Officer places a dollar limit on wire transfers and ACH payments that is reasonable to your size entity but recognize when setting that limit that your coverage is limited to the maximum coverage of the crime policy and your entity will be responsible for any losses between the coverage limits and the wire limit you set.
- i. Establish on-line banking alerts for all wires & ACHs changes to a template. The online banking policy must include a requirement that the wire/ACH is not released until the recipient of the alert approves it.
- j. Covered entities are required to restrict all permissions on international wires. Authorized users are required to set up restrictions on the banking institution's on-line system.
- k. Each Chief Financial Officer must utilize blocks and alerts in their banking system to ensure that any transactions not specifically authorized will be flagged by the banking system, and the Chief Financial Officer must authorize each flagged transaction. Additionally, daily review of overnight transactions and balances to identify any unusual transactions or events is strongly recommended.
- l. Notify the bank and Chief Financial Officer/Treasurer/Responsible individual immediately if suspicious activity is detected.

X. CREDIT CARDS/DEBIT CARDS AND ELECTRONIC PAYMENTS

- A. N.J.S.A. 40A:5-43 et seq. and N.J.S.A.2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept electronic payments such as court-imposed obligations, or other valid municipal charges.
- B. All systems established for receipt of electronic payments are subject to the rules established by the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and N.J.A.C. 5:30-9.1 et seq. which are established by the Division of Local Government Services providing guidelines for local governments use and receipt of electronic payments.

- C. Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.
- D. Prior to any municipal agency utilizing a method of electronic payments, the Chief Financial Officer must have evaluated the process to ensure compliance with the rules and regulations and approved the accounting and control procedures to be utilized.

XI. RECEIPTS AND DISBURSEMENTS OF THE FUNDS OF THE TOWNSHIP OF CLARK

- A. All municipal funds received by any official or employees shall be deposited within 48 hours to accounts in the name of the Township of Clark. Additionally, funds can be received utilizing methods of electronic payment such as Electronic Funds Transfer (EFT) and/or Automated Clearing House (ACH).
- B. No municipal funds shall be disbursed by the Chief Financial Officer prior to the approval of the Business Administrator or Mayor except for:
 - a. Debt Service payments
 - b. Investments
 - c. Payroll and Payroll agency turnovers
 - d. School and County Tax payments
 - e. Purchases made by Procurement Cards
 - f. Refunds not otherwise required to be approved by the Business Administrator or Mayor
 - g. Payments deemed necessary by the Chief Financial Officer

Notification of the disbursements listed above not otherwise memorialized by resolution are to be provided at the next council meeting following payment.

- C. The Chief Financial Officer is authorized to designate employees who may, from time to time, initiate wire transfers. Only the Chief Financial Officer, Treasurer, or the Town Administrator may confirm wire transfers.
- D. Electronic Disbursement/Claimant Certification – In accordance with N.J.S.A. 40A:5-16(C), payments to vendors do not require Claimant Certification under certain circumstances, including but not limited to:
 - a. When payment to vendors is required in advance of the delivery of certain materials or services that cannot be obtained from any other source at comparable prices; or
 - b. When ordering, billing and payment transactions for goods or services are made through a computerized electronic transaction; or
 - c. When claim or demand is less than a threshold as set by the Local Finance Board (the Bid threshold) and the certification is not readily obtainable by the contracting unit; but such exceptions shall not include reimbursement of employee expenses or payment for personal services.
- E. The Chief Financial Officer is authorized to electronically transmit paycheck across 24 pay periods to regular salaried employees of the Township of Clark at the rates approved by Mayor and Council.

XII. PROCUREMENT CARDS PROGRAM POLICY & PROCEDURES

The Township of Clark Procurement Card has been established to provide a convenient method to purchase goods and services. Only purchasing cards issued by a bank or major credit card provider with generally pre-established credit limit can be utilized.

N.J.S.A. 40A:5-16(C) and N.J.S.A. 5:30-9A; establishes specific circumstances which qualify the use of procurement card and are as follows:

- a) Comparable pricing is not otherwise obtainable for goods and services to be available at the time and place required.
- b) The cost of purchases is comparable to the cost available from other vendors who can provide the required goods and services in a timely manner.
- c) The vendor requires immediate payment AND the Chief Financial Officer has approved such use for a purchase from a particular vendor for a particular item.
- d) Purchase is from a “big box” or other store that does not accept vouchers, purchase orders or checks.

Purchasing Cards will not change or eliminate any provision of the Local Public Contracts Law and will be administered in accordance with the rules enumerated in N.J.S.A. 40A:5-16(C) notwithstanding the provisions of N.J.S.A. 40A:5-16(a) or N.J.A.C. 5:309A. 1 et seq.

Purchasing cards will only be distributed to select personnel, which shall be determined by the Chief Financial Officer. All authorized procurement card users will be required to complete training on the policies and procedures governing the use of the procurement card and shall complete and sign a contract of understanding that includes the financial and legal responsibility for misuse.

Procurement cards shall be issued in the name of a specific individual but under no circumstance shall be used to purchase personal property or services, including travel and dining expenses.

Limits on cards will be established by individual/title, amount, time, and category of usage permissible. An authorized procurement card user is prohibited from using their P-card to conduct personal business or for any circumstance that are not authorized in N.J.S.A. 40A:5-16(C) or N.J.A.C. 5:30-9A-1.

XIII. DESIGNATION OF AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS

N.J.S.A. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to pay any other purpose. The custodian of the following separate funds shall be the Chief Financial Officer. All disbursements shall be made by checks signed live or by facsimile signature of the Mayor, Business Administrator, Chief Financial Officer, and Treasurer or by electronic funds transfer.

XIV. FEES CHARGED BY THE OFFICE OF THE TAX COLLECTOR

- A. The Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of a delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2026, to be calculated from the date the tax or fee was due until the date of actual payment.
- B. The Collector or Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2026 until the date of actual payment.
- C. The grace period of ten (10) calendar days will be allowed for an installment of taxes, assessments, and sewer fees where payments will not be subject to interest charges as provided by Chapter 105, Public Laws of 1965.
- D. The Collector of Taxes is hereby authorized to sell all municipal delinquencies through December 31, 2026, in a manner prescribed by N.J.S.A. 54:5-19, and as amended by Chapter 99, Public Laws of 1977, at a date and time which the Tax Collector selects.
- E. If any check or draft received by the Tax Collector from any person or organization for the payment of taxes is dishonored after deposit for "insufficient funds" or for any other reason, the Tax Collector shall not redeposit such check or draft but shall notify such person or organization by letter of this dishonor and require a replacement check, draft, or cash to replace the amount of the check in addition to any interest that may accrue. A fee of \$20 shall be charged if the checked is returned for "insufficient funds". The Tax Collector shall not accept replacement payment until the fee of \$20 is paid.

XV. CLAIMANT'S CERTIFICATION RELATED TO DISBURSEMENTS

- A. Claimant's Certifications and Declarations are required for purchase orders for goods and services that equal or exceed the bid threshold set by the Local Finance Board.
- B. Claimant's Certifications and Declarations are not required for purchase orders for goods or services that are less than the bid threshold set by the Local Finance Board excluding advance or reimbursement of employee expenses, or for services provided exclusively and entirely by an individual (e.g., sole proprietors) as required under N.J.S.A. 40A:5-16(a) and N.J.A.C. 5:30-9A.6 and 5:31-4.
- C. Claimant's Certifications and Declarations are not required for purchase orders for goods or services where the vendor or claimant does not provide such certification as part of its normal course of business related to purchases from vendors such as WB Mason, Federal Express, UPS, SHI International Corporation and Amazon.
- D. Claimant's Certifications and Declarations are not required for purchase orders for goods or services from public utilities, energy, and water suppliers and overnight mail companies and for equipment leases including, but not limited to Federal Express, UPS, and Public Service.

E. Claimant’s Certifications and Declarations are not required when ordering, billing and payment transactions for goods or services made through a computerized election transaction.

TERM OF PLAN

This Plan shall be in effect from January 1, 2026 to December 31, 2026. Attached to this Plan is a resolution of the Governing Body of the Township approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Resolution 26-27

RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS FOR 2026

WHEREAS, N.J.S.A. 40A:4-19 provides that the Governing Body, by Resolution, may adopt a Temporary Budget to meet contract commitments during a new fiscal year; and

WHEREAS, the total appropriations for the Temporary Budget shall not exceed 35% of all appropriations made for all purposes in the 2025 budget, with the exclusion of appropriations made for Capital Appropriations and Debt Service; and

WHEREAS, the following appropriations are made to be effective as of January 1, 2026.

Current Fund	\$	11,351,000.00
Pool Utility	\$	147,000.00
Sewer Utility	\$	1,113,000.00

WHEREAS, all commitments made during the time period of the Temporary Budget must be included in the actual budget when adopted and certified to the State under N.J.S.A. 40A:4-5b.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark the County of Union, and the State of New Jersey that a Temporary Budget for 2026 is approved under N.J.S.A. 40A:4-19 pending adoption of the annual Budget as certified by the State.

Resolution 26-28

WHEREAS NJSA 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment of taxes and/or municipal fees as provided by law; and

WHEREAS NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey as follows:

1. The Tax collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and/or municipal fees becoming delinquent after due date and 18% per annum on any amount of taxes and/or municipal fees in excess of \$1,500.00 be delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency subject to any abatement or discount for the late payment of taxes and/or municipal fees as provided by law.
2. Authorize Tax Collector to sell prior years' delinquent taxes and/or municipal fees.
3. Effective January 1, 2026, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.
4. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.
5. This resolution shall be published in its entirety once in an official newspaper of the Township of Clark.
6. A certified copy of this resolution shall be provided by the Township Clerk to the Tax Collector, Township Attorney, and Township Auditor for the Township of Clark.

Resolution 26-29

AUTHORIZING THE TAX COLLECTOR TO CANCEL DELINQUENT PAYMENTS AND OVERPAYMENTS

WHEREAS N.J.S.A. 40A:5-17.1 authorizes the designation of an official to cancel, without further action on the part of the Governing Body, all delinquent tax, tax overpayments, delinquent sewer, and sewer overpayments of \$10.00 or less.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Loretta Caliguire, Tax Collector, is hereby designated as the official authorized to cancel delinquent payments and overpayments of \$10.00 or less as per N.J.S.A. 40A:5-17.1; and

BE IT FURTHER RESOLVED that a list of these cancellations be included in the Tax Collector's Annual Report.

Resolution 26-30

BE IT RESOLVED by the Governing Body of the Township of Clark that the funds of the Township of Clark be subject to withdrawal upon checks signed by any two of the following:

Mayor
Business Administrator
Chief Financial Officer

BE IT FURTHER RESOLVED that checks drawn upon the payroll account and agency account shall require the signature of any two of the following:

Mayor
Business Administrator
Chief Financial Officer

Resolution 26-31

BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers are hereby authorized and directed to effect transfers of 2025 Appropriation Reserves according to the following schedule.

2025 Budget Transfer Reserves

	To	From
Celebration of Public Events 5-01-30-420-223	8,000.00	
Police: S&W Overtime 5-01-25-240-102	44,075.00	
Insurance & Bonding 5-01-23-210-223		52,075.00
	<u>\$52,075.00</u>	<u>\$52,075.00</u>

Mandatory Resolutions

Resolution 26-32

WHEREAS, pursuant to N.J.S.A. 40:53-1 the governing body of every municipality may designate an official newspaper or newspapers for the publication of all advertisements and notices required by law to be published by the municipality; and

WHEREAS, the Governing Body of the Township of Clark finds and declares that the Union County Local Source, The Leader and the Star Ledger are among the newspapers that have the greatest likelihood of reaching the residents of Clark; and

WHEREAS, pursuant to P.L. 2025 c. 72, effective January 1, 2026, local governments must publish a public notice twice a month through December 31, 2026 providing the link to the municipality’s website in an online newspaper publication meeting the requirements as set forth in P.L. 2025, c. 72; and

WHEREAS, The Leader, online publication satisfies these requirements; and

WHEREAS, pursuant to P.L. 2025 c. 72, effective March 1, 2026, local governments must publish their legal notices on their official website.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark in the County of Union, State of New Jersey that the Union County Local Source, The Leader and the Star Ledger be designated as the 2026 Official Newspapers to which notices and other matters are to be provided under the Open Public Meetings Act (N.J.S.A. 10:4-6 to 10:21) and P.L. 2025, c.72, for the Township until February 28, 2026; and

BE IT FURTHER RESOLVED that pursuant to P.L. 2025, c. 72, effective March 1, 2026, the complete text of each legal notice of the Township of Clark, Union County, including the Boards, Commissions and the like may be obtained or viewed by the public on the official Township Internet Website: <https://www.ourclark.com/372/Public-Notices> and the website of the Secretary of State; and

BE IT FURTHER RESOLVED, that The Leader, online publication meets the requirements as set forth in P.L. 2025, c. 72 for the twice a month publication of the public notice commencing January 1, 2026 through December 31, 2026 to provide the link to the Township’s official website and the website of the Secretary of State once it is established.

Resolution 26-33

WHEREAS in accordance with N.J.A.C. 17:27-3.2 each public agency shall designate an individual to serve as its Public Agency Compliance Officer or **P.A.C.O.**; and

WHEREAS the **P.A.C.O.** is the liaison between the Division of Contract Compliance & Equal Employment Opportunity in Public Contracts (the Division) and the Public Agency and is the Public Agency point of contact for all matters concerning implementation and administration of the statute; and

WHEREAS the **P.A.C.O.** is also responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers; and

WHEREAS the service provider shall include but shall not be limited to goods and services vendors, professional service vendors, and construction contractors; and

WHEREAS the P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations; and

WHEREAS each year, all Public Agencies are required to submit the name, title, address, telephone number, fax, and e-mail address of the P.A.C.O. designated by the Public Agency to the Division no later than January 10th of each year; and

WHEREAS it is the responsibility of the Public Agency to update the P.A.C.O. designation at any time during the year if any changes are made.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby designates, James F. Ulrich, Business Administrator as the Public Agency Compliance Officer, effective January 1, 2026, for a period of one year ending December 31, 2026; and

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Department of the Treasury, Division of Contract Compliance & Equal Employment Opportunity in Public Contracts.

Resolution 26-34

A RESOLUTION TO AFFIRM THE TOWNSHIP OF CLARK’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS it is the policy of the Township of Clark to treat the public, employees, prospective employees, appointees, volunteers, and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the policy adopted April 20, 2015 (Resolution 15-58) continues in full force and effect as follows:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township’s business or using the facilities or property of the local Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that

receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment, and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment, and civil rights.

Section 4: The Business Administrator has established written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment, or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator has established written procedures that require all officials, employees, appointees, and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities, and rights pursuant to this resolution.

Section 7: The Business Administrator has established a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township’s web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township’s commitment to the implementation and enforcement of this policy.

Resolution 26-35

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Clark, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution 26-36

WHEREAS, pursuant to P.L. 2024, c.2, the Township of Clark is required to appoint a Municipal Housing Liaison for the oversight of administration of the Township of Clark’s affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Township of Clark has amended Chapter 66 entitled Affordable Housing, Section 15 entitled Administration to provide for the appointment of a Municipal Housing Liaison to administer the Township of Clark’s affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Clark, in the County of Union, and the State of New Jersey that James F. Ulrich is hereby appointed by the Governing Body of the Township of Clark as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 66, Section 15 of the Code of the Township of Clark.

Resolution 26-37

WHEREAS the Municipal Land Use Law and in particular N.J.S.A. 40:55D-53.2 authorizes the Township to offset the cost of professional fees incurred by it in connection with Township’s or its Administrative Boards’ review of application for development, the preparation of documents and the inspection of developments and improvements under construction; and

WHEREAS the fees or charges to be assessed in connection therewith shall be based upon a schedule to be established.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that in accordance with N.J.S.A. 40:55D-53.2 that the following 2026 fee schedule as the same may be periodically updated yearly, for in-house review of applications for development, review and preparation of documents, inspection of improvements or other charges authorized by the Municipal Land Use Law is hereby approved.

Plan Review, Site Inspection & Testing Fees

<u>Title Category</u>	<u>Name</u>	<u>Salary</u>	<u>Work Hours</u> <u>Rate</u>	<u>Hourly</u>
Township Engineer	Richard O'Connor Grotto Engineering Associates, LLC	-0-	As needed	As follows:
Principal		-0-	As needed	\$200.00
Project Manager		-0-	As needed	\$195.00
Licensed Professional Engineer/Surveyor or Planner		-0-	As needed	\$185.00
Senior Field Inspector		-0-	As needed	\$165.00
Senior Staff Engineer		-0-	As needed	\$135.00
Staff Engineer		-0-	As needed	\$125.00
Senior Engineering Technician		-0-	As needed	\$120.00
Engineering Technician/Survey Technician		-0-	As needed	\$110.00
Field Inspector		-0-	As needed	\$100.00
Junior Engineering Technician		-0-	As needed	\$ 85.00
Clerical		-0-	As needed	\$ 85.00
Reimbursable Items		-0-	As needed	At Cost
Professional Planner	Paul N. Ricci Ricci Planning	-0-	As needed	\$160.00
Planning Board Attorney	Alexander G. Fisher Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher, P.A.	-0-	As needed	\$205.00
Board of Adjustment	Kelly Carey Attorney	-0-	As needed	\$175.00
	Savo Schalk Corsini Warner Gillespie O'Grodnick & Fisher, P.A.			

Resolution 26-38

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes the Township Engineer to review, on behalf of the Township, and approve/endorse/sign, without further action of the Governing Body, applicable sewer applications to be submitted to the Rahway Valley Sewerage Authority and/or the New Jersey Department of Environmental Protection.

Purchasing Resolutions

Resolution 26-39

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO HOLMAN FENWICK ALLOTTI (HFA) CPA'S FOR QUALIFIED PURCHASING AGENT SERVICES

WHEREAS, the Township Council adopted Resolution 25-83 on April 21, 2025, appointing Joseph DeIorio as the Township's Qualified Purchasing Agent ("QPA") and authorizing the increase of the municipal bid threshold and delegation of contract award authority pursuant to N.J.S.A. 40A:11-3 and N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, it is the desire of the Township to maintain the increased bid threshold and ensure continued statutory purchasing compliance, promote competitive pricing, and achieve cost-efficient purchasing practices to minimize use of taxpayer dollars; and

WHEREAS, Holman Fenwick Allotti ("HFA") CPA's, 1985 Cedar Bridge Avenue, Suite 3, Lakewood, NJ 08701, employs and provides the professional services of the Township's appointed QPA — Joseph DeIorio — who performs the purchasing and contract administration functions on behalf of the Township through HFA; and

WHEREAS, HFA possesses the staffing, expertise, and resources to provide Qualified Purchasing Agent services through its employee, Joseph DeIorio, including oversight of purchasing operations, development of specifications, competitive solicitation of quotes and bids, and ensuring compliance with the Local Public Contracts Law and Pay-to-Play requirements; and

WHEREAS, the services to be provided are "professional services" and may be awarded as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the funds and Chief Financial Officer's certification are subject to the adoption of the 2026 Municipal Budget, in Finance: Special Services, account #6-01-20-130-201 and that the contract shall not exceed \$30,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that:

1. A Non-Fair and Open contract is hereby awarded to
 Holman Fenwick Allotti ("HFA") CPA's
 1985 Cedar Bridge Avenue, Suite 3, Lakewood, NJ 08701
 to provide Qualified Purchasing Agent services to the Township through its employee, Joseph DeIorio.
2. The total value of this contract shall not exceed \$30,000.00.
3. This award is made in connection with the authority previously granted to the Qualified Purchasing Agent under Resolution 25-83.

- 4. HFA shall submit a Business Entity Disclosure Certification and comply with the Pay-to-Play requirements under N.J.S.A. 19:44A-20.4 et seq.
- 5. The Township Clerk shall publish a notice of this contract award in accordance with N.J.S.A. 19:44A-20.5.

Resolution 26-40

WHEREAS Contracts between Pay-to-Play and Qualified Purchasing Agent Bid Thresholds, Sections 11 and 12 of the P.L. 2023, c. 30, known as the “Elections Transparency Act,” (the Act) amend N.J.S.A. 19:44A-20.4 and 20.5, respectively, to clarify that the governing body of a municipality or county (or any agency or instrumentality thereof) may delegate the authority to award a contract having an anticipated value in excess of \$17,500 but below the bid threshold of a Local Public Contracts Law contracting unit with a qualified purchasing agent (i.e. a “window contract”) to the QPA; and

WHEREAS N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS Joseph DeIorio possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS Joseph DeIorio was appointed on April 21, 2025 and reaffirmed on January 5, 2026, as the Qualified Purchasing Agent for the Township of Clark to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

WHEREAS the Township of Clark desires to take advantage of the delegation of authority to the QPA to award contracts with an anticipated value in excess of \$17,500 but below the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union, in the State of New Jersey that the Qualified Purchasing Agent is hereby authorized to award contracts having an anticipated value in excess of \$17,500 but below the bid threshold; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:34-5.2 the Township Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Joseph DeIorio’s certification to the Director of the Division of Local Government Services.

Resolution 26-41

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby authorize the Administration and/or Township Clerk to advertise for upcoming Bids, Requests for Proposals (RFPs), Requests for Qualifications (RFQs), and procurements utilizing Competitive Contracting where permitted by law and any other lawful solicitation or procurement method authorized under the Local Public Contracts Law and applicable regulations, for all necessary government operations including capital projects and swimming pool requirements for the year 2026.

Resolution 26-42

WHEREAS, pursuant to N.J.S.A. 40A:11-12, contracting units are authorized to purchase materials, supplies, equipment, and eligible services under contracts awarded by the State of New Jersey Division of Purchase and Property without the necessity of advertising for bids; and

WHEREAS, the Township of Clark has in the past availed itself of the right to purchase under such State contracts when it is in the best interest of the Township, or when duly advertised bids have yielded no responses; and

WHEREAS, it is anticipated that during the year 2026 it will be necessary or desirable for the Township to continue to purchase materials, supplies, equipment, and eligible services under valid State contracts awarded by the Division of Purchase and Property.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, as follows:

1. That purchases by the Township of Clark, through its departments, may be made under contracts awarded by the State of New Jersey Division of Purchase and Property pursuant to N.J.S.A. 40A:11-12, when such purchases are in the best interest of the Township, or when a duly advertised local solicitation yields no bids.

2. That a certified copy of this Resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Township Auditor, and any other party of interest.

Resolution 26-43

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Governing Body of the Township of Clark has entered into Cooperative Pricing System Agreements with the **Hunterdon County Educational Services Commission, National BuyBoard, Keystone Purchasing Network, Middlesex Regional Educational Services Commission, Educational Services Commission of New Jersey (ESCNJ), Cranford Police Cooperative Pricing System, Somerset County Cooperative Pricing System, Sourcewell Cooperative Pricing System, County of Union Cooperative Pricing System, County of Bergen a/k/a the New Jersey Cooperative Purchasing Alliance, Morris County Cooperative Pricing Council, and the Houston-Galveston Area Council (H-GAC)**, as the Lead Agencies, to effect substantial economies in the purchase of work, materials, supplies, and services; and

WHEREAS, when the Lead Agency of a Cooperative Pricing System, Joint Purchasing System, or Regional Cooperative Pricing System is a Board of Education or an Educational Services Commission, the provision and performance of goods and services shall be conducted pursuant to the Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq., and when the Lead Agency is not a Board

WHEREAS, all parties to such agreements have approved participation by ordinance or resolution, as appropriate, in accordance with applicable statutes;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby reaffirms its participation in the aforementioned Cooperative Pricing Systems and National Cooperative Contracts for the period **January 1, 2026 through December 31, 2026**, unless written notice of termination is provided in accordance with the applicable agreement; and

BE IT FURTHER RESOLVED that the Business Administrator, Qualified Purchasing Agent, and Chief Financial Officer are hereby authorized to execute, file, and maintain all participation agreements, renewals, compliance documents, and supporting documentation required for participation in Cooperative Pricing Systems and National Cooperative Contracts, including any filings required pursuant to N.J.A.C. 5:34-7.29, and to take all administrative actions necessary to ensure continued compliance with applicable State statutes and regulations.

Resolution 26-44

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby authorize the Administration to submit grant applications for upcoming grant opportunities for all necessary government operations including capital projects and swimming pool requirements for the year 2026.

Resolution 26-45

WHEREAS the Governor’s Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS the Township Council of the Township of Clark, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS the Township Council has applied for funding to the Governor’s Council on Substance Use Disorder through the County of Union.

NOW, THEREFORE, BE IT RESOLVED by the Township of Clark, County of Union, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Clark Municipal Alliance grant for fiscal year 2027 in the amount of:

GCSUD Award	\$ 9,956.00
Cash Match	\$ 2,489.00
In-Kind	\$ 7,467.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 26-46

WHEREAS, the Township of Clark (“Township”) recently acquired a new Vactor truck (the “New Vactor”) to replace the Township’s prior Vactor truck, being a **2006 International Vactor truck, VIN No. 1HTWGAZTX6J261893** (the “Old Vactor”); and

WHEREAS, the Old Vactor is no longer needed for public use and has been determined by the Township to be surplus municipal property; and

WHEREAS, the Borough of Harvey Cedars, a New Jersey governmental unit (“Harvey Cedars”), has requested to purchase the Township’s Old Vactor for municipal use for the sum of \$30,000.00 (the “Purchase Price”); and

WHEREAS, the Township Council finds that the sale of the Old Vactor to Harvey Cedars serves a valid public purpose and is in the best interests of the Township; and

WHEREAS, N.J.S.A. 40A:11-36(2) authorizes the sale of surplus municipal property without advertisement for bids when such sale is made to another contracting unit or governmental entity, and the Township Council finds that the proposed sale of the Old Vactor to Harvey Cedars satisfies the requirements of that statute.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that:

1. Authorization of Sale

The Township hereby authorizes the sale, for a public purpose, of the Old Vactor, identified as a 2006 International Vactor truck, VIN No. 1HTWGAZTX6J261893, to the Borough of Harvey Cedars in “as-is,” “where-is” condition, for the Purchase Price of \$30,000.00.

2. Payment and Delivery

The Old Vactor shall be made available for pickup by duly authorized officials or representatives of Harvey Cedars upon delivery to the Township, to the attention of the Business Administrator, of a certified check or bank check payable to the Township of Clark in the amount of the Purchase Price.

3. Execution of Documents

The Mayor and/or the Business Administrator and the Township Clerk are hereby authorized to execute and deliver any and all documents necessary or advisable to effectuate the sale and

transfer of the Old Vactor, including, without limitation, a bill of sale, certificate of title, memorandum of sale, and any other documents consistent with this Resolution.

4. Insurance Notification

Upon completion of the sale and transfer of the Old Vactor, the Business Administrator and/or Township Clerk shall provide a certified copy of this Resolution to the Township’s insurance carrier with instructions to remove the Old Vactor from the Township’s insurance coverage effective as of the date of transfer.

5. Fixed Asset and Financial Accounting

A certified copy of this Resolution shall be provided to the Chief Financial Officer, who is hereby directed to:

- (a) remove the Old Vactor from the Township’s fixed asset inventory and accounting records; and
- (b) record the proceeds of the sale in the Township’s general ledger in accordance with applicable municipal accounting standards.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and publication in accordance with law.

General Resolutions

Resolution 26-47

WHEREAS it is necessary and desirable in order to ensure the general health and welfare of the residents of the Township of Clark to provide uniform procedures for administering the issuance, renewal and revocation of licenses for the placement of clothing bins within the Township; and

WHEREAS Chapter 117, Section 10 of the Code of the Township of Clark provides for enforcement by the Police Department and the Construction Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following clothing bin operators having met all the requirements of Chapter 117 of the Code of the Township of Clark and are hereby approved in accordance with the law; and

BE IT FURTHER RESOLVED that the Police Officer in Charge is hereby authorized and directed to issue permits to the vendors listed as follows to be displayed according to law effective January 1, 2026 through December 31, 2026.

Clothing Bin Operators

Location of Bins

American Recycling Technologies, Inc. 98 Cutter Mill Road, S-290N Great Neck, NY 11021-3010 Attn: Bruce Binler (516-708-9959)	315 Westfield Avenue (2 bins) Police Department	permit 2026-03 permit 2026-04
American Recycling Technologies, Inc. 98 Cutter Mill Road, S-290N Great Neck, NY 11021-3010 Attn: Bruce Binler (516-708-9959)	1060 Raritan Road (2 bins) Acme	permit 2026-05 permit 2026-06

Planet Aid 1030 Raritan Road (1 bin) permit 2026-01
18 Commerce Road Suite # O-P 12 Clarkton Drive (1 bin) permit 2026-02
Fairfield, NJ 07004
Attn: Joel Podelsky (848-219-0426) (201-312-3962)org # 1 @ Manny’s Dinner
jpodelsky@planetaid.org 1 @ Clark FLauriest

We Collect Clothes for a Cause 1300 Raritan Road (2 bins) permit 2026-11
1201 E. Linden Avenue permit 2026-12
Linden, NJ 07036
Attn: Peter Salm (866-931-0232)
wcnynj@aol.com
Claritza Feliz
1-866-931-0232 Hyatt Golf
(org. American Red Cross)
as per BA amending chapter 117 of the ord. permits to be issued in Feb 2025

Carecycle, Inc. 76 Central Avenue (2 bins) permit 2026-9
1201 E. Linden Avenue permit 2026-10
Linden, NJ 07036
Attn: Peter Salm (866-931-0232)
wcnynj@aol.com Shoprite
Claritza Feliz
1-866-931-0232
(org. Cross Roads 4Hope)
as per BA amending chapter 117 of the ord. permits to be issued in Feb 2025

American Recycling 78 Westfield Ave (2 bins) permit 2026-07
98 Cutter Mill Road, S-290N permit 2026-08
Great Neck, NY 11021-3010
Attn: Bruce Binler (516-708-9959) (eff 5/15/25) American Legion
VP: David Binler (631-827-8228) david@americanrecycling.com

Motion to adopt Consent Agenda items 26-03 through 26-47 (except Resolution 26-15) moved by Councilman Toal, seconded by Councilman Minniti

Council President Smith directed roll call:
Aye: Hoff, Hund, Mazzarella, Minniti, O’Connor, Toal, Smith

RESOLUTIONS

Resolution 26-15

WHEREAS, there exists a need for Special Legal Counsel to represent the Township of Clark in connection with Open Public Records Act (“OPRA”) matters, including advising on OPRA compliance, responding to OPRA requests, and defending the Township in OPRA-related litigation; and

WHEREAS, the Township of Clark solicited Qualification Statements for professional services for calendar year 2026 pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, and advertised and listed on the Township’s official website; and

WHEREAS, qualification submissions for the position of Special Legal Counsel – OPRA were received by the Township Clerk on December 9, 2025, publicly opened, and reviewed by the Business Administrator in accordance with the Request for Qualifications; and

WHEREAS, the Business Administrator has reviewed all submissions received and recommends the award of a professional services contract to **LaCorte, Bundy, Varady & Kinsella, 989 Bonnel Court, Union, New Jersey 07083**, with **Robert F. Varady, Esq.** serving as Special Legal Counsel for OPRA matters, based upon the firm’s experience, familiarity with the Township’s operations, and demonstrated expertise in OPRA compliance and litigation; and

WHEREAS, the proposed compensation for said services shall be on an as-needed basis, at the hourly rates as submitted to the Township’s 2026 Request for Qualifications, not to exceed the total contract amount of \$40,000 for calendar year 2026; and

WHEREAS, this contract is awarded pursuant to N.J.S.A. 40A:11-5(1)(a)(i) as a professional services contract, and the Township is not obligated to assign any minimum amount of work under this agreement; and

WHEREAS, the award of this contract is subject to the availability and certification of sufficient funds by the Chief Financial Officer, subject to the adoption of the 2026 municipal budget in Law: Special Services Account #6-01-20-155-201.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that a professional services contract for Special Legal Counsel – OPRA for calendar year 2026 is hereby awarded to **LaCorte, Bundy, Varady & Kinsella, 989 Bonnel Court, Union, New Jersey 07083**, with **Robert F. Varady, Esq.**, in accordance with the Township’s 2026 Request for Qualifications and the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that compensation for said services shall be on an as-needed basis at the hourly rates set forth in the 2026 Request for Qualifications, not to exceed \$40,000 for calendar year 2026, unless otherwise authorized by resolution of the Governing Body; and

BE IT FURTHER RESOLVED that no services shall be rendered and no payment shall be made unless and until a properly executed contract is in place and funds have been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that any services in excess of the amount authorized herein shall require prior approval of the Governing Body by resolution, together with certification of available funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the professional services agreement consistent with this Resolution and applicable law; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published in the official newspaper of the Township as required by law.

A motion to adopt the Resolution 26-15 moved by Councilman Mazzarella, seconded by Councilman Hund

Council President Smith directed roll call:
 Aye: Hund, Mazzarella, Minniti, O’Connor, Toal, Smith
 Abstention: Hoff

INTRODUCTION OF PROPOSED ORDINANCES:

**AN ORDINANCE ENTITLED AN ORDINANCE TO FIX
 MINIMUM AND MAXIMUM SALARIES**

WHEREAS said Ordinance reflects a change in salaries to be paid to certain employees of the Township for the year 2026 and forward.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers of the Township of Clark be and they are hereby authorized and directed to execute and deliver checks on Township funds for the purpose of paying the following annual salaries to the employees of the Township of Clark within the range as set forth below opposite each job classification as in such cases made. The Schedule of salaries hereinafter set forth shall be effective as of January 1, 2026, and may be amended for those who may exceed the maximum.

	MINIMUM	MAXIMUM
Business Administrator	\$ 75,000.00	\$ 220,000.00
Township Clerk	\$ 55,000.00	\$ 160,000.00
Deputy Township Clerk	\$ 55,000.00	\$ 130,000.00
Township Attorney*		
Mayor’s Confidential Secretary	\$ 30,000.00	\$ 80,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 120,000.00
Assessor P/T	\$ 20,000.00	\$ 120,000.00
Tax Collector	\$ 50,000.00	\$ 120,000.00
Assistant Treasurer	\$ 50,000.00	\$ 125,000.00
Certified Finance Officer/Treasurer	\$ 50,000.00	\$ 200,000.00
Construction Code Official	\$ 50,000.00	\$ 175,000.00
Technical Assistant to the Construction Official	\$ 45,800.00	\$ 90,000.00
Municipal Court Administrator	\$ 60,000.00	\$ 120,000.00
Deputy Court Administrator	\$ 50,000.00	\$ 90,000.00
Health Officer	\$ 50,000.00	\$ 125,000.00
Assistant to Health Officer	\$ 50,000.00	\$ 100,000.00
Supervisor of Public Works	\$ 40,000.00	\$ 150,000.00
Public Works Assistant Supervisor	\$ 40,000.00	\$ 125,000.00
Laborer 1	\$ 42,900.00	\$ 55,000.00
Public Works Repairer	\$ 53,000.00	\$ 67,000.00
Laborer 2	\$ 42,900.00	\$ 60,000.00
Senior Public Works Repairer	\$ 66,000.00	\$ 90,000.00
Mechanic 1	\$ 55,000.00	\$ 75,000.00

Bus Driver – Full Time	\$ 25,000.00	\$ 50,000.00
Bus Driver – Part Time	\$ 5,000.00	\$ 25,000.00
Mayor	\$ 6,000.00	\$ 30,000.00
Council President	\$ 6,000.00	\$ 15,000.00
Council Members	\$ 6,000.00	\$ 15,000.00
Board of Adjustment Secretary	\$ 8,000.00	\$ 12,000.00
Planning Board Secretary	\$ 8,000.00	\$ 12,000.00
Fire Prevention Official	\$ 10,000.00	\$ 125,000.00
Deputy Fire Prevention Official	\$ 5,000.00	\$ 25,000.00
Director Public Safety	\$ 1,700.00	\$ 3,500.00
Director Senior Citizen	\$ 1,700.00	\$ 7,500.00
Director Public Works/Shade Tree	\$ 1,750.00	\$ 20,000.00
Fire Sub Code Official P/T	\$ 5,000.00	\$ 20,000.00
Elevator Inspector P/T	\$ 5,000.00	\$ 20,000.00
Plumbing Sub Code Official P/T	\$ 10,000.00	\$ 30,000.00
Electrical Inspector P/T	\$ 10,000.00	\$ 35,000.00
Emergency Management Coordinator	\$ 2,000.00	\$ 20,000.00
Deputy Emergency Management	\$ 1,000.00	\$ 10,000.00
Fire Prevention – IT P/T	\$ 2,500.00	\$ 10,000.00
Fire Official Secretary	\$ 750.00	\$ 1,000.00
Fire Chief	\$ 3,800.00	\$ 20,000.00
Battalion Chief	\$ 2,500.00	\$ 6,000.00
Deputy Chief #1	\$ 1,100.00	\$ 6,000.00
Deputy Chief #2	\$ 1,100.00	\$ 5,500.00
Deputy Chief #3	\$ 1,100.00	\$ 5,500.00
1 st Fire Captain	\$ 1,900.00	\$ 4,500.00
2 nd Fire Captain	\$ 1,900.00	\$ 4,500.00
3 rd Fire Captain	\$ 1,000.00	\$ 4,500.00
4 th Fire Captain	\$ 1,000.00	\$ 4,500.00
Public Information Officer	\$ 1,000.00	\$ 5,500.00
Fire Lieutenants	\$ 1,000.00	\$ 3,000.00
Prosecutor P/T	\$ 8,500.00	\$ 35,000.00
Judge	\$ 20,000.00	\$ 90,000.00
Public Defender P/T	\$ 4,000.00	\$ 15,000.00
Director of Recreation/Facilities Mgr.	\$ 50,000.00	\$ 150,000.00
Assistant Recreation Supervisor	\$ 9,200.00	\$ 40,000.00
Director Teen Center	\$ 2,000.00	\$ 20,000.00
Assistant Teen Center	\$ 2,000.00	\$ 15,000.00
Recreation/Senior Fitness P/T Personnel	\$ 500.00	\$ 25,000.00
Manager – TV 36	\$ 5,000.00	\$ 60,000.00
Fire Training Officer	\$ 1,000.00	\$ 5,000.00
Property Maintenance P/T	\$ 5,000.00	\$ 40,000.00
Custodial Worker	\$ 40,000.00	\$ 69,000.00
Building Maintenance Worker	\$ 39,000.00	\$ 69,000.00
Sr. Building Maintenance Worker	\$ 59,000.00	\$ 125,000.00
Administrative Clerk	\$ 45,000.00	\$ 85,000.00
Accounting Clerk	\$ 39,000.00	\$ 55,000.00

Sr. Accounting Clerk	\$ 45,800.00	\$ 60,000.00
Principal Accounting Clerk	\$ 50,000.00	\$ 90,000.00
Clerk 1	\$ 39,000.00	\$ 69,000.00
Clerk 2	\$ 45,800.00	\$ 79,000.00
Clerk 3	\$ 50,000.00	\$ 89,000.00
Keyboarding Clerk 1	\$ 39,000.00	\$ 69,000.00
Keyboarding Clerk 2	\$ 45,800.00	\$ 79,000.00
Keyboarding Clerk 3	\$ 50,000.00	\$ 89,000.00
Records Support Technician 1	\$ 39,000.00	\$ 59,000.00
Records Support Technician 2	\$ 45,800.00	\$ 69,000.00
Records Support Technician 3	\$ 50,000.00	\$ 87,000.00
Technical Assistant	\$ 45,800.00	\$ 69,000.00
Sr. Technical Assistant	\$ 50,000.00	\$ 87,000.00
Personnel Aide	\$ 60,000.00	\$ 75,000.00
Personnel Assistant	\$ 70,000.00	\$ 90,000.00
Sr. Personnel Assistant	\$ 80,000.00	\$ 110,000.00
Information Technology Assistant	\$ 50,000.00	\$ 80,000.00
Supervisor Information Technology	\$ 60,000.00	\$ 110,000.00
Assistant Director of Information Technology	\$ 65,000.00	\$ 110,000.00
QPA	\$ 1,000.00	\$ 10,000.00
Municipal Certified Recycling Coordinator	\$ 4,000.00	\$ 10,000.00
Technical Assistant Certification	\$ 4,000.00	\$ 10,000.00

HOURLY

Police Matron – on duty	\$ 60.00 Event	\$ 60.00 event
Matron on duty	\$ 40.00 Flat Rate	
Police Matron – on call	\$ 60.00 hour	\$ 60.00 hour
Matron call-in	\$ 40.00 hour 2 hr. minimum	

Seasonal Employees – Recreation/Sr. Citizen	\$ 14.53 hour	\$ 30.00 hour
Building Maintenance	\$ 15.00 hour	\$ 30.00 hour
Clerk Typist	\$ 15.00 hour	\$ 30.00 hour
Inspectors	\$ 15.00 hour	\$ 45.00 hour
Bus Driver	\$ 15.00 hour	\$ 30.00 hour
General Part-Time Help	\$ 15.00 hour	\$ 30.00 hour

POLICE – Base Pay

Police Director	\$ 100,000.00	\$ 225,000.00
**Chief (plus longevity and education)	\$ 150,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 140,000.00	\$ 200,000.00

MUNICIPAL POOL

	MINIMUM	MAXIMUM
Pool Director	\$ 8,450.00	\$ 20,000.00
Pool Facilities Manager	\$ 5,000.00	\$ 20,000.00
Assistant Manager(s)	\$ 4,100.00	\$ 10,000.00
Water Safety Instructor(s)	\$ 3,300.00	\$ 10,000.00
Lifeguard(s) – Seasonal	\$ 2,700.00	\$ 10,000.00

Reorganization Council Meeting January 5, 2026.....			60
Maintenance Worker(s) – Seasonal	\$ 2,000.00	\$ 10,000.00	
Gate Control Person(s) – Seasonal	\$ 2,000.00	\$ 5,000.00	
Activities Director – Seasonal	\$ 1,050.00	\$ 5,000.00	

*Annual Professional Services Contract

**Contract(s) for each position is 10% above lower position plus longevity and education.

Any ordinance inconsistent with the provisions contained herein is hereby repealed to the extent of such inconsistency.

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

Public Hearing: January 20, 2026

AN ORDINANCE ESTABLISHING A HUMAN RESOURCES DEPARTMENT AND CREATING THE POSITIONS OF PERSONNEL AIDE (02645), PERSONNEL ASSISTANT (02648), AND SENIOR PERSONNEL ASSISTANT (04982)

WHEREAS, the Township of Clark recognizes the need for modern, centralized, and consistent management of employment practices, personnel administration, and workforce development; and

WHEREAS, the Township Council has determined that the establishment of a Human Resources Department will enhance operational efficiency, strengthen compliance with State and Federal employment laws, and support the Township’s employees and departments; and

WHEREAS, the Township further finds it appropriate to create specific personnel titles consistent with the New Jersey Civil Service Commission Classification System to support the administrative needs of the Human Resources Department and the Mayor’s Office;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clark, County of Union, State of New Jersey, as follows:

SECTION 1. Establishment of the Human Resources Department

- A. There is hereby established a **Human Resources Department** for the Township of Clark.
- B. The Human Resources Department shall operate under the direction of the Business Administrator or such other authority as may be designated by the Mayor and shall be responsible for:
 - 1. Supervising departmental personnel;
 - 2. Managing departmental operations and compliance;
 - 3. Implementing policies and procedures established by the Township;
 - 4. Advising the Mayor, Business Administrator, and governing body on personnel matters.

C. The Department shall serve as the centralized office responsible for employee-related functions, including but not limited to:

1. Recruitment, hiring, onboarding, and separation processing;
2. Maintenance of personnel files and records in accordance with applicable laws;
3. Administration of payroll-related personnel data and employee classifications;
4. Coordination of employee benefits, leave programs, and pension-related matters;
5. Development and implementation of personnel policies, training programs, and compliance initiatives;
6. Workplace investigations, employee relations, and disciplinary process support;
7. Compliance with Federal, State, and Civil Service employment regulations;
8. Any other duties necessary to support the Township’s workforce and operational needs.

SECTION 2. Personnel of the Human Resources Department

A. The following positions are hereby created and authorized within the Township of Clark for assignment to the Human Resources Department or other municipal offices as required:

1. **Personnel Aide** – Civil Service Title Code **02645**
2. **Personnel Assistant** – Civil Service Title Code **02648**
3. **Senior Personnel Assistant** – Civil Service Title Code **04982**

B. The duties of these titles shall be consistent with the job specifications promulgated by the New Jersey Civil Service Commission, and may include, but are not limited to:

1. Providing administrative, clerical, and logistical support to the Mayor, Business Administrator, Human Resources Department, or other designated offices;
2. Assisting with scheduling, communications, documentation, and workflow coordination;
3. Supporting confidential personnel-related functions, subject to applicable laws and ethical standards;
4. Performing senior-level administrative duties (for the Senior Personnel Assistant) requiring advanced knowledge, discretion, and independent judgment.

C. Appointments to these positions shall be made in accordance with Civil Service laws, rules, and procedures.

SECTION 3. Budget and Funding

A. The Human Resources Department and staff positions established herein shall be funded through annual appropriations adopted by the Township Council.

B. The Council may allocate additional funds as necessary for staffing, technology, professional services, training, and compliance requirements.

SECTION 4. Effective Date

This Ordinance shall take effect upon final passage and publication as required by law.

**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 2.5% 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 2026 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 2.5% increase in the budget for said year, amounting to \$587,843.73 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 2026 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 \$822,981.22 and that the CY 2026 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.

Public Hearing: January 20, 2026

COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2025

FINANCE COMMITTEE
Patrick O’Connor, Chairman
Jessica Hoff
James Minniti

LEGISLATIVE COMMITTEE
Brian Toal, Chairman
Patrick O’Connor
William F Smith

PUBLIC SAFETY
James Minniti, Chairman
Frank Mazzarella
Steve Hund

PARKS AND RECREATION

William F Smith, Chairman
Patrick O'Connor
Jessica Hoff

PUBLIC WORKS

Frank Mazzarella, Chairman
William F Smith
Steve Hund

COUNCIL LIAISON

Board of Education

Jessica Hoff

Emergency Squad

Patrick O'Connor

Recreation

William F Smith

Fire Department

James Minniti

Police Department

Steve Hund

Public Works

Frank Mazzarella

Emergency Management

Patrick O'Connor

Public Library

Jessica Hoff

Senior Citizen

Frank Mazzarella

Environmental Commission

Brian Toal

PUBLIC COMMENTS

Council President opens the meeting to the public

The public comment portion of the meeting is to allow the public to bring to the Council's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Code of the Township of Clark, each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in duration. At the conclusion of the statements or questions from a member of the public, the Council President, at his discretion, may choose to respond or not respond.

Mary Semler, Clark Resident:

Urged the township to expedite the appointment of a hearing officer and resolve longstanding police disciplinary matters swiftly, noting the financial cost to taxpayers and the importance of due process.

John Greaves, Clark Resident:

Complimented the new town attorney and requested the posting of the 2025 user-friendly budget on the township website. He expressed concern over the township's reputation related to racially charged incidents involving police officers and the community, urging the council to make a clear, affirmative commitment to change and improve the town's image to encourage development and community engagement.

Seeing no further comments, the public comment period is now closed.

A motion to close the public comments portion of the meeting was made by Councilman Toal, seconded by Councilwoman Hoff

Council President Smith directed roll call:

Aye: Hoff, Hund, Mazzarella, Minniti, O'Connor, Toal, Smith

COUNCIL AND PROFESSIONAL REMARKS

Mayor Angel Albanese:

Congratulated the newly elected Council President and Vice President and thanked all council members, township employees, and residents for their support. She highlighted challenges faced in 2025 including redevelopment projects and budget preparations for 2026. She encouraged residents to subscribe to weekly email updates and noted that council meetings will be held twice monthly to expedite township business.

Jessica Hoff, Councilmember:

Thanked the Mayor, Council, Administration, and Business Administrator for their support and guidance. Appreciation was expressed to the Councilmember’s family and to the residents of Clark. Reaffirmed pride in the Township, commitment to serving all residents, and recognition of the dedication of volunteers and community members and expressed optimism for the year ahead.

Steve Hund, Councilmember:

Extended New Year’s greetings to attendees and residents, congratulated the Mayor and Councilmembers on their election and leadership roles, and congratulated all appointees. Recognition was given to Township staff and behind-the-scenes employees for their contributions, as well as congratulations to Laurie Sheldon and Katie Bencivenga on her promotion. The Councilmember expressed optimism for a successful year ahead and pride in the Township.

Frank Mazzarella, Councilmember:

Congratulated Mayor Albanese and Jessica Hoff on their election, expressing confidence in their leadership and pledging support. Congratulations were also extended to Laurie Sheldon, with remarks noting a long professional relationship and shared service in the community. Emphasized the strength and caring nature of the community, reaffirmed council’s commitment to serving all residents, and encouraged residents to remain vigilant by securing homes and vehicles and contacting police, fire, or emergency services when needed. Remarks concluded with well wishes for safety and the New Year.

James Minniti, Councilmember:

Extended New Year’s wishes to the township and community and congratulated all appointees. Recognition was given to Council President Bill Smith, Council Vice President Frank Mazzarella, Planning Board member Mr. Cruz, the Mayor, and other officials. Also expressed personal gratitude to the Police Department and the First Aid/Emergency Squad for their professionalism and support during a recent medical incident. Concluded with appreciation and New Year’s greetings.

Patrick O’Connor, Councilmember:

Congratulated the newly elected Council President and Vice President and acknowledged all individuals appointed, thanking them for their service. Special recognition was given to community members and volunteers, including fire, emergency squad, and Office of Emergency Management personnel, highlighting their dedication and sacrifices, particularly during holidays. Emphasized the strong volunteer spirit that defines the Township of Clark. Appointments for 2026 were noted,

Reorganization Council Meeting January 5, 2026..... 65
including Scott Clelland, CPA (PFK O'Connor, P.C.) as Auditor and Rich O'Connor, P.E. (Grotto Engineering) as Township Engineer, with clarification that no familial relationship exists. Concluded with appreciation and thanks.

Brian Toal, Councilmember:

Recognized **former Governor Donald T. DiFrancesco**, former **New Jersey Senate President**, who was present in the chamber. Remarks were made acknowledging his prior service in the New Jersey Legislature, State Senate, and as Governor, as well as his longstanding association with officials from Clark Township, including former Mayor and Assemblyman William J. Maguire. Appreciation for his service to the State of New Jersey and his continued support of the community.

Recognition was also given to past and current township leaders. The late Bernie Hayden, who served as Council President from 1989 to 1992, was remembered. Congratulations were extended to the new Council President for their third year of service and to the Vice President on their appointment. Appreciation was expressed for the local first responders, including members of the Fire and First Aid Squads, for their dedication and service to the community.

Condolences were offered for the recent passing of community members Nicholas Sottos, (Inaudible) and Vic De Marzo, noting their contributions and service to the township. Encouraged residents to celebrate the upcoming 250th anniversary of the United States and acknowledged the ongoing support of former Governor DiFrancesco.

Patrick Grady, Police Director:

Addressed the governing body, noting over 50 years of residence in Clark Township and personal ties to many local families. He expressed pride in the township and the police department, highlighting their professionalism and integrity despite recent challenges. He also extended congratulations to Laurie Sheldon and her family and wished the community a Happy New Year.

James F. Ulrich, Business Administrator:

Congratulated the president and vice president, and welcomed Mr. Albert Cruz, expressing anticipation for future collaboration. Recognized the Department of Public Works for their efforts during recent storms, noting the challenges of working on holidays and weekends, the prompt clearing of streets, and the efficient handling of citizen concerns. Laurie Sheldon was formally acknowledged and presented with the 2025 Lifetime Achievement Award for Volunteer EMS. Based on firsthand experience working with her from 25 years, Laurie has consistently shown professionalism, dedication, and a positive spirit in service to the community. Appreciation was also extended to her family for their ongoing support and contributions.. Concluded by expressing appreciation for all attendees, emphasizing the contributions of the DPW and Laurie, and highlighting the importance of continued teamwork and service.

Edith Merkel, Township Clerk:

Congratulated the President on his re-election and expressed anticipation for continued collaboration, congratulated Councilman Mazzarella on his election as Vice President, and recognized Councilwoman Jessica Hoff and Mayor Albanese, noting ongoing pleasure in working with all

Reorganization Council Meeting January 5, 2026..... 66
members. Special recognition was given to Terri Mazzarella, who recently retired after assisting with office transitions in 2025, including organizing the meeting and training new staff, with personal well wishes for her retirement. Appreciation was also extended to Nicole and Christina for their rapid acclimation and improvements in office operations. Concluded, thanking the entire team for their efforts in preparing the meeting materials and wishing everyone a happy new year.

Albert Cruz, Township Attorney:

Expressed appreciation, noting that they felt very welcome at the meeting and extended thanks.

Council President Smith:

Thanked the council members for their confidence in re-electing him as Council President, expressed appreciation for the opportunity to continue working with the administration and the Mayor, welcomed new members, and extended New Year greetings to all.

GUEST REMARKS

Donald T. DiFrancesco, Former Governor and NJ Senate President:

Former Governor and NJ Senate President Donald T. DiFrancesco addressed the governing body, noting his 26 years of service in the New Jersey Legislature, including roles as Assembly member, State Senator, Senate President, and Governor. He highlighted Clark Township as part of his legislative district, praised the community and its residents, referenced significant milestones during his tenure, and extended congratulations and best wishes to the governing body and community for a successful new year.

ADJOURNMENT

Upon motion duly made by Councilman Toal and seconded by Councilman O'Connor, the Council voted to adjourn.

Council President Smith directed roll call:
Aye: Hoff, Hund, Mazzarella, Minniti, O'Connor, Toal, Smith

The meeting was adjourned at 8:49 p.m.

APPROVED



WILLIAM F. SMITH
Council President

ATTEST:



EDITH L. MERKEL, RMC
Township Clerk

