

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

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
April 15, 2024
7:30 pm**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

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

Suspend the Regular Order of Business for 7th Grade Girls Basketball Tournament Recognition

Resume the Regular Order of Business

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

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

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. 24-06 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL FURNISHINGS AND A NEW AUTOMOBILE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,730,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**
- 2. 24-07 AN ORDINANCE AMENDING ORDINANCE 24-01 ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**

3. **24-08 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF POLICE PERSONNEL FOR THE YEARS 2024 THROUGH 2027**
4. **24-09 AN ORDINANCE TO FIX THE SALARIES OF THE WHITE COLLAR EMPLOYEES FOR THE PERIOD 2024 THROUGH 2027**

INTRODUCTION OF PROPOSED ORDINANCES:

5. **24-10 AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES) FOR THE YEARS 2024 THROUGH 2027**

Public Hearing May 20

PAYMENT OF CLAIMS:

Councilman Minniti, member of the Finance Committee has reviewed the Current and Capital expenditures received and encumbered through April 10, 2024 in the amount of \$551,222.38

CITIZEN HEARING ON THE AGENDA:

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 5 minutes in duration.

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

RESOLUTIONS:

6. Budget Compliance Resolution allowing the Budget to be read by title
7. **Public Hearing on the Municipal Budget for Calendar Year 2024**
8. Budget Amendment
9. Adoption of the 2024 Municipal Budget as amended
10. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$24,156.40 for the Recycling Tonnage Grant
11. Authorizing submission of an application to the New Jersey Historic Trust for a Capital Grant to support the costs related to the restoration of the roof at the Robinson Plantation.
12. Appointing Frank M. Miller as Class 2 Special Law Enforcement Officer effective April 15 until December 31, 2024
13. Award of contract to Pumping Services, Inc. for the maintenance of township pump stations in the amount of \$10,652.20
14. Award of contract to Foley Power Systems for the maintenance of all township generators in the amount of \$8,235.71
15. Award of contract for Grass Disposal Services to Frank Galbraith & Son in the amount of \$18.50 per cubic yard + a fuel surcharge \$50.00 per visit

16. Award of contract for Landscape and Lawn Maintenance at the Clark Community Pool to Hayden Landscaping, Inc. in the amount of \$700.00 per month
17. Authorizing an extension of the contract with Top Quality Services LLC for Brush and Branch Grinding for two year(s) in the amount of \$45,000.00 for 2024 and \$50,000.00 for 2025
18. Award of contract to Schaefer Fireworks through a Non-Fair and Open process for the July 4th Display and Patriots Night in the total amount of \$22,150.00
19. Authorizing the Business Administrator to execute a Shared Services Agreement with the Borough of Mountainside for street sweeping
20. Authorizing the Business Administrator to execute a Shared Services Agreement with the Township of Winfield to use Clark's Emergency Radio Frequency
21. Award of contract for Municipal Buildings Photovoltaic System Installation to Eznergy in accordance with NJSA 19:44A-20.5 and authorizing the Mayor to execute and deliver the contract
22. Designating the month of May as "Let's Move for a Healthier New Jersey" month in the Township of Clark, with the aim of raising awareness about the importance of physical fitness and promoting active lifestyles

CONSENT AGENDA RESOLUTIONS:

23. Authorizing the provision of a grant pursuant to the Township of Clark Affordability Assistance Program for the tenant of an affordable housing unit located at 25 Walnut Ave., unit 324
24. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$595.00
25. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$15,312.49 and additional charges in the amount of \$420.00

NEW BUSINESS ON THE CALENDAR:

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 5 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

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TOWNSHIP OF CLARK
Ordinance No. 24 - 06
Adopted _____

Introduced: March 18, 2024 Public Hearing: April 15, 2024

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL FURNISHINGS AND A NEW AUTOMOBILE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,730,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Clark, in the County of Union, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional furnishings and a new automobile vehicle, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and the State grant appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the 2024 Capital Road and Parking Lot Improvement Program (including roadway and parking lot construction, reconstruction and resurfacing, and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements) at the following locations in the Township (entire lengths, unless otherwise noted):

Bartell Field parking lot (construction)
Bradley Road (curb reconstruction at various locations)
Cromwell Court
Kent Place
Largo Lane
Partridge Run (cul-de-sac)
Ritter Place
Russell Court
Municipal Building parking lot and driveways

Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads and parking lots being improved or constructed are or will be of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 677,000
Down Payment Appropriated	\$ 32,240
Bonds and Notes Authorized	\$ 644,760
Period of Usefulness	10 years

B. Improvement of Valley Road (Section 1), including roadway reconstruction and resurfacing, and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements. It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 578,000
State Grant Appropriated	\$ 346,690
Down Payment Appropriated	\$ 11,020
Bonds and Notes Authorized	\$ 220,290
Period of Usefulness	10 years

C. Acquisition of a new automotive vehicle (with a gross vehicle weight rating (GVWR) in excess of 15,000 pounds), including original apparatus and equipment, consisting of a dump truck with plow and spreader for the use of the Department of Public Works.

Appropriation and Estimated Cost	\$ 275,000
Down Payment Appropriated	\$ 13,100
Bonds and Notes Authorized	\$ 261,900
Period of Usefulness	10 years

D. Acquisition of new additional furnishings consisting of furniture for use at the Clark Public Library.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 5,180
Bonds and Notes Authorized	\$ 94,820
Period of Usefulness	5 years

E. Renovation of bathrooms and other interior improvements at the Recreation Wing of the Municipal Building. It is hereby determined and stated that said public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 4,770
Bonds and Notes Authorized	\$ 95,230
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$1,730,000
State Grant Appropriated	\$ 346,690
Aggregate Down Payment Appropriated	\$ 66,310
Aggregate Amount of Bonds and Notes Authorized	\$1,317,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$175,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$346,690 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Valley Road (Section 1) set forth in Section 4.B hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$66,310, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$66,310 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$1,317,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$1,317,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,317,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the

payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 15. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: May 9, 2024

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

SALVATORE BONACCORSO
Mayor

Ord24/3-18 24-06 Multipurpose Bond Ord \$1,730,000

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
<input type="checkbox"/>	Adopted	Mazzarella						
<input type="checkbox"/>	Adopted as Amended	Minniti						
<input type="checkbox"/>	Defeated	O'Connor						
<input type="checkbox"/>	Tabled	Smith						
<input type="checkbox"/>	Withdrawn	Toal						
		Hund						
		Entire Council						
		TOTAL						

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TOWNSHIP OF CLARK
Ordinance No. 24 - 07
Adopted _____

Introduced: March 18, 2024 Public Hearing: April 15, 2024

**AN ORDINANCE AMENDING ORDINANCE 24-01 ENTITLED AN
ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**

WHEREAS the position/title Sr. Building Maintenance Worker is covered by the Union Council No. 8, I.F.P.T.E. AFL-CIO contract and is therefore included in the ordinance to fix the salaries of White Collar employees.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Ordinance 24-01 is hereby amended as follows:

SECTION 1: Sr. Building Maintenance Worker \$59,000.00 - \$125,000.00 is hereby removed from Ordinance 24-01.

SECTION 2: **Inconsistent Ordinance**

Any Ordinance or parts thereof 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 upon publication according to law.

Effective Date: May 9, 2024

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

SALVATORE BONACCORSO
Mayor

Ord24/3-18 24-07AmendSalaryOrd24-01

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
<input type="checkbox"/>	Adopted	Mazzarella						
<input type="checkbox"/>	Adopted as Amended	Minniti						
<input type="checkbox"/>	Defeated	O'Connor						
<input type="checkbox"/>	Tabled	Smith						
<input type="checkbox"/>	Withdrawn	Toal						
		Hund						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
Ordinance No. 24 - 08
Adopted _____

PH 3

Introduced: March 18, 2024 Public Hearing: April 15, 2024

AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF POLICE PERSONNEL FOR THE YEARS 2024 THROUGH 2027

BE IT ORDAINED said ordinance reflects the changes in salaries paid to certain police personnel in accordance with Union Contracts adopted for the years 2024 through 2027; and

BE IT FURTHER ORDAINED all police personnel hired prior to January 1, 2011 are at Step 9 on the following wage scale.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Detectives *	2%	2%	2%	2%

* 2% of base salary to be paid to all Police Officers regardless of rank while assigned Detective Duties.

The wage scale for all Police Officers shall be as follows:

	2024	2025	2026	2027
Academy	\$40,000	\$40,000	\$40,000	\$40,000
1 st year	\$61,464	\$63,462	\$65,683	\$67,982
Step 1	\$65,603	\$67,735	\$70,106	\$72,559
Step 2	\$69,747	\$72,014	\$74,535	\$77,143
Step 3	\$73,887	\$76,288	\$78,958	\$81,722
Step 4	\$78,028	\$80,564	\$83,383	\$86,302
Step 5	\$82,169	\$84,840	\$87,809	\$90,882
Step 6	\$86,310	\$89,115	\$92,234	\$95,462
Step 7	\$90,453	\$93,392	\$96,661	\$100,044
Step 8	\$102,348	\$105,674	\$109,373	\$113,201
Step 9	\$124,593	\$128,642	\$133,145	\$137,805

Sergeants equal 12% of Step (9) Police salary scale for each subsequent year.
Lieutenants equal 20% of Step (9) Police salary scale for each subsequent year.

The pay plan established for employees covered by this agreement shall be 24 pays per year on the 15th and 30th of each month.

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

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

Effective Date: May 9, 2024

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

STEVEN M. HUND
 Council Vice President

SALVATORE BONACCORSO
 Mayor

Ord24/3-18 24-08SalaryPolice2024-2027

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
<input type="checkbox"/>	Adopted	Mazzarella						
<input type="checkbox"/>	Adopted as Amended	Minniti						
<input type="checkbox"/>	Defeated	O'Connor						
<input type="checkbox"/>	Tabled	Smith						
<input type="checkbox"/>	Withdrawn	Toal						
		Hund						
		Entire Council						
		TOTAL						

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TOWNSHIP OF CLARK

Ordinance No. 24 - 09

Adopted _____

Introduced: March 18, 2024 Public Hearing: April 15, 2024

AN ORDINANCE TO FIX THE SALARIES OF THE WHITE COLLAR EMPLOYEES FOR THE PERIOD 2024 THROUGH 2027

WHEREAS Union Council No. 8, I.F.P.T.E. AFL-CIO and the Township of Clark completed contract negotiations for the years 2024 through 2027.

NOW THEREFORE BE IT ORDAINED that there shall be general wage increases for employees covered hereunder as follows:

- Effective January 1, 2024 – 3.50%
- Effective January 1, 2025 – 3.50%
- Effective January 1, 2026 – 3.50%
- Effective January 1, 2027 – 3.50%

\$350.00 shall be paid to employees each year of this contract as the annual increment.

Each employee receiving a promotion shall receive a \$500 increment added to his/her base salary.

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

- a. For each five (5) year period of service as outlined above, each employee of the

Township shall receive the following in addition to the current annual salary:

After 5 continuous years	\$ 750.00
After 10 continuous years	1,250.00
After 15 continuous years	1,750.00
After 20 continuous years	2,250.00

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

BE IT FURTHER ORDAINED the new pay scale for all white collar personal will be as set forth in the following wage and hour scale:

Salary Range-White Collar 2024-2027

**Salary Range
Schedule A**

	Annual	
	Minimum	Maximum
Administrative Clerk	\$45,000	\$85,000
Accounting Clerk	\$39,000	\$55,000
Sr. Accounting Clerk	\$45,800	\$60,000
Principal Accounting Clerk	\$50,000	\$90,000
Clerk 1	\$39,000	\$69,000
Clerk 2	\$45,800	\$79,000
Clerk 3	\$50,000	\$89,000
Keyboarding Clerk 1	\$39,000	\$69,000
Keyboarding Clerk 2	\$45,800	\$79,000
Keyboarding Clerk 3	\$50,000	\$89,000
Records Support Technician 1	\$39,000	\$59,000
Records Support Technician 2	\$45,800	\$69,000
Records Support Technician 3	\$50,000	\$87,000
Technical Assistant	\$45,800	\$69,000
Sr. Technical Assistant	\$50,000	\$87,000
Building Maintenance Worker	\$39,000	\$69,000
Sr. Building Maintenance Worker	\$59,000	\$125,000
Part Time Hourly Rates:	Hourly	
	Minimum	Maximum
Building Maintenance	\$15.00	\$30.00
Clerk Typist	\$15.00	\$30.00
Inspectors	\$15.00	\$45.00
Bus Driver	\$15.00	\$30.00
General Part Time Help	\$15.00	\$30.00
	Hourly	
Matron on duty	\$40.00	Flat Rate
Matron call-in	\$40.00	2 hr. minimum

Note: Salary range does not include longevity.

Effective Date: May 9, 2024

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

STEVEN M. HUND
 Council Vice President

SALVATORE BONACCORSO
 Mayor

Ord24/3-18 24-09SalaryWhiteCollar2024-2027

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
<input type="checkbox"/> Adopted		Mazzarella						
<input type="checkbox"/> Adopted as Amended		Minniti						
<input type="checkbox"/> Defeated		O'Connor						
<input type="checkbox"/> Tabled		Smith						
<input type="checkbox"/> Withdrawn		Toal						
		Hund						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
Ordinance No. 24 - 10
Adopted _____

INTRO 5

Introduced: April 15, 2024 Public Hearing: May 20, 2024

**AN ORDINANCE TO FIX THE SALARIES OF DEPARTMENT OF
PUBLIC WORKS EMPLOYEES (BLUE COLLAR EMPLOYEES)
FOR THE YEARS 2024 THROUGH 2027**

BE IT ORDAINED Union Council No. 8, I.F.P.T.E., AFL-CIO representing our Blue Collar Employees have completed their salary negotiations for the years 2024 through December 31, 2027; and

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

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

Effective retroactive to January 1, 2024, each bargaining unit member employed, shall receive a salary based on the following compensation schedule:

COMPENSATION SCHEDULE 2024-2027

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

There shall be general wage increases for employees covered hereunder as follows:

Effective January 1, 2024	3.5% plus \$225.00 step increment
Effective January 1, 2025	3.5% plus \$225.00 step increment
Effective January 1, 2026	3.5% plus \$225.00 step increment
Effective January 1, 2027	3.5% plus \$225.00 step increment

	<u>Minimum</u>	<u>Maximum</u>
Laborer 1	42,900	48,000
Laborer 2	42,900	56,000
Public Works Repairer 1	53,000	65,999
Senior Public Works Repairer 1	66,000	90,000
Mechanic 1	55,000	75,000
Omni Bus Driver FT	25,000	50,000

Part Time Employees:

Laborers	\$15.13 (adjusted annually to minimum wage) to \$40.00 per hour depending on qualifications
Bus Driver	\$20.00 to \$35.00 per hour depending on qualifications.

TOWNSHIP OF CLARK
Resolution 24-66
April 15, 2024

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WHEREAS at least one (1) week prior to the date of the hearing a complete copy of the approved budget was delivered to the free public library and made available for public inspection; and

WHEREAS an Affidavit of Receipt of the Budget as attached hereto and made a part hereof has been obtained from the library pursuant to N.J.S.A. 40A:4-8; and

WHEREAS copies of the budget have been made available to each person requesting one at no charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that upon passage of this resolution by a majority of the full membership that the law has been met allowing the budget to be read by title.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 66BudgetCompliance-Library

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

MEMORANDUM

TO: Megan Kociolek, Library Director

FROM: Edith L. Merkel, Township Clerk

DATE: March 5, 2024

RE: 2024 Municipal Budget

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Attached please find a copy of the 2024 Municipal Budget of the Township of Clark as Introduced and Approved by the Governing Body at a Special Council meeting held March 4, 2024, 430 Westfield Avenue, Clark, New Jersey at 7:30 p.m.

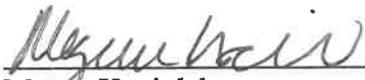
Additional copies may be requested by email to the office of the Township Clerk, clerk@ourclark.com and will also be available on the Township website at www.ourclark.com

Upon receipt of the Budget please sign and date as indicated below. Return this memo as attestation that the delivery was made.

ATTEST:

RECEIVED:

 3/8/24
Edith L. Merkel
Township Clerk

 3/8/2024
Megan Kociolek
Library Director

7

Public Hearing on the Municipal Budget for Calendar Year 2024

Council Vice President opens the Public Hearing:

Asks for Motion to close the Public Hearing _____ Second _____

All in Favor? Any Opposed?

(no vote until after the amendment is adopted)

TOWNSHIP OF CLARK
Resolution 24-67
April 15, 2024

8

**TOWNSHIP OF CLARK
AMENDMENT TO 2024 MUNICIPAL BUDGET**

WHEREAS, the Local Municipal Budget for the year 2024 was approved on the 4th day of March, 2024; and

WHEREAS, the public hearing on said Budget will be held on April 15th as advertised; and

WHEREAS, it is desirous to amend said Budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Clark, County of Union, that the following amendments to the approved budget for 2024 be made:

<u>CURRENT FUND</u>	<u>From</u>	<u>To</u>	<u>(MEMO)</u>
1. Surplus Anticipated	\$ 3,025,000.00	\$ 2,838,406.55	\$ (186,593.45)
Total Surplus Anticipated	3,025,000.00	2,838,406.55	(186,593.45)
Section B: State Aid Without Offsetting Appropriations:			
Municipal Relief Aid		186,553.45	186,553.45
Energy Receipts Tax Aid	1,800,889.00	1,809,854.00	8,965.00
Total Section B: State Aid Without Offsetting Appropriations	1,800,889.00	1,996,407.45	195,518.45
Summary of Revenues:			
1. Surplus Anticipated	\$ 3,025,000.00	\$ 2,838,406.55	\$ (186,593.45)
3. Miscellaneous Revenues:			
Total Section B: State Aid Without Offsetting Appropriations	1,800,889.00	1,996,407.45	195,518.45
Total Miscellaneous Revenues	5,295,032.00	5,490,550.45	195,518.45
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	8,720,032.00	8,728,957.00	8,925.00
6. Amount to be Raised by Taxes for Support of Municipal Budget:			
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	20,522,246.39	20,513,321.39	(8,925.00)
Total Amount to be Raised by Taxes for Support of Municipal Budget	21,727,147.39	20,513,241.84	(8,925.00)
7. Total General Revenues	\$ 30,447,179.39	\$ 30,447,179.39	0.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services for their certification of the 2024 Local Municipal Budget, so amended.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 67BudgetAmendment

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

IT IS HEREBY CERTIFIED that this is a true copy of a resolution amending the Budget, adopted by the Governing Body on the 15th day of April, 2024.

Edith L. Merkel, RMC

Adoption of the Municipal Budget of the Township of Clark for Calendar Year 2024

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$20,522,246.39 for municipal purposes, and
\$ 1,204,901.00 Minimum Library Levy

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	\$ 2,838,406.55
Miscellaneous Revenues Anticipated	\$ 5,490,550.45
Receipts from Delinquent Taxes	\$ 400,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	<u>\$ 20,513,321.39</u>
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	<u>\$ 1,204,901.00</u>
 Total Revenues	 \$ 30,447,179.39 =====

SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$ 19,345,874.39
Deferred Charges and Statutory Expenditures – Municipal	\$ 3,126,311.00
Excluded from "CAPS"	
Operations – Total Operations Excluded from "CAPS"	\$ 2,498,934.00
Capital Improvements	\$ 275,000.00
Municipal Debt Service	\$ 3,998,700.00
Deferred Charges – Municipal	\$ 102,360.00
Reserve for Uncollected Taxes (Include Other Reserves, if Any)	\$ 1,100,000.00
 Total Appropriations	 \$ 30,447,179.39 =====

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of April, 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 68BudgetAdoption

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-69
 April 15, 2024

10

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$24,156.40 which is now available from the State of New Jersey Recycling Tonnage Grant in the amount of \$24,156.40; and

BE IT FURTHER RESOLVED that the like sum of \$24,156.40 is hereby appropriated under the caption Recycling Tonnage Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$24,156.40.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 69Ch159RecyclingTonnage

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

11

TOWNSHIP OF CLARK
Resolution 24-70
April 15, 2024

**RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY
THE TOWNSHIP OF CLARK TO THE NEW JERSEY HISTORIC TRUST PRESERVE
NEW JERSEY PROGRAM FOR A 2024 GRANT FOR THE PRESERVATION OF THE
ROBINSON PLANTATION OWNED BY THE TOWNSHIP OF CLARK**

WHEREAS the Township of Clark ("Township") is the owner in fee of the Robinson Plantation, located at 593 Madison Hill Rd in Clark Township; and

WHEREAS the Township have been keepers of the Robinson Plantation with the assistance of the Clark Historical Society in an effort to preserve and interpret the Robinson Plantation; and

WHEREAS in furtherance of the Township's desire to keep the Robinson Plantation in good and well-maintained condition, the Administration have requested the Council's authorization to make a 2024 Capital Level II Grant Application to the New Jersey Historic Trust Preserve New Jersey Program for funds to be utilized for the preparation of a Historic Preservation Plan and to restore the wood shingle roof.

WHEREAS, the Township desires to continue to provide support for the preservation/ restoration of the Robinson Plantation.

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

1. The Township hereby authorizes the submission of an application to the New Jersey Historic Trust for a 2024 Capital Level II Grant Application to support the costs of the preparation of the Historic Preparation, preparation of contract documents, and restoration of the roof and associated carpentry and roof drainage at the Robinson Plantation.
2. All work will be performed in accordance with Secretary of the Interior's Standards for the Treatment of Historic Properties.
3. The Township will be requesting \$182,400 through the grant application, and the Township will provide a match of \$182,400 utilizing the Capital Fund Balance.
4. This Resolution shall be submitted as part of the 2024 grant application package to be submitted to the New Jersey Historic Trust.
5. The Mayor and Township Clerk are hereby authorized and directed to execute the Application and any and all documents related thereto, and, together with all other officers, professionals, and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
6. This Resolution shall take effect as herein provided.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 70RobinsonPlantationGrantNJHT2024

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
Adopted		Mazzarella						
Adopted as Amended		Minniti						
Defeated		O'Connor						
Tabled		Smith						
Withdrawn		Toal						
		Hund						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
Resolution 24-71
April 15, 2024

12

BE IT RESOLVED by the Governing Body of the Township of Clark pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark, that it does hereby appoint Frank M. Miller as Class 2 Special Law Enforcement Officer to serve for the period commencing April 15, 2024 and concluding December 31, 2024.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 71SpecialLawEnfOfficer-Miller

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-72
April 15, 2024

13

WHEREAS the Township solicited quotes seeking proposals to service the Pump Stations; and

WHEREAS proposals were submitted by Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846 in the amount of \$10,652.20 and Rapid Pump & Meter Service Co., 285 Straight Street, Paterson, NJ 07509 in the amount of \$29,050.00.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby accept the Service Quotation and the terms and conditions of the Agreement with Pumping Services, Inc. in an amount not to exceed \$10,652.20 and authorizes the Mayor to execute same for a one-year period from the date of acceptance.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 72AwardPumpStationMaintenance-PSI

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-73
April 15, 2024

14

WHEREAS the Township solicited quotes seeking proposals to maintain all Township generators including Town Hall, Public Works, Police Department, Broadway and Raritan Road Fire Houses, First Aid Squad, and the Terminal Pump Station; and

WHEREAS proposals were submitted by Foley Power Systems, 855 Centennial Avenue, Piscataway, NJ 08854 in the amount of \$8,235.71 and Accent Electric Corporation, 232 Hemlock Avenue, Garwood, NJ 07027 in the amount of \$11,331.25.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby accept the Service Quotation and the terms and conditions of the Agreement with Foley Power Systems in an amount not to exceed \$8,235.71 and authorizes the Mayor to execute same for a one-year period from the date of acceptance.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 73AwardGeneratorMaintenance-Foley

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-74
 April 15, 2024

15

WHEREAS the Department of Public Works has solicited and received quotes for Grass Disposal Services with the following results:

Frank Galbraith & Son \$18.50 per cubic yard + fuel surcharge \$50.00 per visit

The Yard Unable to submit a proposal

WHEREAS Frank Galbraith & Son Excavation and Demolition LLC, 831 Raritan Road, Scotch Plains, New Jersey 07076 provided the lowest responsible quote in the amount of Eighteen Dollars and Fifty Cents (\$18.50) per cubic yard plus a fuel surcharge of \$50.00 per visit which meets the needs of the Township; and

WHEREAS the total contract amount for the 2024 grass season is not to exceed Thirty-Five Thousand Dollars (\$35,000.00).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby awards a contract for Grass Disposal to Frank Galbraith & Son Excavation and Demolition LLC in a total amount not to exceed \$35,000.00 for the 2024 grass season.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 74AwardGrassDisposal-Galbraith

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-75
April 15, 2024

16

WHEREAS the Township solicited quotes seeking proposals for Landscaping and Lawn Maintenance at the Clark Community Pool with the following results:

Hayden Landscaping, Inc.	\$700/month
Evan Parenti Landscape Design LLC	\$800/month
R&B Landscaping LLC	\$900/month

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby accept the Service Quotation from Hayden Landscaping, Inc. in the amount of \$700.00 per month for a one-year period from the date of acceptance.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 75AwardLandscapingLawnCare-Pool

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK

Resolution 24-76

April 15, 2024

17

WHEREAS Top Quality Services, LLC, 66 Melbourne Street, Edison, NJ 08817 (the vendor) was awarded the 2023 contract for Brush and Branch Grinding Services through a fair and open process in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS the Vendor has requested to be considered for an extension of this contract; and

WHEREAS the contract may be extended at the sole option of the Township for up to an additional two (2) years, in the event of such an extension, the price for the extension year(s) shall be agreed upon by negotiations; and

WHEREAS the vendor has agreed to the price of Forty-Five Thousand Dollars (\$45,000.00) for 2024 and Fifty Thousand Dollars (\$50,000.00) for 2025 and has agreed to comply with all the applicable terms and conditions as set forth in the aforesaid Request for Proposals.

WHEREAS the Business Administrator has agreed to the negotiated terms which meet the needs of the Township; and

WHEREAS the Chief Financial Officer has ascertained funds are available in the 2024 Municipal Budget, in Roads Maintenance OE Account #201-26-290-216, and subject to approval of the 2025 Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby awards an additional two-year contract to Top Quality Services, LLC.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 76ExtendBrushBranchGrinding-TopQuality

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE 2024 FIREWORKS DISPLAYS

WHEREAS, the Township of Clark wishes to hold two fireworks displays in 2024; and

WHEREAS the anticipated cost is in excess of \$17,500.00 but less than the bid threshold and as such qualifies for utilization of the non-fair and open contract process 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 fireworks displays will not exceed \$22,150.00; and,

WHEREAS, Schaefer Fireworks, PO Box 100, Strasburg, PA 17579 has submitted a proposal dated April 3, 2024, indicating they will provide a Fireworks Display July 4th and Patriots Night in September; and

WHEREAS, Schaefer Fireworks has completed and submitted a Business Entity Disclosure Certification which certifies that Schaefer Fireworks 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 Schaefer Fireworks 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 in the Celebration and Public Events Account.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby commits to fireworks displays presented by Schaefer Fireworks, to be held on Thursday, July 4, 2024 with a rain date of Friday, July 5, 2024, as well as Patriots Night in September 2024 and authorizes the Mayor and/or Business Administrator to enter into a contract for Fireworks displays celebrating the Fourth of July and Patriots Night; 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

 STEVEN M. HUND
 Council Vice President

Res24/4-15 77AwardNonFairandOpen-SchaeferFireworks

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-78
 April 15, 2024

19

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it hereby authorizes the Business Administrator and Township Clerk to execute a Shared Services Agreement with the Borough of Mountainside, maintaining offices located at 1385 US-22, Mountainside, New Jersey, 07092, to permit Mountainside to utilize a Township street sweeper and employee-operator only for the purpose of sweeping the streets and roads within its geographical boundaries.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 78SharedServicesAgrmnt-StreetSweeperMountainside

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-79
 April 15, 2024

20

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it does hereby approve the execution by the Mayor, and delivery to the Township of Winfield, New Jersey, of the annexed Shared Services Agreement pursuant to which the Township of Clark will permit the Township of Winfield to utilize the Township of Clark's radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 79SharedServicesAgrmnt-RadioChannel(s)Winfield

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

SHARED SERVICES AGREEMENT

THIS AGREEMENT is made on this ___ day of April, 2024, between **TOWNSHIP OF CLARK**, in the County of Union, a municipal corporation of New Jersey (“Clark”), maintaining offices at 430 Westfield Avenue, Clark, New Jersey, 07066, and **TOWNSHIP OF WINFIELD** in the County of Union, a municipal corporation of New Jersey (“Winfield”), maintaining offices at 2 Gulfstream Avenue, Winfield, New Jersey, 07036.

RECITALS

1. Clark maintains a radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes.
2. Winfield does not maintain a radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes.
3. Pursuant to N.J.S.A. 40A:65-4, Clark and Winfield desire to enter into an agreement under which Clark shall permit Winfield to utilize the Clark’s radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes.
4. The parties have agreed on such shared services upon the terms and conditions hereof.

AGREEMENT

NOW, THEREFORE, for and in consideration of the foregoing premises and the conditions, promises and covenants herein contained, and intending to be legally bound hereby, as follows:

1. Winfield shall be entitled to utilize Clark’s radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes.
2. Winfield agrees to reimburse and pay to Clark any and all costs and expenses which may arise from the use by Winfield of such radio channel or frequency or radio channels or frequencies for Office of Emergency Management purposes within thirty (30) days of the date of the Clark’s invoice therefor.
3. Winfield agrees to, shall and hereby does indemnify, defend, hold and save harmless Clark of, from and against any and all claims, demands, charges, actions, causes-of-action, choses-in-action, lawsuits, suits, arbitrations, other proceedings, damages,

damage, liability, judgments, loss, cost and expense, including but not limited to reasonable counsel fees, costs and expenses.

4. This Agreement, together with the other agreements referred to herein or required hereby, contains the entire agreement between or among the parties hereto respecting the subject matter hereof and supersedes all previous negotiations, agreements, commitments and writings between or among the parties in respect thereto. Neither this Agreement nor any provision hereof or herein, shall be waived, released, discharged, amended or modified in any manner, orally or otherwise, except by an instrument in writing signed by the parties hereto.

5. The failure of any party to insist, in any one or more instances, upon strict performance of any of the terms of this Agreement, or the waiver by any party of any right or term hereunder or of any default by the other party shall not be deemed nor construed as a waiver by such party of any such term, right or default in the future.

6. This Agreement shall be solely and exclusively governed by and interpreted in accordance with the laws of New Jersey without regard to the places of execution, delivery or performance and irrespective of conflicts of laws' principles. The parties consent and submit to the sole and exclusive jurisdiction of the State Courts of New Jersey and agree that the sole and exclusive venue of any action hereunder shall be Union County, New Jersey.

9. In the event that any provision hereof is found unenforceable or invalid, first the parties shall negotiate in good faith and agree to such amendments, modifications and supplements which render it enforceable and valid, or if the parties do not agree within a reasonable time, the unenforceable or invalid provision shall be revised by the Court to comport with law and preserve intact as nearly as possible the intent of the parties as expressed herein, or if the same is not feasible or permissible, severed so as not to affect the Agreement as a whole and the remaining provisions hereof.

10. This Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the Director.

[Signature Page Follows]

[Signature Page to Shared Services Agreement]

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement on the day and year first above written.

ATTEST OR WITNESS:

TOWNSHIP OF CLARK

EDITH L. MERKEL, RMC,
Township Clerk

By: _____
SALVATORE BONACCORSO,
Mayor

TOWNSHIP OF WINFIELD

MELANIE SLOWIK,
Acting Clerk/Registrar

By: _____
JOSEPH BYRNE,
Mayor

TOWNSHIP OF CLARK
Resolution 24-80
April 15, 2024

21

WHEREAS, there exists a need for a Photovoltaic System on Municipal Buildings in the Township of Clark; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.5, proposals were solicited on August 21, 2023 through a fair and open process as advertised on the Official Website of the Township of Clark by Request for Qualifications and Proposals, 2023 Clark Township Municipal Buildings Photovoltaic System Installation (“RFP”) seeking proposals for the financing, installation, operation and maintenance thereof; and

WHEREAS, one (1) proposal was received and was publicly opened at 10:00 am on September 26, 2023; and

WHEREAS, the Business Administrator has reviewed all documents required by the RFP and recommends award of contract to Eznergy Solar Energy Solutions (“Eznergy”), 406 Mantoloking Road, Brick Township, New Jersey, 08723, for and in such consideration and upon the terms and conditions set forth in the response of Eznergy to the RFP and a certain Solar Energy Power Purchase Agreement, a certain Onsite Solar Photovoltaic System Site License, and such documents as are ancillary or related thereto, copies of which are available in the Office of the Clerk and are incorporated herein and made a part hereof (collectively, the “Contract”); and

WHEREAS, the Governing Body of the Township of Clark, County of Union, State of New Jersey, has determined that the financing, installation, operation and maintenance of a Photovoltaic System on Municipal Buildings will benefit the general welfare of the Township and public that it serves, and has reviewed the Contract and approved its terms; and

WHEREAS, since the Contract does not require the payment of any funds by the Township, excepting under extraordinary and unforeseeable circumstances (e.g., the Township’s default) and therefore in amounts not susceptible of estimation much less precision, the Chief Financial Officer cannot and hence need not ascertain that there are available sufficient uncommitted appropriations.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards the Contract for Municipal Buildings Photovoltaic System Installation to Eznergy in accordance with NJSA 19:44A-20.5; and

[Continued on Next Page]

BE IT FURTHER RESOLVED that the Mayor be and hereby is authorized to execute and deliver the Contract.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 80AwardMunBldgsPhotovoltaicInstallation

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 24-81
April 15, 2024

22

WHEREAS, physical activity is essential for maintaining good health and preventing chronic diseases; and

WHEREAS, statistics reveal concerning trends in physical activity levels among children and adults, including low participation rates in physical education classes and muscle-strengthening activities; and

WHEREAS, childhood obesity rates are significantly higher in low-income households, highlighting the need for accessible and affordable opportunities for physical activity; and

WHEREAS, obesity rates among both children and adults in the United States are alarmingly high, with only a fraction of the population meeting recommended levels of aerobic physical activity; and

WHEREAS, the prevalence of chronic diseases in New Jersey, including obesity, underscores the importance of promoting physical fitness to enhance overall health and well-being; and

WHEREAS, physical activity is crucial for healthy aging and is a key factor in reducing the risk of chronic diseases and premature death; and

WHEREAS, maintaining adequate physical fitness is essential for individuals seeking to enter military service, yet a significant portion of young adults are not meeting weight and fitness requirements; and

WHEREAS, it is incumbent upon local communities to prioritize initiatives that encourage and facilitate physical activity among residents.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Clark that May is hereby designated as "Let's Move for a Healthier New Jersey" month in the Township of Clark, with the aim of raising awareness about the importance of physical fitness and promoting active lifestyles; and

BE IT FURTHER RESOLVED, the Township of Clark commits to supporting programs and initiatives that increase access to physical activity opportunities for residents of all ages, particularly children and those from low-income households; and

BE IT FURTHER RESOLVED, the Township of Clark urges schools, community organizations, businesses, and residents to participate in activities and events throughout the month of May that promote physical fitness and encourage regular exercise habits; and

BE IT FURTHER RESOLVED the Township of Clark encourages collaboration with neighboring municipalities, county agencies, and state organizations to amplify efforts to improve physical activity levels and combat obesity and chronic disease; and

BE IT FURTHER RESOLVED the Township Clerk is directed to distribute copies of this resolution to relevant stakeholders, including schools, community centers, local businesses, and media outlets, to promote awareness and encourage participation in "Let's Move for a Healthier New Jersey" initiatives.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 81LetsMoveNJ

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

CA 23

**TOWNSHIP OF CLARK
RESOLUTION NO. 24-82**

**RESOLUTION AUTHORIZING THE PROVISION OF A GRANT PURSUANT TO THE
TOWNSHIP OF CLARK AFFORDABILITY ASSISTANCE PROGRAM FOR THE
TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED 25 WALNUT AVE, UNIT
324, CLARK, NJ 07066**

WHEREAS, Applicant Ameenah N Harris (“Tenant”) will be renting 25 Walnut Ave, Unit 324, Clark Township (“Property”), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant has requested an Affordability Assistance Grant through Clark Township’s Affordability Assistance Program to pay for one month’s rent for the Property; and

WHEREAS, the Township’s Affordable Housing Administrative Agent, CGP&H, LLC., has reviewed the Tenant's application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested grant for the one month’s rent will be paid directly to the landlord by the Township; and

WHEREAS, the Township is willing, pursuant to the Affordable Assistance Program, to extend a grant to the Tenant in the amount of \$1,149.00; and

WHEREAS, the funding for the grant will be from the Clark Township Affordable Housing Trust Fund.

NOW THEREFORE BE IT RESOLVED on this 15 day of April, 2024, by the Township Council of the Township of Clark, County of Union, State of New Jersey, that:

1. The Mayor and Clerk are hereby authorized, pursuant to the Township’s Affordability Assistance Program, to enter into an Agreement with Tenant and provide Tenant with a grant to be used to pay for one month’s rent for the Property.
2. The Mayor, Administrator, Clerk, Township Attorney, CFO, and such other staff and officials as may be appropriate are authorized to take such steps as may be reasonably required to implement this resolution, including issuance of the grant amount.

CERTIFICATION

I, Edith L. Merkel, Clerk of the Township of Clark, certify that the foregoing resolution was adopted by the Township Council of the Township of Clark at its meeting held on the 15 day of April 2024.

Edith L. Merkel, Clerk

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

STEVEN M. HUND
Council Vice President

Res24/4-15 82AuthRentalAssistGrant-Harris

			Motion	Second	Aye	Nay	Abstain	Absent
		Albanese						
Adopted		Mazzarella						
Adopted as Amended		Minniti						
Defeated		O'Connor						
Tabled		Smith						
Withdrawn		Toal						
		Hund						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
 Resolution 24-84
 April 15, 2024

CA 25

WHEREAS the Tax Collector has certified that sewer utility account(s) require balance adjustments; and

WHEREAS the Business Administrator has reviewed and approved the sewer fee adjustment(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Tax Collector be authorized to apply the sewer account balance adjustments according to the attached schedule.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 STEVEN M. HUND
 Council Vice President

Res24/4-15 84SewerAdj

		Motion	Second	Aye	Nay	Abstain	Absent
	Albanese						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Smith						
Withdrawn	Toal						
	Hund						
	Entire Council						
	TOTAL						

SEWER BILLING ADJUSTMENT 2024										
CLARK TOWNSHIP										
REF #	Account #	Name	#	Address	Reason	Original	Revised	Credit	ADDL	Comments
24	31 2115-0	Arias Realty , LLC	990	Raritan Road	leaky toilet	\$ 2,830.00	\$ 967.51	\$ 1,862.49		
24	32 5356-0	Lettini, Domenic	8	Hartman Court	make active account	\$ -	\$ 280.00	\$ -	\$ 280.00	
24	33 4937-0	Pettinari, Sherry	65	Union County Pkway	leaky drain pipe	\$ 4,830.00	\$ 280.00	\$ 4,550.00		
24	34 4876-0	Baum, Shirley	1	Crestwood Lane	leaky toilet	\$ 3,030.00	\$ 680.00	\$ 2,350.00		
24	35 2554-0	Kargus, Daniel	171	Riverside Drive	leaky toilet	\$ 780.00	\$ 280.00	\$ 500.00		
24	36 1978-0	Gomez, Mariano	955	Raritan Road	leaky toilet	\$ 1,680.00	\$ 705.00	\$ 975.00		
24	37 4986-0	Lamego, Kevin & Lilia	17	James Avenue	faulty meter	\$ 1,430.00	\$ 280.00	\$ 1,150.00		
24	38 3764-0	Suarez, Yoel & Ingrid	11	Union Street	disallowed deduction	\$ 140.00	\$ 280.00	\$ 140.00		
24	39 321-0	Ajiello, Anthony	96	Briarheath Lane	sprinkles	\$ 1,480.00	\$ 720.00	\$ 760.00		
24	40 1259-0	Brzezinski	43	Sandalwood Drive	leaky toilet	\$ 1,280.00	\$ 570.00	\$ 710.00		
24	41 2571-0	Meigs, George	205	Westfield Avenue	leaky toilet	\$ 2,980.00	\$ 2,405.00	\$ 575.00		
24	42 903-0	Hudak, Christopher	172	Stonehedge Terrace	pool	\$ 680.00	\$ 280.00	\$ 400.00		
24	43 1998-0	Kninss, Greg & Ellen	280	Madison Hill Rd	well	\$ 500.00	\$ 280.00	\$ 220.00		
24	44 499-0	Brower, Rob & Beth	46	Starlite Drive	sprinkler issue	\$ 1,680.00	\$ 420.00	\$ 1,260.00		
					Totals			\$ 15,312.49	\$ 420.00	