

**AGENDA  
COUNCIL REORGANIZATION MEETING  
315 WESTFIELD AVE., CLARK, NJ 07066  
JANUARY 1, 2023 - 12:00 PM**

Township Clerk, Edith L. Merkel acting as Council President Pro Tem opens the Reorganization meeting

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Please stand for the Flag Salute and remain standing for the invocation

**INVOCATION** Provided by Fr. Bill Sheridan, Pastor of Saint Agnes Church

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.

**SWEARING IN OF THE WARD COUNCIL MEMBERS ELECTED NOVEMBER 8, 2022**

**By: Mayor Sal Bonaccorso**

First Ward	Councilman Frank Mazzarella
Second Ward	Councilman Pat O'Connor
Third Ward	Councilman Steve Hund
Fourth Ward	Councilman Brian Toal

Mayor presents the "Certificate of Election" to the Newly Elected Council Members

**Reorganization meeting of the Township Council 2023 will commence**

**ROLL CALL:**

<b>Councilwoman Albanese</b> _____	<b>Councilman O'Connor</b> _____
<b>Councilman Hund</b> _____	<b>Councilman Smith</b> _____
<b>Councilman Mazzarella</b> _____	<b>Councilman Toal</b> _____
<b>Councilman Minniti</b> _____	

**First Order of Business - Election of Council President**

**Election of Council Vice-President**

**Mayor's Appointments** (Without confirmation of Council)

**Affirmative Action Officer**

Donna Mazzucco (2-year term) 01/01/23 – 12/31/24

**Union County Transportation Advisory Board**

Councilman Steve Hund (1-year term) 01/01/23 – 12/31/23

**Union County Utilities Authority Solid Waste Advisory Board**

Councilman Brian Toal Regular Member 1-year term 01/01/23 – 12/31/23

Councilman Frank Mazzarella Alternate 1-year term 01/01/23 – 12/31/23

**Union County Community Development Revenue Sharing Committee** (Public Improvements)

Councilwoman Angel Albanese Regular Member 1-year term 01/01/23 – 12/31/23

Councilman James Minniti Alternate 1-year term 01/01/23 – 12/31/23

**Planning Board**

Kevin Koch Class IV member (4-year term) 01/01/23 – 12/31/26

Michael Altmann Class IV member (4-year term) 01/01/23 – 12/31/26

Lance Steinberg Class IV member (4-year term) 01/01/23 – 12/31/26

Mayor Sal Bonaccorso Class I member (1-year term) 01/01/23 – 12/31/23

James Ulrich Class II member (1-year term) 01/01/23 – 12/31/23

**Traffic Advisory Board**

(1-year term) 01/01/23 – 12/31/23

Police Captain Christian Lott

Police Captain Miguel Acabou

Mayor Sal Bonaccorso

Business Administrator, James Ulrich

Township Engineer, Richard O'Connor

Superintendent Clark Public Schools, Edward Grande

**Local Emergency Management Council:**

(1-year term) 01/01/23 – 12/31/23

Adam Nenortas Deputy EM Coordinator

Sal Bonaccorso Mayor/Public Information Officer

James Ulrich Business Administrator

Patrick O'Connor Council Liaison

Carmen Brocato Director of Public Safety

Capt. Christian Lott Police Department

Capt. Miguel Acabou Police Department

Frank Cerasa Fire Chief

Laurie Sheldon Emergency Medical Coordinator (Clark Emergency Squad)

Nancy Raymond Health Officer

David DeRosa Assistant 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

Michael Pollock Director of Security, Clark Public Schools

Richard O'Connor Township Engineer

Mark Dugan Township Attorney

Dr. Kamran Tasharofi Township Doctor

## Environmental Commission

### Regular Members

Edward Dubroski (3-year term) 01/01/23 – 12/31/25  
Martha Kamichoff (3-year term) 01/01/23 – 12/31/25

## Mayor's Appointments (Confirmation of Council Required)

### 1. Library Board of Trustees

Karen DeMarco (5-year term) 01/01/23 – 12/31/27  
Councilwoman Angel Albanese, Mayor's Alternate (1-year term) 01/01/23 – 12/31/23  
Carla Wagner, Superintendent's Alternate (1-year term) 01/01/23 – 12/31/23

## CITIZEN HEARING ON THE AGENDA

Each person addressing the Council shall first 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.

## Council's Appointments (Resolutions)

### 2. Municipal Alliance Committee – 1-year term (unless otherwise stated)

Ralph Bernardo – Coordinator  
Detective Brian Soos – Chairperson/Police Dept. Youth  
Officer Mark Detore and Officer Dan Joy – Dare Officers  
Sal Bonaccorso – Mayor  
Capt. Christian Lott and Capt. Miguel Acabou – Law Enforcement Agency Representatives  
Victor DeMarzo – Teen Center Youth Representative  
Joe Beltramba – Principal Valley Road School/Board of Ed Rep.  
Rick Delmonaco – Principal Kumpf School Representative  
Tara Oliveira – Principal ALJ High School Representative  
Jaimie Wronski (4 years) and Steve Kalblein – Student Assistant Coordinators  
Andrew Calo and Stephanie Burdel – Teacher Representatives  
Kim Baglieri – PTA Representative  
Lisa Cahill and Joe Arancio – Citizen Representatives  
Gwen Cahill, Zoey Brown, Dillon Cahill and Steven McCaffery – Youth Representatives

### 3. Planning Board

Councilman Minniti, Class III Member (1-year term) 01/01/23 – 12/31/23

### 4. Board of Adjustment

Ed Ruth, Regular Member (4-year term) 01/01/23 – 12/31/26  
Douglas Krok, Regular Member (4-year term) 01/01/23 – 12/31/26  
William Helm, Regular Member (4-year term) 01/01/23 – 12/31/26  
Dante Tignini, Alternate I Member (2-year term) 01/01/23 – 12/31/24

### 5. Insurance Fund Commissioners (JIF)

James Ulrich Commissioner (1-year term) 01/01/23 – 12/31/23  
Jennifer Kobliska Alternate (1-year term) 01/01/23 – 12/31/23

### 6. Environmental Commission

Christina DeLouisa, Alternate II Member (2-year term) 01/01/23 – 12/31/24

### 7. Union County Community Development Revenue Sharing Committee Public Services

Councilman Frank Mazzarella Regular Member (1-year term) 01/01/23 – 12/31/23  
Councilman Brian Toal Alternate (1-year term) 01/01/23 – 12/31/23

## **APPOINTMENTS BY THE DIRECTOR OF LAW**

Jon-Henry Barr, Esq. – Prosecutor	1-year term	01/01/23 – 12/31/23
Robert J. Pansulla, Esq. – Alternate Prosecutor	1-year term	01/01/23 – 12/31/23
Jared B. Weiss, Esq. – Public Defender	1-year term	01/01/23 – 12/31/23

## **CONSENT AGENDA RESOLUTIONS**

8. Entering into a Cash Management Plan for the Township for 2023
9. Adopting the Temporary Municipal Budget
10. Adopting the Temporary Sewer Utility Budget
11. Adopting the Temporary Swim Pool Utility Budget
12. Authorizing Petty Cash Funds for the Business Administrator, Police Chief and Pool Director
13. Establishing the rate of interest to be charged on delinquent taxes
14. Authorizing funds of the Township and checks drawn upon the payroll and agency accounts be subject to withdrawal by any two of the following: Mayor, Business Administrator, Chief Financial Officer
15. Designating the Union County Hawk, Union County Local Source, and Star Ledger as the official Newspapers for the Township and TAP into Clark as the Electronic News Source in accordance with the Open Public Meetings Act
16. Designating Business Administrator James Ulrich as the Public Agency Compliance Officer (P.A.C.O.)
17. Affirming the Township'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
18. Governing Body certification of compliance with the United States Equal Employment Opportunity Commission in accordance with Federal Civil Rights Law
19. Establishing and approving professional fees or charges assessed for Municipal Land Use in connection with Township Boards' review of applications for development, preparation of documents and inspection of developments and improvements under construction
20. Authorizing the Township Engineer to review and approve all sewer applications to be submitted to RVSA and/or NJDEP without further action of the Governing Body
21. Authorizing the Administration and/or Township Clerk to advertise for upcoming Bids for all necessary government operations including capital projects and swim pool requirements
22. Authorizing the Township to purchase materials, supplies and equipment under State Contract
23. Authorizing the Township to purchase materials, supplies and equipment through various local and national Cooperative Pricing Systems
24. Authorizing the Administration to submit grant applications for upcoming grant opportunities

25. Appointing Donna Mazzucco as Acting Clerk and James Ulrich as Alternate Acting Clerk in the Clerk's absence as the need may arise
26. Appointing James Ulrich as the Municipal Housing Liaison in accordance with Chapter 66 Section 15A of the Township Code
27. Authorizing the Tax Collector to cancel all delinquent tax, tax overpayments, delinquent sewer and sewer overpayments of \$10.00 or less
28. Authorizing the Mayor and/or Business Administrator to execute an Addendum to the Department of Public Works Contract for minor changes and a one-year extension

**INTRODUCTION OF PROPOSED ORDINANCES:**

29. **23-01 AN ORDINANCE TO AMEND CHAPTER 3, ADMINISTRATION OF GOVERNMENT ARTICLE V, TOWNSHIP COUNCIL MEETINGS, SUBSECTION 3-12A PROCEDURAL REQUIREMENTS OF THE CODE OF THE TOWNSHIP OF CLARK**

Public Hearing January 17

30. **23-02 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Public Hearing January 17

31. **23-03 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 161 ENTITLED "FIRE PREVENTION" OF THE CODE OF THE TOWNSHIP OF CLARK**

Public Hearing January 17

32. **23-04 AN ORDINANCE TO AMEND CHAPTER 170 ENTITLED "FOOD ESTABLISHMENTS" SECTION 170-7C(1) ENTITLED "FEES" OF THE CODE OF THE TOWNSHIP OF CLARK**

Public Hearing January 17

33. **23-05 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**

Public Hearing January 17

34. **23-06 AN ORDINANCE ESTABLISHING A FEE FOR FILING OF ANNUAL REGISTRATION OF CERTIFICATE OF INSURANCE FOR BUSINESSES AND RENTAL UNITS AND MULTIFAMILY HOMES WITH FOUR OR FEWER UNITS WITHIN THE TOWNSHIP OF CLARK PURSUANT TO N.J.S.A. 40A:10A-2**

Public Hearing January 17

## **COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2023**

### **FINANCE COMMITTEE**

Pat O'Connor, Chairman  
Angel Albanese  
Jimmy Minniti

### **LEGISLATIVE COMMITTEE**

Brian Toal, Chairman  
Pat O'Connor  
Bill Smith

### **PUBLIC SAFETY**

Jimmy Minniti, Chairman  
Frank Mazzarella  
Steve Hund

### **PARKS AND RECREATION**

Bill Smith, Chairman  
Pat O'Connor  
Angel Albanese

### **PUBLIC WORKS**

Frank Mazzarella, Chairman  
Bill Smith  
Steve Hund

## **COUNCIL LIAISON**

### **Board of Education**

Angel Albanese

### **Emergency Squad**

Pat O'Connor

### **Recreation**

Bill Smith

### **Fire Department**

Jimmy Minniti

### **Police Department**

Steve Hund

### **Public Works**

Frank Mazzarella

### **Emergency Management**

Pat O'Connor

### **Public Library**

Angel Albanese

### **Senior Citizens**

Frank Mazzarella

### **Environmental Commission**

Brian Toal

## **PUBLIC COMMENTS**

Each person addressing the Council shall first 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'S STATE OF THE TOWNSHIP ADDRESS**

## **COUNCIL AND PROFESSIONAL REMARKS**

## **ADJOURNMENT**

TOWNSHIP OF CLARK  
Resolution 23-01  
January 1, 2023

**WHEREAS** Mayor Sal Bonaccorso has appointed the following individuals as Members of the Library Board of Trustees.

Karen DeMarco	Regular Member	01/01/23 – 12/31/27
Angel Albanese	Mayor's Alternate	01/01/23 – 12/31/23
Carla Wagner	Superintendent's Alternate	01/01/23 – 12/31/23

**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.

TOWNSHIP OF CLARK

Resolution 23-02

January 1, 2023

**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 for 2023 in accordance with N.J.S.A. 26:2BB-9 for a one-year term unless otherwise noted.

<u>NAME</u>	<u>TITLE/SECTOR</u>
Ralph Bernardo	Coordinator
Detective Brian Soos	Chairperson/Police Dept. Youth
Officer Mark Detore	Dare Officer
Officer Dan Joy	Dare Officer
Sal Bonaccorso	Mayor
Capt. Christian Lott	Law Enforcement Agency
Capt. Miguel Acabou	Law Enforcement Agency
Victor DeMarzo	Teen Center Youth Representative
Joe Beltramba	Principal Valley Road School/Board of Ed Rep.
Rick Delmonaco	Principal Kumpf School Representative
Tara Oliveira	Principal ALJ High School Representative
Jaimie Wronski (4 years)	Student Assistant Coordinator
Steve Kalblein	Student Assistant Coordinator
Andrew Calo	Teacher Representative
Stephanie Burdel	Teacher Representative
Kim Baglieri	PTA Representative
Lisa Cahill	Citizen Representative
Joe Arancio	Citizen Representative
Gwen Cahill	Youth Representative
Zoey Brown	Youth Representative
Dillon Cahill	Youth Representative
Steven McCaffery	Youth Representative

TOWNSHIP OF CLARK  
Resolution 23-03  
January 1, 2023

**BE IT RESOLVED** by the Governing Body of the Township of Clark that Councilman James Minniti is hereby appointed as Class III Member to the Planning Board as the Council's Representative effective January 1, 2023 – December 31, 2023.

TOWNSHIP OF CLARK  
Resolution 23-04  
January 1, 2023

**BE IT RESOLVED** by the Governing Body of the Township of Clark that the following individuals are hereby re-appointed as Members of the Board of Adjustment

**Regular Member**

**Term**

William Helm  
Ed Ruth  
Douglas Krok

01/01/23 – 12/31/26  
01/01/23 – 12/31/26  
01/01/23 – 12/31/26

**Alternate I**

Dante Tignini

01/01/23 – 12/31/24

TOWNSHIP OF CLARK  
Resolution 23-05  
January 1, 2023

**A RESOLUTION APPOINTING AN INSURANCE FUND COMMISSIONER AND AN  
ALTERNATE INSURANCE FUND COMMISSIONER TO SERVE ON THE  
NEW JERSEY MUNICIPAL SELF INSURERS' JOINT INSURANCE FUND**

**BE IT RESOLVED**, on this first day of January, 2023, by the Governing Body of the Township of Clark , County of Union, State of New Jersey, that the appointment of James Ulrich as Fund Commissioner and Jennifer Kobliska as Alternate Fund Commissioner for the New Jersey Municipal Self Insurers' Joint Insurance Fund and is hereby authorized.

Date Adopted: January 1 2023

TOWNSHIP OF CLARK  
Resolution 23-06  
January 1, 2023

**BE IT RESOLVED** by the Governing Body of the Township of Clark that Christina DeLouisa is hereby re-appointed as Alternate II Member of the Environmental Commission for a 2-year term from January 1, 2023 to December 31, 2024.

TOWNSHIP OF CLARK

Resolution 23-07

January 1, 2023

**WHEREAS** Mayor Sal Bonaccorso has appointed the following individuals to the Union County Community Development Revenue Sharing Committee, Public Improvements Sub-committee effective January 1, 2023.

<b><u>Regular Representative (Public Improvements)</u></b>	<b><u>Term</u></b>
Councilwoman Angel Albanese 33 Victoria Drive Clark, New Jersey 07066 <a href="mailto:aalbanese@ourclark.com">aalbanese@ourclark.com</a> 732-319-0234	01/01/23 – 12/31/23

**Alternate Representative**

Councilman James Minniti 94 Jupiter Street Clark, New Jersey 07066 <a href="mailto:jminniti@ourclark.com">jminniti@ourclark.com</a> 908-380-8300	01/01/23 – 12/31/23
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**WHEREAS** the Township Council is the appointing authority for the Public Services Sub-committee of the Union County Community Development Revenue Sharing Committee.

<b><u>Regular Representative (Public Services)</u></b>	<b><u>Term</u></b>
Councilman Frank Mazzarella 1 Fairview Road Clark, New Jersey 07066 <a href="mailto:fmazzarella@ourclark.com">fmazzarella@ourclark.com</a> 732-574-9130	01/01/23 – 12/31/23

**Alternate Representative**

Councilman Brian Toal 116 Dorset Drive Clark, New Jersey 07066 <a href="mailto:btoal@ourclark.com">btoal@ourclark.com</a> 732-388-9209	01/01/23 – 12/31/23
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**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 Services Sub-committee and acknowledges the mayor's appointments to the Public Improvements Sub-committee as stated above.

TOWNSHIP OF CLARK

Resolution 23-08

January 1, 2023

**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 1, 2023 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, 2023 to December 31, 2023.

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK**

**IN THE COUNTY OF UNION, NEW JERSEY 2023**

**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 importance, 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 DEPOSITORY**

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-7 and 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. TERM OF PLAN**

This Plan shall be in effect from January 1, 2023 to December 31, 2023. 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.

TOWNSHIP OF CLARK  
Resolution 23-09  
January 1, 2023

**WHEREAS** the 2022 Municipal Budget totaled \$28,576,844.89; and

**WHEREAS** the Temporary Municipal Budget for 2023 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

**WHEREAS** the total amount that may be introduced as a Temporary Budget for 2023 is \$6,554,750.97.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that the line items attached hereto are hereby adopted as the Temporary Budget for 2023 in the total amount of \$6,547,000.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$3,606,365.00 for Capital Appropriations and Debt Service.

<b>CLARK TOWNSHIP</b>				
<b>TEMPORARY BUDGET - 2023</b>				
<b>Dept#</b>	<b>DEPARTMENT</b>	<b>SALARIES</b>	<b>OTHER</b>	<b>TOTAL</b>
20-100	Administration	\$ 65,000.00	25,000.00	\$ 90,000.00
20-101	Communications	\$ 45,000.00	16,000.00	\$ 61,000.00
20-110	Mayor's Office	22,000.00	4,000.00	26,000.00
20-111	Municipal Council	13,000.00	8,000.00	21,000.00
20-120	Clerk	65,000.00	8,000.00	73,000.00
20-121	Clerk - Elections	-	10,000.00	10,000.00
20-130	Financial Administration	75,000.00	75,000.00	150,000.00
20-145	Revenue Administration	22,000.00	7,000.00	29,000.00
20-150	Tax Assessor	30,000.00	15,000.00	45,000.00
20-155	Legal Services	-	100,000.00	100,000.00
20-165	Engineering Services	-	100,000.00	100,000.00
21-180	Planning Board	2,000.00	8,000.00	10,000.00
21-185	Zoning Board of Adjustment	3,000.00	3,000.00	6,000.00
22-195	Code Enforcement	100,000.00	20,000.00	120,000.00
23-210	Ins & Bonding	-	200,000.00	200,000.00
23-220	Health Benefits	-	1,500,000.00	1,500,000.00
23-222	Life Insurance	-	12,000.00	12,000.00
23-223	Disability	-	50,000.00	50,000.00
25-240	Police	1,500,000.00	90,000.00	1,590,000.00
25-250	911	155,000.00	12,000.00	167,000.00
25-252	Emergency Management	5,000.00	10,000.00	15,000.00
25-260	Volunter EMS Squad	-	75,000.00	75,000.00
25-265	Public Safety	1,000.00	-	1,000.00
25-266	Fire Bureau	40,000.00	40,000.00	80,000.00
25-267	Fire Hydrant	-	75,000.00	75,000.00
25-268	Fire Prevention	40,000.00	5,000.00	45,000.00
26-290	Streets and Roads	300,000.00	160,000.00	460,000.00
26-291	Traffic Lights	-	-	-
26-305	Grass	-	5,000.00	5,000.00
26-306	Leaves	-	5,000.00	5,000.00
26-307	Recycling	-	200,000.00	200,000.00
26-308	Cleanup	-	5,000.00	5,000.00
26-310	Building and Grounds	60,000.00	140,000.00	200,000.00
26-313	Shade Tree	-	5,000.00	5,000.00
26-325	Municipal Services Act	-	5,000.00	5,000.00
27-330	Public Health Services	75,000.00	15,000.00	90,000.00
27-331	Senior Citizens	20,000.00	4,000.00	24,000.00
27-365	Visiting Nurse	-	5,000.00	5,000.00
28-370	Recreation	65,000.00	15,000.00	80,000.00
29-390	Municipal Library	-	75,000.00	75,000.00
30-420	Celebration of Public Events	-	10,000.00	10,000.00
31-430	Utilities	-	130,000.00	130,000.00
31-435	Street Lighting	-	130,000.00	130,000.00
31-440	Utilities - Telephone	-	40,000.00	40,000.00
31-460	Utilities - Gasoline	-	150,000.00	150,000.00
36-472	Social Security - FICA	-	190,000.00	190,000.00
36-476	Unemployment Comp.	-	-	-
36-477	DCRP	-	-	-
42-102	Interlocal Svc-Bd of Ed	-	20,000.00	20,000.00
43-490	Municipal Court	60,000.00	7,000.00	67,000.00
		\$ 2,763,000.00	\$ 3,784,000.00	\$ 6,547,000.00
44-901	Capital Improvements	-	275,000.00	275,000.00
45-920	Bond Principal	-	2,150,000.00	2,150,000.00
45-925	BAN Principal	-	337,000.00	337,000.00
45-930	Bond Interest	-	437,500.00	437,500.00
45-935	Note Interest	-	406,865.00	406,865.00
46-871	Deferred Charges	-	-	-
		\$ -	\$ 3,606,365.00	\$ 3,606,365.00
		\$ 2,763,000.00	\$ 7,390,365.00	\$ 10,153,365.00

TOWNSHIP OF CLARK

Resolution 23-10

January 1, 2023

**WHEREAS** the 2022 Municipal Sewer Budget totaled \$3,646,000.00; and

**WHEREAS** the Temporary Municipal Sewer Budget for 2023 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

**WHEREAS** the total amount that may be introduced as a Temporary Sewer Budget for 2023 is \$957,075.00 exclusive of Capital Appropriations and Debt Service.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that the following line items are hereby adopted as the Temporary Sewer Budget for 2023 in the total amount of \$800,000.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$150,000.00 for Capital Appropriations and Debt Service.

Salaries and Wages	\$340,000.00
Miscellaneous Other Expenses	<u>\$460,000.00</u>
	\$800,000.00
Capital Outlay	\$150,000.00
Bond Principal	-
Interest on Bonds	-
	<u>\$150,000.00</u>
	<u>\$950,000.00</u>

TOWNSHIP OF CLARK

Resolution 23-11

January 1, 2023

**WHEREAS** the 2022 Municipal Pool Budget totaled \$404,142.00; and

**WHEREAS** the Temporary Municipal Pool Budget for 2023 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

**WHEREAS** the total amount that may be introduced as a Temporary Pool Budget for 2023 is \$100,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following line items are hereby adopted as the Temporary Pool Budget for 2023 in the total amount of \$100,000.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$45,000.00 for Capital Appropriations.

Salaries and Wages	\$ 40,000.00
Miscellaneous Other Expenses	<u>\$ 60,000.00</u>
	\$100,000.00
Capital Outlay	<u>\$ 45,000.00</u>
	<u>\$145,000.00</u>

TOWNSHIP OF CLARK

Resolution 23-12

January 1, 2023

**WHEREAS** the Petty Cash balances of the Business Administrator, Police Chief and Pool Director were turned over as of 10:00 a.m., Friday, December 30, 2022 to the Treasurer's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that there has been established a Petty Cash Fund for the Year 2023 and the Treasurer's Office is hereby authorized to issue checks to the following department heads:

Business Administrator	\$300.00
Police Chief	\$150.00
Pool Director	\$300.00

TOWNSHIP OF CLARK

Resolution 23-13

January 1, 2023

**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 31<sup>st</sup>, 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, 2023, 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.

TOWNSHIP OF CLARK

Resolution 23-14

January 1, 2023

**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

TOWNSHIP OF CLARK

Resolution 23-15

January 1, 2023

**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, Union County HAWK and the Star Ledger be designated as the 2023 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) for the Township; and

**BE IT FURTHER RESOLVED** that TAP into Clark be and hereby is designated as the Electronic News Source to which notices and other matters are to be provided under the Open Public Meetings Act.

TOWNSHIP OF CLARK  
Resolution 23-16  
January 1, 2023

**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 10<sup>th</sup> 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 Ulrich, Business Administrator as the Public Agency Compliance Officer, effective January 1, 2023 for a period of one year ending December 31, 2023; 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.

TOWNSHIP OF CLARK

Resolution 23-17

January 1, 2023

**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.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE 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"**

TOWNSHIP OF CLARK  
Resolution 23-18  
January 1, 2023

**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 budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**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.

TOWNSHIP OF CLARK

Resolution 23-19

January 1, 2023

**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 2023 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.

**ESCROW FEE SCHEDULE (In-House)**

Plan Review, Site Inspection & Testing Fees

<u>Title Category</u>	<u>Name</u>	<u>Salary</u>	<u>Work Hours</u>	<u>Hourly Rate</u>
Township Engineer	Richard O'Connor Grotto Engineering Associates, LLC	-0-	As needed	As follows:
Principal		-0-	As needed	\$175.00
Project Manager		-0-	As needed	\$165.00
Licensed Professional Engineer/Surveyor or Planner		-0-	As needed	\$155.00
Senior Staff Engineer		-0-	As needed	\$110.00
Staff Engineer		-0-	As needed	\$105.00
Senior Engineering Technician		-0-	As needed	\$100.00
Engineering Technician/Survey Technician		-0-	As needed	\$ 90.00
Field Inspector		-0-	As needed	\$ 85.00
Junior Engineering Technician		-0-	As needed	\$ 75.00
Clerical		-0-	As needed	\$ 70.00
Reimbursable Items		-0-	As needed	At Cost
Professional Planner	Paul N. Ricci Ricci Planning	-0-	As needed	\$150.00
Planning Board Attorney	Albert Cruz DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC	-0-	As needed	\$135.00
Board of Adjustment Attorney	Kelly Carey Pashman Stein Walder Hayden, PC	-0-	As needed	\$150.00

TOWNSHIP OF CLARK

Resolution 23-20

January 1, 2023

**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.

TOWNSHIP OF CLARK  
Resolution 23-21  
January 1, 2023

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the Administration and/or Township Clerk to advertise for upcoming Bids for all necessary government operations including capital projects and swim pool requirements for the year 2023.

TOWNSHIP OF CLARK

Resolution 23-22

January 1, 2023

**WHEREAS** in the past, the Township of Clark has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS** it is desirable from time-to-time to obtain materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS** it is contemplated that it will be necessary or desirable to obtain materials, supplies and equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2023.

**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 the purchases by the Township of Clark, through the several municipal departments shall be purchased under a contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury, in those cases where it is desirable and in the best interest of the Township of Clark, and in those cases where bids have been sought by advertisement therefore and no bids are received.
2. That a copy of the Resolution be forwarded to the Municipal Administrator, all Department Heads of the Township of Clark, Township Auditor, and any other party of interest.

TOWNSHIP OF CLARK  
Resolution 23-23  
January 1, 2023

**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, 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 aka New Jersey Cooperative Purchasing Alliance and the Houston-Galveston Area Council (H-GAC) as the Lead Agencies to effect substantial economies in the purchase of work, materials and supplies; and

**WHEREAS** when the Lead Agency of a Cooperative Pricing System, Joint Purchasing System or Regional Cooperative Price System established and properly registered with the Division is a Board of Education or Educational Service Commission the provision and performance of good and services shall be conducted pursuant to the Public-School Contracts Law N.J.S.A. 18A:18A-1 et seq. and all other lead agencies shall follow the Local Public Contracts Law N.J.S.A. 40A:11-11-1 et seq.

**WHEREAS** all parties have approved the Agreements by Ordinance or Resolution as appropriate, in accordance with the aforesaid 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 commitment to participate in the aforementioned Cooperative Pricing Systems for the period January 1, 2023 through December 31, 2023; and

**BE IT FURTHER RESOLVED** that the agreements shall continue in effect unless any party to an Agreement shall give written notice of its intention to terminate its participation.

TOWNSHIP OF CLARK

Resolution 23-24

January 1, 2023

**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 swim pool requirements for the year 2023.

TOWNSHIP OF CLARK  
Resolution 23-25  
January 1, 2023

**BE IT RESOLVED** by the Governing Body of the Township of Clark that Donna Mazzucco 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, 2023; 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 Donna Mazzucco, Acting Clerk; and

**BE IT FURTHER RESOLVED** by the Governing Body of the Township of Clark that James Ulrich is hereby appointed as Alternate Acting Township Clerk in the absence of both the Township Clerk, Edith Merkel and the Acting Township Clerk, Donna Mazzucco as the need may arise from time to time until December 31, 2023.

TOWNSHIP OF CLARK

Resolution 23-26

January 1, 2023

**WHEREAS** Chapter 66, Section 15A of the Code of the Township of Clark requires the designation by resolution of a Municipal Housing Liaison (MHL) to be responsible for oversight and administration of the Affordable Housing Program for the Township; and

**WHEREAS** Business Administrator, James Ulrich is qualified to hold the position as Liaison with the Administrative Agent and carry out the responsibilities of those tasks which may not be contracted out to the Administrative Agent.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby appoints James Ulrich as the Municipal Housing Liaison in accordance with the above-mentioned section of the Township Code.

TOWNSHIP OF CLARK

Resolution 23-27

January 1, 2023

**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.

TOWNSHIP OF CLARK  
Resolution 23-28  
January 1, 2023

**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 Mayor and/or Business Administrator to execute an Addendum to the Department of Public Works Agreement between Clark Township and Union Council No. 8, I.F.P.T.E., AFL-CIO Representing Blue Collar Employees effective January 1, 2018 through December 31, 2022, extending the agreement for one year and making minor changes including an increase to 2.75% reimbursement for CDL and salary ranges.

**TOWNSHIP OF CLARK**  
**Ordinance No. 23-01**  
**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**AN ORDINANCE TO AMEND CHAPTER 3, ADMINISTRATION OF GOVERNMENT  
ARTICLE V, TOWNSHIP COUNCIL MEETINGS, SUBSECTION 3-12A  
PROCEDURAL REQUIREMENTS OF THE CODE OF THE TOWNSHIP OF CLARK**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules, and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good government, order, and protection of person and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law.

**NOW THEREFORE BE IT ORDAINED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Chapter 3, Article V, Subsection 3-12A(3), is hereby Amended as follows:

**SECTION 1:** 3-12A. Procedural Requirements

The last sentence of paragraph (3) Rule 3. shall be amended to read: “All remarks shall be addressed to the Council as a body and not to any member thereof and, unless further time is granted by the Council, shall not exceed 5 minutes in duration.”

**SECTION 2:**

**CONSTRUCTION:** Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and words importing one gender shall include all other genders.

**SECTION 3:**

**INCONSISTENCY:** Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

**SECTION 4:**

**SEVERABILITY:** In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**SECTION 5:**

**PURPOSE OF CAPTIONS:** Captions contained in this ordinance have been inserted only for the purpose of facilitating reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

**SECTION 6:**

**EFFECTIVE DATE:** This ordinance shall take effect immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Effective date: February 8, 2023

**TOWNSHIP OF CLARK**

**Ordinance No. 23-02**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**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 2023 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 \$507,670.78 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 2023 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 \$710,739.09 and that the CY 2023 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**

**Ordinance No. 23-03**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF  
CHAPTER 161 ENTITLED "FIRE PREVENTION" OF  
THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that various sections of Chapter 161 of the Code of the Township of Clark are hereby amended and supplemented, as follows:

**SECTION 1: § 161-35            Office of Fire Code Enforcement, Division of Fire Prevention  
and Protection**

The third sentence is hereby amended to delete the words "Command Staff Deputy Chiefs and/or" and will read as follows:

Any Fire Inspectors employed by the Fire Code Enforcement Office and/or the Clark Volunteer Fire Department shall report directly to the Director.

**SECTION 2: § 161-40            Director of the Division of Fire Prevention (Director)**

Sub-section 161-40L. is hereby amended as follows:

In the event the Director/Fire Chief/Fire Official appointed positions become vacant for any reason, the positions of Director/Fire Chief/Fire Official shall be appointed by the Mayor and Administration of the Township of Clark and may be filled from the current ranks of the Clark Volunteer Fire Department.

Sub-section 161-40M. is hereby deleted in its entirety.

**SECTION 3: § 161-47            Fees**

Sub-section 161-47B. is hereby amended as follows:

Inspection and issuance of permits, four days or fewer: \$25 for 1 day, \$50 for 2 consecutive days, \$75 for up to 4 consecutive days

Sub-section 161-47F. is hereby included as a new Sub-section as follows:

Any Board of Education or Township Sponsored events will pay \$25 for 1 day, \$50 for 2 consecutive days, \$75 for up to 4 consecutive days for Inspection and Issuance of Permits.

**SECTION 4: § 161-48            Fire Watch**

Sub-section 161-48B. is hereby amended as follows:

Schedule of fees. All fire watch services not incurred and paid by the Township of Clark shall be at the rate of ~~\$50~~ \$75 per hour, with the rate increasing to ~~\$75~~ \$100 per hour after eight hours, after hours (6:00 pm – 6:00 am), Holidays or Weekends. There shall be a minimum payment of four hours, plus a fifteen-percent administration fee, and \$10 per day for the use of the Township Office of Fire Code Enforcement vehicle.

**SECTION 5:                            Inconsistent Ordinances:**

Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:                            Effective date:**

This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 8, 2023

**TOWNSHIP OF CLARK**

**Ordinance No. 23-04**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**AN ORDINANCE TO AMEND CHAPTER 170 ENTITLED "FOOD ESTABLISHMENTS" SECTION 170-7C(1) ENTITLED "FEES" OF THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that Section 170-7C(1) entitled "Fees" of Chapter 170 of the Code of the Township of Clark is hereby amended and supplemented, as follows:

**SECTION 1: § 170-7C(1) Fees.**

Subsections (a) and (b) shall read as follows:

- (a) The fees for permits and licenses required in excess of 4 days by this article shall be \$275 per food and/or beverage vending machine.
- (b) ~~Fees shall not be prorated.~~ The fees for permits and licenses required for 4 days or less \$50 for each day to a maximum of \$175.

**SECTION 2: Inconsistent Ordinances:**

Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3: Effective date:**

This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 8, 2023

**TOWNSHIP OF CLARK**

**Ordinance No. 23-05**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**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 2023 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, 2023 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
Laborer 1	\$ 40,900.00	\$ 55,000.00
Laborer 2	\$ 48,000.00	\$ 60,000.00
Public Works Repairer 1	\$ 52,900.00	\$ 65,000.00
Public Works Repairer 2	\$ 59,000.00	\$ 75,000.00
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 <sup>st</sup> Fire Captain	\$ 1,900.00	\$ 4,500.00
2 <sup>nd</sup> Fire Captain	\$ 1,900.00	\$ 4,500.00
3 <sup>rd</sup> Fire Captain	\$ 1,000.00	\$ 4,500.00
4 <sup>th</sup> 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
<b>HOURLY</b>		
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
<b>POLICE – Base Pay</b>		
**Chief (plus longevity and education)	\$ 115,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 100,000.00	\$ 180,000.00

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
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.

Effective Date: February 8, 2023

**TOWNSHIP OF CLARK**

**Ordinance No. 23-06**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2023 Public Hearing: January 17, 2023

**AN ORDINANCE ESTABLISHING A FEE FOR FILING OF ANNUAL  
REGISTRATION OF CERTIFICATE OF INSURANCE FOR BUSINESSES AND  
RENTAL UNITS AND MULTIFAMILY HOMES WITH FOUR OR FEWER  
UNITS WITHIN THE TOWNSHIP OF CLARK PURSUANT TO  
N.J.S.A. 40A:10A-2**

**WHEREAS**, N.J.S.A. 40A:10A-2 (L.2022, c. 92, § 2), became law on November 3, 2022; and

**WHEREAS**, N.J.S.A. 40A:10A-2(b) (L.2022, c. 92, § 2(b)) confers on the Township of Clark (the “Township”) the power and authority to establish a fee for the filing of the annual registration of a certificate of insurance for businesses, rental units and multifamily homes with four or fewer units, one of which is owner occupied, as required by N.J.S.A. 40A:10A-2(a) (L.2022, c. 92, § 2(a)); and

**WHEREAS**, the Township Council of the Township desires to adopt an ordinance in accord with the provisions of N.J.S.A. 40A:10A-2(b) (L.2022, c. 92, § 2(b)) and serve the best interests of the Township and its residents.

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

**Section 1. Fee for the Filing of the Annual Registration of a Certificate of Insurance.** The Township hereby establishes as its reasonable administrative fee for the filing with the Construction Code Official of the Township of the annual registration of the certificate of insurance required by subsection (a) of N.J.S.A. 40A:10A-2 for businesses and rental units and multifamily homes with four or fewer units, one of which is owner occupied, the sum of \$50.00, which shall be due and payable to the Township on the date on which such certificate of insurance is due for filing and registration. The Township may collect, through a summary proceeding pursuant to the “Penalty Enforcement Law of 1999,” P.L.1999, c. 274 (C.2A:58-10 *et seq.*), a fine of not less than \$500.00 but no more than \$5,000.00 against an owner who failed to comply with the provisions of N.J.S.A. 40A:10A-2.

**Section 2. Inconsistency.** All ordinances or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3. Severability.** If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

**Section 4. Effective Date.** This ordinance shall take effect twenty (20) days following passage and publication as required by law.

Effective Date: February 8, 2023