

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  
May 20, 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.

The Regular Order of Business is suspended:

- Police Promotion: Officer Joshua Weber to Traffic Safety Detective
- 2024 Clark Police Department Awards Presentation
- Proclamation for Gun Violence Awareness Day
- Clark Travel Basketball 8<sup>th</sup> Grade Boys Team Recognition

Regular Order of Business resumes after a brief recess.

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

## **INTRODUCTION OF PROPOSED ORDINANCES:**

- 2. AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 2 ENTITLED “FEES” OF CHAPTER 122 ENTITLED “CONSTRUCTION CODES, UNIFORM” OF THE CODE OF THE TOWNSHIP OF CLARK**

## **PAYMENT OF CLAIMS:**

Councilman O’Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through May 13, 2024 in the amount of \$378,194.99

## **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:**

3. Supporting Senate Bill S-2930 and Assembly Bill A-4045 to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA)
4. Extending the Recycling Marketing contract with Waste Management of NJ, Inc. for a one-year term under exception N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law
5. Affirming and ratifying the action taken by the Administration to obtain the necessary pool sandblasting services from Rustic Restorations, LLC in the amount of \$14,395.00
6. Authorizing the execution by the Mayor or Business Administrator, and delivery to Neota Logic Inc. of a Master License & Service Agreement, for use of specialized software services to manage contracts and leases
7. Rescinding Resolution 24-80 and Awarding the Contract for Municipal Buildings Photovoltaic System Installation to Eznergy in accordance with N.J.S.A. 19:44A-20.5
8. Authorizing a voluntary Flexible Spending Plan for Township Employees to be administered by Allstate Insurance
9. Approving the execution by the Mayor or Business Administrator of a Memorandum of Understanding for the KEANetwork program between the Township and Kean University
10. Award of Contract to D.L.S. Contracting for the 2024 Capital Road Improvements – Various Locations in the amount of \$401,589.27
11. Approving the Fleet Management Agreement with Enterprise to provide and manage the fleet of vehicles for use by various departments
12. Authorizing the purchase of one Toro Field Pro Groomer for use by Clark Little League, through the ESCNJ Cooperative Pricing System, in the amount to \$36,718.40

13. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$26,133.34 for the National Opioid Settlement
14. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$42,500.00 for the Infrastructure and Municipal Aid Grant

**CONSENT AGENDA RESOLUTIONS:**

15. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 97 Lot 9 in accordance with a directive from the U.S. Department of Veterans Affairs
16. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$150.00
17. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$7,195.00, and additional charges in the amount of \$140.00

**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:**

**TOWNSHIP OF CLARK**  
**Ordinance No. 24 - 10**  
**Adopted \_\_\_\_\_**

PH 1

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

Intro 2

Ordinance No. 24 - 11

Adopted \_\_\_\_\_

Introduced: May 20, 2024 Public Hearing: June 17, 2024

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
SECTION 2 ENTITLED "FEES"  
OF CHAPTER 122 ENTITLED "CONSTRUCTION CODES, UNIFORM"  
OF THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 122 Construction Codes, Uniform, Section 2 Fees, Sub-section C Plumbing is hereby supplemented as follows:

**SECTION 1:** Add §122-2 C(1) (hh) Annual Back Flow Inspection \$91 each

**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:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC**  
Township Clerk

\_\_\_\_\_  
**ANGEL ALBANESE**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor



TOWNSHIP OF CLARK  
Resolution 24-  
May 20, 2024

CALLING FOR THE MODERNIZATION OF THE OPEN PUBLIC RECORDS ACT (OPRA)  
AND THE SWIFT PASSAGE OF S-2930/A-4045

**WHEREAS** in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

**WHEREAS** as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

**WHEREAS** in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

**WHEREAS** municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS** OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney’s fees, which impacts the taxpayers and municipalities who must pay these fees; and

**WHEREAS** municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

**WHEREAS** due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

**WHEREAS** when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don’t want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

**WHEREAS** reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

**WHEREAS** Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

**NOW, THEREFORE, BE IT RESOLVED** the governing body of the Township of Clark in the County of Union respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

**BE IT FURTHER RESOLVED** as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Assemblywoman Carter, Assemblyman Kennedy, Governor Murphy, and the New Jersey League of Municipalities.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 SupportS2930A4045OPRAreform

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-85  
May 20, 2024

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**WHEREAS** the Township solicited proposals on March 30, 2022 pursuant to N.J.S.A. 19:44A-20.5 through a fair and open process for the Marketing of Recyclable Materials in accordance with specifications prepared by the Business Administrator; and

**WHEREAS** Waste Management of New Jersey, Inc. was awarded a contract by Resolution 22-86 dated May 16, 2022; and

**WHEREAS** the Township intended to award such contract for services for the full two-year period specified in the Township's solicitation for proposal but inadvertently adopted a resolution awarding the contract for a one-year period; and

**WHEREAS** an amendment to the contract for Marketing of Recyclable Materials was executed on May 24, 2023 which extended the contract through May 31, 2024; and

**WHEREAS** Waste Management of New Jersey, Inc. was awarded a three-year contract for the Collection of Recycling services for the Township of Clark by Resolution 22-85 dated May 16, 2022; and

**WHEREAS** 40A:11-5 Exceptions (1) The subject matter thereof consists of:

(s) The marketing of recyclable materials recovered through a recycling program, or the marketing of any product intentionally produced or derived from solid waste received at a resource recovery facility or recovered through a resource recovery program, including, but not limited to, refuse-derived fuel, compost materials, methane gas, and other similar products

**WHEREAS** the Governing Body desires to retain Waste Management of New Jersey, Inc. as the Township's vendor for the Marketing of Recycling Materials for one (1) year beginning June 1, 2024 under the above-mentioned exception 40A:11-5 Exceptions (1)(s) authorizing the services without competitive bids through May 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED** the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby authorizes the Business Administrator to enter into a contract with Waste Management of New Jersey, Inc. for the Marketing of Recycling Materials for one (1) year beginning June 1, 2024 through May 31, 2025.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 85RecyclingMarketingexception40A11-5(1)(s)

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<input type="checkbox"/>	Adopted						
<input type="checkbox"/>	Adopted as Amended						
<input type="checkbox"/>	Defeated						
<input type="checkbox"/>	Tabled						
<input type="checkbox"/>	Withdrawn						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-86  
May 20, 2024

**WHEREAS** the Township solicited quotes seeking proposals for Pool Sandblasting at the Clark Community Pool with the following results:

Aquatic Service	\$17,994.00
Rustic Restorations, LLC	\$14,395.00

**WHEREAS** it was necessary to complete the project prior to the opening of the 2024 pool season; and

**WHEREAS** Rustic Restorations, LLC, 385 Route 31 N, Ringoes, New Jersey, 08551 submitted the lowest responsible proposal in the amount of \$14,395.00; and

**WHEREAS** the Chief Financial Officer has ascertained funds are available in Pool Capital Outlay Account Number 4-08-55-512-291, not to exceed \$14,395.00.

**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 affirm and ratify the action taken by the Administration to obtain the necessary services from Rustic Restorations, LLC in the amount of \$14,395.00.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 86AffirmRatifySandblasting-Pool RusticRestorations

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

TOWNSHIP OF CLARK

Resolution 24-87

May 20, 2024

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WHEREAS, the Township wishes to engage a specialized software services firm which provides goods or services for the support or maintenance of proprietary computer software to manage the Township’s contracts and leases to provide key terms, expiration dates, notice periods, prices, and other pertinent information; and

WHEREAS, Neota Logic Inc., a Delaware corporation (“Neota”) with offices at 60 East 42nd Street, Suite 1810, New York, New York, 10165, provides such goods or services, and the Township desires to engage Neota for such purpose pursuant to the terms and conditions of a certain Master License & Services Agreement and Schedule A thereto, which is annexed to this Resolution as Exhibit “A” and is made a part hereof (the “Agreement”); and

WHEREAS, N.J.S. 40A:11-5 (1) (dd) provides that “ ... [a]ny contract the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be awarded by resolution of the governing body if ... (1) ... [t]he subject matter thereof consists of ... (dd) ... [t]he provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, ...”;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Clark that the Agreement be and hereby is approved; and

BE IT FURTHER RESOLVED, that the value of the Agreement is subject to 2024 budget appropriation; and

BE IT FURTHER RESOLVED, that the Mayor and the Business Administrator be and hereby are authorized to execute and deliver the Agreement.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC  
Township Clerk

ANGEL ALBANESE  
Council President

Res24/5-20 87AuthNeotaContractMngmntSoftware

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

**TOWNSHIP OF CLARK**

Resolution 24-88

May 20, 2024

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**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; and

**WHEREAS**, the Township previously adopted Resolution 24-80 (the “Prior Resolution”) in which it approved a certain Solar Energy Power Purchase Agreement and a certain Onsite Solar Photovoltaic System Site License for such purpose, but negotiations of such Solar Energy Power Purchase Agreement and Onsite Solar Photovoltaic System Site License continue; and

**WHEREAS**, in order to conclude negotiations, Eznergy requires a resolution of the Council formally awarding it the contract solicited by the Township on August 21, 2023; 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

**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 N.J.S.A. 19:44A-20.5; and

[Continued on Next Page]

**BE IT FURTHER RESOLVED**, that the Prior Resolution be and hereby is rescinded.

ATTEST:

APPROVED:

\_\_\_\_\_  
 EDITH L. MERKEL, RMC  
 Township Clerk

\_\_\_\_\_  
 ANGEL ALBANESE  
 Council President

Res24/5-20 88AwardMunBldgsPhotovoltaicInstallationRescind24-80

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
 Resolution 24-89  
 May 20, 2024

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**WHEREAS** Section 125 of the Internal Revenue Service Code contains a provision whereby employers can provide their employees with a Flexible Spending Plan for certain Insurance premiums, unreimbursed medical expenses and child or dependent care assistance to be furnished with pre-tax income; and

**WHEREAS** the Business Administrator has researched this Flexible Spending Plan and has made a recommendation to adopt said plan to be administered by Allstate Insurance; and

**WHEREAS** the Governing Body of the Township of Clark wishes to adopt this voluntary plan for the benefit of the Township of Clark employees.

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Clark in the County of Union, State of New Jersey, that the Internal Revenue Service Code Section 125 Flexible Benefit Plan consisting of a Flexible Benefit Plan document, an Adoption Agreement and Component Benefit Plans and Policies is hereby adopted effective June 1, 2024.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute all applicable documents necessary to implement this plan.

ATTEST:

APPROVED:

\_\_\_\_\_  
 EDITH L. MERKEL, RMC  
 Township Clerk

\_\_\_\_\_  
 ANGEL ALBANESE  
 Council President

Res24/5-20 89FlexibleSpendingPlan-Allstate

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

TOWNSHIP OF CLARK  
Resolution 24-90  
May 20, 2024

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it does hereby approve and ratify the Mayor's execution and delivery of a Memorandum of Understanding between the Township of Clark and Kean University, in such form and substance as the Governing Body already has reviewed and as is available in the office of the Township Clerk.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 90AuthKEANetworkMOU

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-91  
May 20, 2024

10

**WHEREAS** the Governing Body of the Township of Clark has advertised for bids on May 2, 2024 for the 2024 Capital Road Improvements – Various Locations; and

**WHEREAS** six (6) bid proposals were received on May 14, 2024 in accordance with specifications prepared by the Township Engineer; and

**WHEREAS** the three (3) lowest responsible bidders were:

<u>Contractor</u>	<u>Amount</u>
D.L.S. Contracting	\$401,589.27
AJM Contractors	\$424,715.50
Fischer Contracting	\$443,522.96

**WHEREAS** D.L.S. Contracting, 36 Montesano Road, Fairfield, New Jersey 07004 submitted the lowest responsible bid in the amount of Four Hundred One Thousand, Five Hundred Eighty-Nine Dollars and Twenty-Seven Cents (\$401,589.27) which meets the needs of the Township as specified by the Township Engineer; and

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Capital Account C-04-24-006-001 as attached hereto as a “Certification of Availability of Funds”; and

**WHEREAS** the Township Engineer has presented written approval for the award of the contract to D.L.S. Contracting.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby awards a contract to D.L.S. Contracting in the amount of \$401,589.27; and

**BE IT FURTHER RESOLVED** by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 91Award2024CapitalRoads

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<input type="checkbox"/>	Adopted						
<input type="checkbox"/>	Adopted as Amended						
<input type="checkbox"/>	Defeated						
<input type="checkbox"/>	Tabled						
<input type="checkbox"/>	Withdrawn						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
 Resolution 24-92  
 May 20, 2024

11

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby approves, authorizes, and accepts the contract executed by the Business Administrator, between the Township of Clark and Enterprise Fleet Management, Inc. on April 26, 2024 to provide and manage the fleet of vehicles for use by various departments.

ATTEST:

APPROVED:

\_\_\_\_\_  
 EDITH L. MERKEL, RMC  
 Township Clerk

\_\_\_\_\_  
 ANGEL ALBANESE  
 Council President

Res24/5-20 92AuthEnterpriseFleetAgrmnt

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-93  
May 20, 2024

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**WHEREAS** the Administration has requested that the Township Council authorize the appropriate Township Officials to approve the authorization of the purchase of one (1) Toro Field Pro Groomer 6040 for use by Clark Little League Baseball; and

**WHEREAS** the Business Administrator has recommended an outright purchase, payable upon delivery of the equipment through use of the following Cooperative Purchasing Contract which provides predetermined preferential pricing through approved vendors which have been bid at the state level:

Pricing of the equipment through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Pricing System; Bid #22/23-12

Dealer: Storr Tractor Company, 3191 US 22, Branchburg, NJ 08876

Funded by: Recreation Trust Account: T-16-56-250-101

Equipment: One (1) Toro Field Pro Groomer 6040, Total Price \$36,718.40

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$36,718.40 funded by Account #T-16-56-250-101 as attached hereto as a "Certification of Availability of Funds."

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes the Business Administrator to purchase one (1) Toro Field Pro Groomer 6040 from Storr Tractor Company, of Branchburg, New Jersey through ESCNJ Cooperative Pricing.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 93Co-opESCNJ-FieldProGroomerLittleLeague

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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					
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-94  
May 20, 2024

13

**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 \$26,133.34 which is now available from the National Opioid Settlement in the amount of \$26,133.34; and

**BE IT FURTHER RESOLVED** that the like sum of \$26,133.34 is hereby appropriated under the caption National Opioid Settlement; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the National Opioid Settlement in the amount of \$26,133.34.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/ 5-20 94Ch159OpioidGrant

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-95  
May 20, 2024

14

**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 \$42,500.00 which is now available from the County of Union in the amount of \$42,500.00; and

**BE IT FURTHER RESOLVED** that the like sum of \$42,500.00 is hereby appropriated under the caption 2023 Infrastructure and Municipal Aid Grant; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the County of Union in the amount of \$42,500.00.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 95Ch159Infrastructure&MunAidGrant

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

CA  
15

TOWNSHIP OF CLARK  
Resolution 24-96  
May 20, 2024

**WHEREAS**, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Robert J Leamy to be 100% permanently disabled effective April 4, 2024, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

**WHEREAS**, Robert J. Leamy owns one hundred percent of the property listed in the tax duplicate as 11 Gloria Street, Clark, NJ, Block 97 Lot 9, and is entitled to one hundred percent of the taxes for this property exempt; and

**WHEREAS**, the total 2024 taxes on this property, for the 2<sup>nd</sup> quarter, were \$2,888.73, and Robert J. Leamy, being owner of the property is entitled to a one hundred percent exemption of the property taxes; and

**WHEREAS**, \$2,888.73 has been billed for May 1 2024 and should be canceled; and

**WHEREAS**, one hundred percent of the taxes on this property will be entitled to exemption for as long as Robert J. Leamy is owner of the property.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector is hereby authorized and directed to make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 96TaxExemptVeteran-Block97Lot9

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

TOWNSHIP OF CLARK  
Resolution 24-97  
May 20, 2024

CA  
16

**WHEREAS** in accordance with a request from the Tax Collector for authorization to refund overpayment of 2024 sewer fees; the Mayor has recommended to Council that such authorization be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, that the Tax Collector is hereby authorized and directed to make the refund(s) as per the following schedule.

Sewer Refund 2024							
REF	Acct #	Name	#	Address	Reason	Refund	
24	21	903-0	Hudak, Christopher & Terri	172	Stonehenge Ter	refund overpayment	\$ 60.00
24	22	1259-0	Brzezinski, Boleslaw & Jessica	43	Sandalwood Dr	refund overpayment	\$ 70.00
24	23	321-0	Ajello, Anthony & Miranda	86	Briarheath Ln	refund overpayment	\$ 20.00
						\$ 150.00	

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 97SewerRefund(s)

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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					
	Albanese						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK  
Resolution 24-98  
May 20, 2024

CA  
17

**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

\_\_\_\_\_  
ANGEL ALBANESE  
Council President

Res24/5-20 98SewerAdj

		Motion	Second	Aye	Nay	Abstain	Absent
	Hund						
<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						
	Albanese						
	Entire Council						
	TOTAL						

**SEWER BILLING ADJUSTMENT 2024**

CLARK TOWNSHIP											
REF	#	Account #	Name	#	Address	Reason	Original	Revised	Credit	ADDL	Comments
	24	45 3425-0	Wolff, Michael & Kimberly	74	Liberty Street	SCD disallowed	\$ 140.00	\$ 280.00		140.00	new owner
	24	46 3236-0	Document Destruction LLC	25	Broadway	billing issue	\$ 1,080.00	\$ 280.00	\$ 800.00		
	24	47 1059-0	Fede, Michael & Toni	86	Tudor Drive	meter issue	\$ 1,730.00	\$ 280.00	\$ 1,450.00		
	24	48 221-0	Wojciechowski, Edward	78	Rutgers Road	sprinklers	\$ 1,630.00	\$ 280.00	\$ 1,350.00		
	24	49 1018-0	Daly, John & Melissa	160	Meadow Road	pool	\$ 2,130.00	\$ 660.00	\$ 1,470.00		
	24	50 2723-0	Opperman, Michael	110	Gertrude Street	toilet issue	\$ 3,530.00	\$ 1,405.00	\$ 2,125.00		
									\$ 7,195.00	140.00	