

**AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
November 9, 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 as adequate notice of this meeting has been provided by sending written advanced notice of at least 48 hours to the Star Ledger, Union County Hawk, Union County Local Source, and TAP into Clark, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements as well as the Official Website of the Township, and the proper filing of said Notice. Formal action may be taken at this meeting.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

1. **22-19 ORDINANCE AMENDING THE 2021 REVISED AGREEMENT BETWEEN THE MEMBER MUNICIPALITIES OF THE RAHWAY VALLEY SEWERAGE AUTHORITY**

2. **22-20 AN ORDINANCE TO AMEND CHAPTER 48, SECTION 48-5, OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “EMPLOYEE POLICY AND PROCEDURE MANUAL,” AND THE SUBSECTION ENTITLED “PART-TIME EMPLOYEES” OF THE SECTION ENTITLED “VACATION LEAVE POLICY” OF SECTION THREE ENTITLED “LEAVES OF ABSENCE” OF THE EMPLOYEE POLICY AND PROCEDURE MANUAL**

Discussion:

3. **CY 2022 Best Practices Inventory**

Prepared and certified by James Ulrich, Chief Administrative Officer and Jennifer Kobliska, Chief Financial Officer –This discussion is held for the Governing Body’s Acknowledgement in compliance with the guidelines set forth by the New Jersey Division of Local Government Services in Local Finance Notice 2022-17 dated October 6, 2022. The discussion will be incorporated into the minutes of this meeting.

RESOLUTIONS:

4. Authorizing the transfer of funds within the 2022 Municipal Budget
5. Award of a Non-Fair and Open Contract for the Appointment of Special Counsel, authorizing the Business Administrator to enter into a contract with Schenck, Price, Smith & King, LLP
6. Authorizing the Township Planning Board to undertake a preliminary investigation to determine whether the proposed study area, which includes Lot 2 in Block 77 (175 Westfield Avenue) and Lot 4 in Block 77 (181 Westfield Avenue) qualify as An Area in Need of Non-Condernation Redevelopment pursuant to N.J.S.A. 40A:12A-5.
7. Ratifying an amendment to the PBA contract which modifies health benefit contributions

PUBLIC COMMENTS:

Each person addressing the Council shall give their 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:

PH 1

TOWNSHIP OF CLARK

Ordinance No. 22-19

Adopted _____

Introduced: October 17, 2022 Public Hearing: November 9, 2022

**ORDINANCE AMENDING THE 2021 REVISED AGREEMENT
BETWEEN THE MEMBER MUNICIPALITIES OF THE
RAHWAY VALLEY SEWERAGE AUTHORITY**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, State of New Jersey (“Clark”), as follows:

Section 1.

Clark hereby approves the amendments to the 2021 Agreement with regard to the establishment and operation of the Rahway Valley Sewerage Authority.

Section 2.

The amendments to the 2021 Agreement are set out in red-line and are attached as Appendix A (“Revisions to 2021 Agreement”).

Section 3. Severability.

If any section, clause, paragraph, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 4. Inconsistency.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Effective Date: November 30, 2022

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

SALVATORE BONACCORSO
Mayor

Ord22/10-17 22-19Revisions-2021RVSA Agreement

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

TOWNSHIP OF CLARK

Ordinance No. 22-20

Adopted _____

PH 2

Introduced: October 17, 2022 Public Hearing: November 9, 2022

AN ORDINANCE TO AMEND CHAPTER 48, SECTION 48-5, OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "EMPLOYEE POLICY AND PROCEDURE MANUAL," AND THE SUBSECTION ENTITLED "PART-TIME EMPLOYEES" OF THE SECTION ENTITLED "VACATION LEAVE POLICY" OF SECTION THREE ENTITLED "LEAVES OF ABSENCE" OF THE 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 entitled "Employee Policy and Procedure Manual," and the subsection entitled "Part-Time Employees" of the Section entitled "Vacation Leave Policy" of Section Three entitled "Leaves of Absence" of the Employee Policy and Procedure Manual be and hereby are amended as follows:

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

WHEREAS, such Employee Policy and Procedure Manual was last revised February 9, 2022 pursuant to Ordinance 22-01; and

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

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1: Section 48-5 of the Code of the Township of Clark be and hereby is amended to state 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, 2021, and was further revised on February 9, 2022, and the provisions contained therein shall be fully operative regarding all aspects of employment, except to the extent that the same may conflict 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 Employee Policy and Procedure Manual upon the adoption of this Ordinance or upon the commencement of their employment, as the case may be.

DISCUSSION 3

LFN 2022-17

October 6, 2022

Local Finance Notice

Philip D. Murphy
Governor

Lt. Governor Sheila Y. Oliver
Commissioner

Jacquelyn A. Suárez
Director

Contact Information

V. 609.292.6613

F. 609.633.6243

Mail and Delivery

101 South Broad St.

PO Box 803

Trenton, New Jersey

08625-0803

Web:

www.nj.gov/dca/divisions/dlgs

E-mail: dlgs@dca.nj.gov

2022 Municipal Best Practices Inventory

Language authorizing the Best Practices Inventory is included in the [FY2023 Appropriations Act](#). Pursuant to law, the Division of Local Government Services ("Division") has promulgated an updated Best Practices Inventory to all municipalities, through which the State obtains vital information about the status of municipal government practices in New Jersey.

The 2022 Inventory assesses each municipality's compliance with various laws and evaluates implementation of fiscal and operational best practices. Inventory answers provide taxpayers an additional means of evaluating their municipality's performance. The Inventory also identifies areas where municipalities may require further technical assistance. Furthering this objective, the Inventory contains an unscored survey section soliciting information on a variety of topics.

All municipalities, including those on a State Fiscal Year budget cycle, must submit their completed Inventory to the Division by close of business **Thursday November 10, 2022**. The Division strongly recommends completing and filing the Inventory as soon as possible so any technical or substantive issues can be resolved in a timely fashion. No post-submission answer changes will be permitted.

Furthering the Division's implementation of technology solutions, the Best Practices Inventory continues to be hosted on the internet-based platform debuted in 2019. Click on <https://njdca.dynamics365portals.us/> to access the platform sign-in page. Platform instructions and a helpful FAQ document concerning log-in and access [are also provided](#).

As in prior years, the Division must determine whether some portion of a municipality's CMPTRA and ETR Aid will be withheld based on the results of its Inventory. The municipality's final formula aid payment represents the maximum amount of aid that is subject to withholding.

Distribution

Administrators/Managers

Municipal CFOs

Municipal Clerks

Municipal Procurement
Officials

Municipal Elected Officials

Question Content and Scoring

The 2022 Best Practices Inventory features new and repeat questions on the following topics:

- Health Benefits
- Personnel
- Budget
- Financial Administration
- Capital Projects
- Transparency
- ARP LFRF Funds
- Procurement
- Cybersecurity
- Lead Remediation
- Shared Services
- Tax Collection
- Opportunity Zones
- Fire Districts
- Environment
- Housing

A total of 56 questions are distributed amongst three scoring categories: Core Competencies (31 questions), Best Practices (11 questions), and Unscored Survey (13 questions). Four (4) unscored survey questions are divided into multiple subparts to facilitate data tabulation. The Division has introduced a total of 11 new scored questions to the 2022 Inventory. Each municipality must receive a minimum score of 24 on the Inventory to receive its full Final Aid payment.

Core Competencies address statutory and regulatory compliance obligations and other areas critical to sound municipal finance and operations. These questions score 1 point each, with positive credit awarded for “Yes” answers as well as “Prospective” and “N/A” responses when permitted by the question. Answers of “Prospective,” which apply to certain new questions, should only be used when a municipality is committed to making good faith efforts to implement the practice in the upcoming year. New questions where “Prospective” is not a permitted answer may be cured prior to submitting the Inventory.

The 2022 Inventory also includes a Best Practices category, which involves fiscal and operational practices that are of significant benefit to many municipalities but are not foundational in nature or uniformly applicable to all municipalities. All questions in the Best Practices category are worth one-half (1/2) point, with positive credit awarded for “Yes” answers as well as “N/A” responses when permitted by the question. Please note that “Prospective” responses are not permitted responses under the Best Practices category.

Answers of “N/A” are only appropriate if a specific requirement does not apply to a given municipality; however, please note that some questions limit “N/A” responses to certain circumstances. Municipalities answering “N/A” should explain why the question is not applicable in the comment space.

There is a total of 42 scored questions (Core Competencies + Best Practices) for a total of 36.5 points. The thresholds for aid withholding are as follows:

Inventory Score	Final Payment Amount Disbursed	Impact on final 5% aid payment
24 and greater	100%	No withholding
20-23	75%	Lose 25% of final CMPTRA & ETR payment
16-19	50%	Lose 50% of final CMPTRA & ETR payment
0-15	0%	Lose 100% of final CMPTRA & ETR payment

Questions in the Best Practices category are considered “extra credit” because the Inventory’s scoring threshold is based on the number of Core Competencies for which the Division determined a municipality should earn positive credit, rather than Core Competencies + Best Practices combined. Thus, positive credit for Best Practices questions helps offset Core Competencies for which a municipality does not earn positive credit.

Unscored Survey questions are meant to gather information and do not count toward a municipality’s final score, although their completion is a required component of the Inventory. Answers to these questions will help determine where municipalities may require additional assistance and where the Division of Local Government Services and the Department of Community Affairs may need to prioritize technical assistance resources. Responses vary from “Yes/No” to multiple-choice to fill-in.

If your municipality participates in the State Health Benefits Program (SHBP) for medical coverage, please complete and upload the [SHBP Best Practices Survey Form](#) for Question 3. Likewise, if your municipality can affirmatively answer Question 55a, which pertains to known Opportunity Zone projects, please complete and upload the [Opportunity Zone Project Status Spreadsheet](#).

Completing and Submitting the Inventory

A municipality must answer all questions before the Best Practices platform will permit submitting the Inventory. Certain questions require information to be typed into the Comment section before the online platform counts the question as completely answered. Please refer to the [Instructions](#) for further details. Failing to submit the Inventory is deemed equivalent to a zero score.

The municipality’s Chief Finance Officer and Chief Administrative Officer must both certify the Inventory using the Online Platform. The Chief Administrative Officer is an individual who, regardless of title, is responsible for the municipality’s day-to-day operations. If a municipality does not have a business administrator or municipal manager, this person would be whichever individual (e.g., municipal clerk, chief financial officer) is responsible for running day-to-day operations. Every municipality has a Chief Administrative Officer.

The Municipal Clerk must certify that the Inventory and the results thereof were or will be discussed at a public meeting, inserting the date on which the meeting was or will be held; the inventory results and the certification of same by the chief administrative and financial officers referenced in the meeting minutes. Municipal Clerks likewise make their certification using the online platform and do not file a separate certification document. The purpose of the acknowledgement requirement is to ensure that local officials are apprised of their municipality’s Best Practices Inventory response. Please do not wait for the Best Practices Inventory to be discussed at a governing body meeting before submitting the Inventory.

State Fiscal Year municipalities have the same Thursday, November 10, 2022, deadline as Calendar Year municipalities.

Appeals of Best Practices Scores

A municipality may appeal its score to the Director **up to one week prior to the submission deadline**, but not before submitting their Best Practices Inventory. Appeals must be submitted by close of business **Thursday, November 3, 2022**, via email to bestpractices@dca.nj.gov with the

heading “Best Practices Appeal.” The Director may exercise discretion upon finding that a municipality’s individual circumstances so warrant. Municipalities that wish to submit an appeal should do so in conjunction with their Inventory submission.

Approved: Jacquelyn A. Suárez, Director

Document	Internet Address
FY23 App. Act	https://www.nj.gov/treasury/omb/publications/23bill/AppropriationsAct.pdf
Best Practices Platform	https://njdca.dynamics365portals.us/
Log-In & Access FAQ	https://www.nj.gov/dca/divisions/dlgs/programs/best_practices_docs/BPI%20Log-In%20and%20Access%20FAQ%20-%202022.pdf
SHBP Survey Spreadsheet	https://www.nj.gov/dca/divisions/dlgs/programs/best_practices_docs/SHBP%20Best%20Practices%20Survey%20Form%20-%202022.xlsx
Opportunity Zone Status Spreadsheet	https://www.nj.gov/dca/divisions/dlgs/programs/best_practices_docs/OZ%20Best%20Practices%20Survey%20Form.xlsx
BPI Question List	https://www.nj.gov/dca/divisions/dlgs/programs/best_practices_docs/Final%202022%20DLGS%20Best%20Practices%20Inventory%20Questions.xlsx

TOWNSHIP OF CLARK
Resolution 22-153
November 9, 2022

WHEREAS N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the year, when it has been determined it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may, by Resolution setting forth the facts, adopted by not less than two-thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2022 budget appropriations in accordance with the attached schedule of transfers.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/11-9BudgetTransfers

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

**CLARK TOWNSHIP
BUDGET TRANSFERS**

	<u>To</u>	<u>From</u>
Administration: Other Expenses	20,000.00	
Law: Other Expenses	100,000.00	
Fire: OE	8,000.00	
Clerk: OE	5,000.00	
Planning Board: OE	4,000.00	
Tax Assessor: S&W	4,000.00	
Health Benefits	212,000.00	
DPW: S&W		160,000.00
Grass Expense		8,000.00
Police: OE		20,000.00
Engineering: OE		75,000.00
Finance: S&W		40,000.00
Insurance & Bonding		50,000.00
	<u>353,000.00</u>	<u>353,000.00</u>

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR THE APPOINTMENT OF SPECIAL COUNSEL**

WHEREAS, the Township of Clark has a need to employ Special Counsel pursuant to Section 3-27(c) of the Township of Clark Municipal Code as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$44,000; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended two (2) times for the like one (1) year term as approved by the Township of Clark Governing Body; and

WHEREAS, Schenck, Price, Smith & King, LLP has submitted a proposal dated September 27, 2022, indicating they will provide legal services as Special Counsel in connection with and replying to certain demands and defend the Township in lawsuits filed against the Township of Clark for the legal fee of \$300.00 per hour; and

WHEREAS, Schenck, Price, Smith & King, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Schenck, Price, Smith & King, LLP has not made any reportable contributions to any political or candidate committee for any members of the Governing Body for the Township of Clark, in the previous one (1) year and that the contract will prohibit the Law Firm of Schenck, Price, Smith & King, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer certifies, pursuant to N.J.A.C. 5:30-5.4 that there are adequate funds for this contract. Funds have been certified to be available in account number(s) 2-01-20-155-201, from Law Special Services; and

NOW THEREFORE, BE IT RESOLVED Township Council of the Township of Clark, in the County of Union, State of New Jersey, that it hereby authorizes the Business Administrator to enter into a contract with Schenck, Price, Smith & King, LLP as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/11-9 Award Non-fair and open contract Special Counsel- Schenck Price Smith & King LLP

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

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
 <NAME OF CONTRACTING AGENCY>

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the <name of business entity> has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding (date of award scheduled for approval of the contract by the governing body) to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the <name of entity of elected officials> as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Schenck, Price, Smith & King, LLP	
220 Park Avenue PO Box 991	
Florham Park, New Jersey 07932	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
NONE	

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Schenck, Price, Smith & King, LLP

Signed: [Signature] Title: Partner
 Print Name: William J. Buckley, Esq. Date: 9-28-22

Subscribed and sworn before me this 28 day of September, 2022

My Commission expires:

PATRICIA L. MASTRAS
 A Notary Public of New Jersey
 My Commission Expires December 18, 2023

[Signature]
 (Affiant)
Patricia L. Mastras
 (Print name & title of affiant) (Corporate Seal)

**DETERMINATION OF VALUE
CERTIFICATION**

I, Jennifer Kobliska, CFO, QPA hereby certify that the estimated amounts of the contract to be awarded, to provide legal services, as Special Counsel in connection with and replying to certain demands and defend the Township in lawsuits filed against the Township of Clark, will exceed \$44,000.00.

I hereby further certify that funds to cover the expenditures for the above-reference contract will be encumbered by purchase orders on an as-needed basis (as required pursuant to N.J.A.C.

By: Jennifer Kobliska
Jennifer Kobliska, Qualified Purchasing Agent

11/7/22
Certified Date

TOWNSHIP OF CLARK

Resolution 22-155

November 9, 2022

6

AUTHORIZING THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES LOT 2 IN BLOCK 77 (A/K/A 175 WESTFIELD AVENUE) AND LOT 4 IN BLOCK 77 (A/K/A 181 WESTFIELD AVENUE) QUALIFY AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Section 5 thereof; and

WHEREAS, the Township wishes to utilize the Planning Board's knowledge and expertise in exploring whether the parcels with frontage on Westfield Avenue identified on the official tax map of the Township as Block 77, Lot 2 (a/k/a 175 Westfield Avenue), and Block 77, Lot 4 (a/k/a 181 Westfield Avenue) (collectively the "Study Area") meet the criteria established by the Act; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the Governing Body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Act, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, the Resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area"); and

WHEREAS, the Township Mayor and Council find it to be in the best interest of the Township and its residents to authorize the Township's Planning Board to undertake such preliminary investigation of the Study Area, Block 77, Lots 2 and 4, as a Non-Condemnation Redevelopment Area.

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

I. INVESTIGATION OF STUDY AREA AUTHORIZED

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Act, including N.J.S.A. 40A:12A-5, to be designated as a Non-Condemnation Redevelopment Area.

II. MAP TO BE PREPARED

As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained therein.

III. PUBLIC HEARING REQUIRED

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Non-Condernnation Redevelopment Area. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Non-Condernnation Redevelopment Area. All objections to a determination that all or a portion of the Study Area is an area in need of non-condernnation redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

IV. PLANNING BOARD TO MAKE RECOMMENDATIONS

After conducting its investigation, preparing a map of the proposed Non-Condernnation Redevelopment Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council in the form of a Resolution regarding whether the Township should designate the Study Area as a Non-Condernnation Redevelopment Area.

V. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

VI. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Non-Condernnation Redevelopment Area; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Clark, the property owners within the Study Area and those whose names and addresses are noted on the tax records as a person or persons claiming to have an interest in any parcel within the Study Area.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/11-9AuthPBStudy-Area in Need of Redev -175-181 Westfield Avenue

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

TOWNSHIP OF CLARK
Resolution 22-156
November 9, 2022

7

WHEREAS the Governing Body of the Township of Clark is in receipt of the completed, negotiated contract which stipulates the Township and Clark Policemen’s Benevolent Association Local #125 have been engaged in good faith collective negotiations for the purpose of reaching agreement on terms and conditions of employment for successor contracts as adopted on January 21, 2020 by ordinance 20-03 and remains in full force and effect; and

WHEREAS an amendment to the contract for the period January 1, 2020 through December 31, 2023 for PBA Local #125 modifies the health benefit contribution as per Chapter 78 as attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby ratify the attached amendment to the five-year contract as stated herein for Clark Policemen’s Benevolent Association Local #125.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/11-9 Ratify/Amend PBAContract 2020-2023

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

SIDE BAR AGREEMENT

The Township of Clark ("Employer") and PBA Local 125 ("PBA") agree as follows:

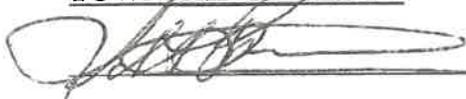
1. Effective November 1, 2022, all unit members that participate in the Employer provided health benefits program who enroll in the OMNIA plan of benefits for plan year 2023 and thereafter shall contribute at Tier 2 of the Chapter 78 premium contribution grids. All other provisions relating to health benefits as set forth in the collective negotiations agreement between the parties with a term from January 1, 2020 through December 31, 2023 shall remain unchanged and in effect.

2. This Agreement shall remain in full force and effect from year-to-year unless modified through written agreement of the parties.

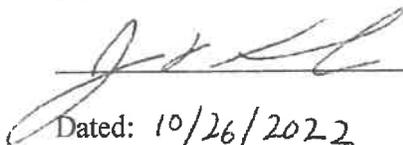
3. If the parties modify this Agreement to increase the amounts paid by those unit members who have enrolled in OMNIA as set forth in paragraph 1, above, the modification shall not be applied to any unit member who enrolled in OMNIA until they have had the opportunity through open enrollment to choose other health insurance coverage. The modification will then apply during the next plan year after open enrollment.

4. The parties acknowledge that this agreement is an additional benefit agreed to by the PBA and Employer and that it is outside the terms of the parties' collective negotiations agreement. Notwithstanding, the parties agree that any disputes regarding this Agreement are to be addressed through the grievance procedure in Article IX of the parties' contract.

TOWNSHIP OF CLARK:

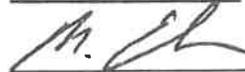


Dated:



Dated: 10/26/2022

PBA LOCAL 125:



Dated: 10/26/2022

Dated: