

This Notice is for reference purposes, as per the Open Public Meetings Act Requirements, N.J.S.A. 10:4-8 and N.J.S.A. 10:4-18.

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
Tuesday, January 18, 2022
7:30 pm**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County Hawk, Union County Local Source, and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements, the Official Website of the Township and the proper filing of said Notice. Formal action may be taken at this meeting.

Regular order of business suspended:

1. Proclaiming January 23 – 29 Clark School Choice Week
2. Volunteer of the Year presentation

Regular order of business resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

Township Officers: Reports given this evening will be available in the Clerk's office and on the township website www.ourclark.com

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

1. **22-01 AN ORDINANCE TO AMEND CHAPTER 48, SECTION 48-5 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED EMPLOYEE POLICY AND PROCEDURE MANUAL**
2. **22-02 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

INTRODUCTION OF PROPOSED ORDINANCES:

3. **22-03 AN ORDINANCE TO SUPPLEMENT CHAPTER 170, SECTION 4 ENTITLED FOOD ESTABLISHMENT LICENSING OF THE CODE OF THE TOWNSHIP OF CLARK**
4. **22-04 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through January 14, 2022 in the amount of \$330,763.51

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

The Public may speak on any agenda item that does not have its own public hearing

RESOLUTIONS:

5. Authorizing transfers of 2021 Appropriation Reserves
6. Authorizing Final Payment to S. Brothers, Inc. for work completed on the 2021 Capital Roads and School Parking Lot Improvements in the amount of \$230,351.07
7. Authorizing the Mayor and Township Clerk to execute a Shared Services Agreement with the Township of Woodbridge for the clean-up, de-silting and de-snagging of Pumpkin Patch Brook

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

PH 1

Ordinance No. 22-01

Adopted _____

Introduced: January 3, 2022 Public Hearing: January 18, 2022

AN ORDINANCE TO AMEND CHAPTER 48, SECTION 48-5 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED EMPLOYEE POLICY AND PROCEDURE MANUAL

BE IT ORDAINED by the governing body of the Township of Clark that Chapter 48, Section 48-5 of the Code of the Township of Clark is hereby amended as follows:

WHEREAS, the Township of Clark has previously adopted an Employee Policy and Procedure Manual; and

WHEREAS, the Manual was last revised April 19, 2010 pursuant to Ordinance 10-06; and

WHEREAS, the Governing Body of the Township of Clark wishes to amend the aforesaid Ordinance and adopt a revised and updated Policy and Procedure Manual;

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1: Section 48-5 of the Code of the Township of Clark is hereby amended as follows:

All Township employees are subject to and shall otherwise abide by the policies and procedures set forth in the Employee Policy and Procedure Manual adopted 1996, revised 2003, 2008, 2010, 2012, 2014, 2016, 2018 and further revised December 2021 the provisions contained therein shall be fully operative regarding all aspects of employment, except to the extent that the same may conflict with or be inconsistent with such policies and procedures as may be specified in any collective bargaining agreement(s) which agreement(s) shall supersede the provisions hereof or any state or federal codes, rules or regulations which shall preempt the provisions hereof. All Township employees shall receive a copy of said revised manual upon the adoption of this Ordinance or upon the commencement of their employment as the case may be.

SECTION 2: In all other respects Section 48-5 et seq. is hereby ratified, restated and reconfirmed.

SECTION 3: Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

TOWNSHIP OF CLARK

Ordinance No. 22- 02

Adopted _____

PH 2

Introduced: January 3, 2022 Public Hearing: January 18, 2022

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 2022 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 \$484,380.63 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 2022 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 \$678,132.88 and that the CY 2022 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.

TOWNSHIP OF CLARK

INTRO 4

Ordinance No. 22-04

Adopted _____

Introduced: January 18, 2022 Public Hearing: February 22, 2022

**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 2022 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, 2022 and may be amended for those who may exceed the maximum.

	MINIMUM	MAXIMUM
Business Administrator	\$ 75,000.00	\$ 200,000.00
Township Clerk	\$ 55,000.00	\$ 150,000.00
Township Attorney*		
Mayor's Confidential Secretary	\$ 30,000.00	\$ 80,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 90,000.00
Assessor P/T	\$ 20,000.00	\$ 70,000.00
Tax Collector	\$ 50,000.00	\$ 100,000.00
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	\$ 77,000.00
Municipal Court Administrator	\$ 60,000.00	\$ 100,000.00
Deputy Court Administrator	\$ 50,000.00	\$ 70,000.00
Health Officer	\$ 50,000.00	\$ 125,000.00
Assistant to Health Officer	\$ 50,000.00	\$ 100,000.00
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
Supervisor of Public Works	\$ 40,000.00	\$ 125,000.00
Public Works Assistant Supervisor	\$ 40,000.00	\$ 110,000.00
Mayor	\$ 6,000.00	\$ 30,000.00
Council President	\$ 6,000.00	\$ 15,000.00
Council Members	\$ 6,000.00	\$ 15,000.00

	MINIMUM	MAXIMUM
Board of Adjustment Secretary	\$ 5,000.00	\$ 10,000.00
Planning Board Secretary	\$ 5,000.00	\$ 10,000.00
Fire Prevention Official	\$ 10,000.00	\$ 125,000.00
Deputy Fire Prevention Official	\$ 5,000.00	\$ 25,000.00
Fire Prevention – IT P/T	\$ 2,500.00	\$ 10,000.00
Fire Official Secretary	\$ 750.00	\$ 1,000.00
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 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
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
Bus Driver – Part Time	\$ 15,000.00	\$ 40,000.00
Property Maintenance P/T	\$ 5,000.00	\$ 40,000.00
Sr. Building Maintenance	\$ 50,000.00	\$ 100,000.00

HOURLY

Police Matron – on duty	\$ 40.00 event	\$ 40.00 event
Police Matron – on call	\$ 40.00 hour	\$ 40.00 hour
Seasonal Employees – Recreation/Sr. Citizen	\$ 13.00 hour	\$ 30.00 hour

POLICE – Base Pay

**Chief (plus longevity and education)	\$ 115,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 100,000.00	\$ 180,000.00

TOWNSHIP OF CLARK
Resolution 22-28
January 18, 2022

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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 2021 Appropriation Reserves according to the following schedule.

**CLARK TOWNSHIP
TRANSFER RESERVE BUDGET APPROPRIATIONS**

	<u>From</u>	<u>To</u>
Current		
Finance: Salaries and Wages	60,000.00	
Buildings and Grounds	-	50,000.00
Animal Control	-	5,000.00
Elections OE	_____	5,000.00
Total	60,000.00	60,000.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/1-18TranferReserves

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

TOWNSHIP OF CLARK
Resolution 22-29
January 18, 2022

6

WHEREAS S. Brothers, Inc. has completed work on the 2021 Capital Roads & School Parking Lot Improvements and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Two Hundred Thirty Thousand, Three Hundred Fifty-One Dollars and Seven Cents (\$230,351.07) including final quantities Change Order No. 1 which increases the adjusted contract amount by One Hundred Eight Thousand, Eight Hundred Forty-One Dollars and Eighty-Nine Cents (\$108,841.89) and Change Order No. 2 which increases the adjusted contract amount by One Hundred Thirty-Three Thousand, Five Hundred Thirty-Nine Dollars and Forty-Nine Cents (\$133,539.49); and

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

WHEREAS Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Bond and Final Payment; and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by S. Brothers, Inc. to be One Hundred Thirty-Seven Thousand, Two Hundred Eighty-One Dollars and Forty-Three Cents (\$137,281.43); and

WHEREAS S. Brothers, Inc. has submitted a Maintenance Bond in the amount of \$137,281.43.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to S. Brothers, Inc., P.O. Box 317, South River, New Jersey 08882 in the amount of \$230,351.07 including final change orders and release of the Performance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/1-18FinalPayment2021CapRoadsSchoolLots-S.Bro

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

TOWNSHIP OF CLARK
Resolution 22-30
January 18, 2022

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it hereby authorizes the Mayor and Township Clerk to execute a Shared Services Agreement with the Township of Woodbridge, maintaining offices located at 1 Main Street, Woodbridge, New Jersey, 07095, for the clean-up, de-silting and de-snagging of Pumpkin Patch Brook, which is located within the borders of Clark.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/1-18AuthSharedServiceWoodbridge-Pumpkin Patch

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