

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
December 16, 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.

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. 24-15 AN ORDINANCE AMENDING AND RESTATING "CHAPTER 195 - LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF CLARK
2. 24-16 AN ORDINANCE ESTABLISHING AN EXEMPTION FROM THE FEE FOR FILING OF ANNUAL REGISTRATION OF CERTIFICATE OF INSURANCE FOR BUSINESSES AND RENTAL UNITS AND MULTIFAMILY HOMES WITH FOUR OR FEWER UNITS WITHIN THE TOWNSHIP OF CLARK PURSUANT TO N.J.S.A. 40A:10A-2
3. 24-17 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES
4. 24-18 AN ORDINANCE TO SUPPLEMENT SECTION 51 OF CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" 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 December 12, 2024 in the amount of \$386,402.26

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall give their name and the town in which they reside, 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:

5. **PUBLIC HEARING:** Authorizing the submission of an application for funding for the Year 51 Community Development Block Grant Program
6. Authorizing the transfer of funds within the 2024 Municipal Budget
7. Award of On-Call General Contractors List through a fair and open process for 2025
8. Authorizing a one-year contract extension to LawSoft for Information Technology and Network Support Services for 2025
9. Authorizing the Business Administrator to enter into a contract with Inservco Insurance Services as the claims servicing organization in the amount of \$16,720.00 for 2025, \$17,220.00 for 2026 and \$17,730.00 for 2027
10. Supporting amendment of the Fair Housing Act as proposed by the New Jersey Institute of Local Government Attorneys
11. Authorizing Final Payment to DLS Contracting for work completed on the 2023 NJDOT Road Project – Stonehenge Terrace Road Improvements in the amount of \$13,102.93
12. Amending the Council’s Meeting Calendar to cancel the January 6, 2025 Workshop Meeting and add a Regular Meeting on Wednesday, January 29, 2025, 430 Westfield Ave., 7:00 pm where action may be taken

CONSENT AGENDA RESOLUTIONS:

13. Authorizing the Police Chief to issue Clothing Bin Permits for the year 2025
14. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$762.77
15. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$3,250.00
16. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$29,974.41
17. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 49 Lot 2 in accordance with a directive from the U.S. Department of Veterans Affairs

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall give their name and the town in which they reside, 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 - 15

PH 1

Adopted _____

Introduced: November 18, 2024 Public Hearing: December 16, 2024

**AN ORDINANCE AMENDING AND RESTATING
“CHAPTER 195 - LAND USE AND DEVELOPMENT”
OF THE CODE OF THE TOWNSHIP OF CLARK**

WHEREAS, the Township’s Planning Board conducted a periodic general reexamination of the Township’s master plan pursuant to section 76 of P.L.1975, c.291 (C.40:55D-89) on February 2, 2023 which resulted in a report titled “2023 Master Plan Reexamination Report,” dated March 2, 2023 (the “2023 Reexamination Report”) and a Township of Clark Planning Board Resolution, titled Resolution Adopting 2023 Periodic Reexamination Report of the Master Plan and Land Use and Development Regulations; and

WHEREAS, the Township desires to amend and restate “Chapter 195 - Land Use and Development” and the Zoning District Map as a result of and consistent with the “2023 Reexamination Report,” the main objectives of which are to ensure procedures imposed are consistent with those followed, update uses and fees, eliminate ambiguities, adjust bulk standards, streamline procedures, update and render more efficient, the Township’s land use and development processes, and to better serve the residents of the Township of Clark and enhance their general welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Clark as follows:

SECTION 1. Amendment and Restatement: “Chapter 195 - Land Use and Development” be and hereby is amended and restated as set forth in the annexed Exhibit “A,” made a part hereof, a marked version of which showing all changes to “Chapter 195 - Land Use and Development” also being annexed as Exhibit “B,” made a part hereof.

SECTION 2. Adoption of Updated Zoning District Map Township of Clark. The updated Zoning District Map Township of Clark prepared by Grotto Engineering Associates, LLC, last revised November 18, 2024, be and hereby is amended and restated as set forth in the annexed Exhibit “C”, made a part hereof.

SECTION 3. A copy of “Chapter 195-Land Use and Development” in loose-leaf form and updated Zoning District Map have been filed in the office of the Township Clerk and shall remain there for use and examination by the public.

SECTION 4: Inconsistent Ordinances: Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance be and hereby are repealed to the extent of such inconsistency.

SECTION 5: Severability: If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 6: Effective Date: This ordinance shall take effect after the second reading in accordance with law following passage and publication and upon filing with the county planning board.as required by law.

Effective Date: January 8, 2025

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

ANGEL ALBANESE
 Council President

SALVATORE BONACCORSO
 Mayor

Ord24/11-18 24-15Ch195AmendandRestate

		Motion to Introduce	Second	Motion to Adopt	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								

The full ordinance amending and restating Chapter 195 is on the Township Website. Click the link below and scroll down to Ord. 24-15. There are four parts.

You can also get to the link from the main page of the township website www.ourclark.com, click on government, then resolutions/ordinances.

<https://www.ourclark.com/245/Resolutions-Ordinances>

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

TOWNSHIP OF CLARK PLANNING BOARD

RESOLUTION

**REPORT TO THE GOVERNING BODY OF THE TOWNSHIP OF CLARK
REGARDING THE PLANNING BOARD'S INCONSISTENCY REVIEW OF
THE PROPOSED CHAPTER 195-AMENDED AND RESTATED LAND USE AND
DEVELOPMENT ORDINANCE OF THE CODE OF THE TOWNSHIP OF CLARK**

MEETING DATE: DECEMBER 5, 2024

ADOPTION DATE: DECEMBER 5, 2024

WHEREAS, on November 18, 2024, the Governing Body of the Township of Clark introduced Ordinance No. 24-15 titled "An Ordinance Amending and Restating 'Chapter 195-Land Use and Development' of the Code of the Township of Clark " (the "Ordinance"); and

WHEREAS, the Ordinance is an amendment and restatement of Chapter 195 of the Code of the Township; and

WHEREAS, on November 22, 2024, the Ordinance was, pursuant to N.J.S.A. 40:55D-26, referred to the Township of Clark Planning Board for a Master Plan inconsistency review; and

WHEREAS, the Board Planner undertook a review of the Ordinance pursuant to N.J.S.A. 40:55D-26 and at the Planning Board meeting on December 5, 2024, the Planning Board Planner presented his findings regarding the Ordinance to the Board; and

WHEREAS, on March 23, 2023, the Planning Board adopted the "2023 Master Plan Reexamination Report"; and

WHEREAS, Section 5.0 of the 2023 Master Plan Reexamination Report titled "Specific Amendment to the Master Plan and Development Regulations" recommends that Chapter 195 of the Code of the Township be amended and contemplates the Ordinance; and

WHEREAS, on December 5, 2024, the Planning Board, after hearing the Board Planner's report and public comment, confirms the Ordinance is not inconsistent with the Master Plan and the 2023 Master Plan Reexamination Report because it implements Section 5.0 of the 2023 Master Plan Reexamination Report and promotes the purposes of the Master Plan; and

WHEREAS, on December 5, 2024, the Planning Board had the opportunity to discuss and hear public comment on the Ordinance and has reviewed the Ordinance for its consistency with the Master Plan and the 2023 Master Plan Reexamination Report and the Planning Board hereby transmits to the Governing Body, its determination that the Ordinance is not inconsistent with the

Master Plan and the 2023 Master Plan Reexamination Report; and

NOW THEREFORE BE IT RESOLVED that the Township of Clark Planning Board, pursuant to the provisions of N.J.S.A. 40:55D-26, the Planning Board finds and concludes that:

1.The Ordinance is not inconsistent with and achieves the stated objectives of the Master Plan and the 2023 Master Plan Reexamination Report.

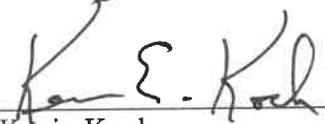
2.The Ordinance is intended to implement the goals, objectives and recommendations stated in Section 5.0 of the 2023 Master Plan Reexamination Report.

3.The Township of Clark Planning Board recommends that the Governing Body of the Township of Clark adopt the Ordinance and has no further recommendations.

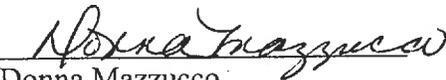
4.The Planning Board Secretary is hereby authorized to transmit this Resolution to the Township of Clark Governing Body; and

BE AND THE SAME IS HEREBY RESOLVED

I hereby certify that the above Resolution is a true copy of the Resolution adopted by the Planning Board of the Township of Clark on December 5, 2024



Kevin Koch
Planning Board Chairman



Donna Mazzucco
Planning Board Secretary

Motion to Approve and Memorialize:

Township of Clark Planning Board December 5, 2024						
Chapter 195-Amended and Restated Land Use and Development Ordinance of The Code of the Township of Clark						
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
S. Bonaccorso			X			
J. Ulrich			X			
J. Minniti			X			
K. Koch			X			
M. Triola	X		X			
M. Altmann						X
E. Jacobsen			X			
L. Steinberg						X
C. Brocato			X			
J. Arancio		X	X			

TOWNSHIP OF CLARK

Ordinance No. 24 - 16

PH 2

Adopted _____

Introduced: November 18, 2024 Public Hearing: December 16, 2024

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

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

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

WHEREAS, on January 17, 2023, the Township Council of the Township adopted Ordinance No. 23-06 in accord with the provisions of N.J.S.A. 40A:10A-2(b) (L.2022, c. 92, § 2(b)); and

WHEREAS, the Township desires to exempt certain nonprofit organizations from the requirement that they pay such a fee for the filing of the annual registration of a certificate of insurance.

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

Section 1. Section 145-9 of the Township's Ordinances be and hereby is amended to state as follows:

Filing of the Annual Registration of a Certificate of Insurance. The Township hereby establishes as its reasonable administrative fee for the filing with the Construction Code Official of the Township of the annual registration of the certificate of insurance required by subsection (a) of N.J.S.A. 40A:10A-2 for businesses and rental units and multifamily homes with four or fewer units, one of which is owner occupied, the sum of \$50, which shall be due and payable to the Township on the date on which such certificate of insurance is due for filing and registration. Nonprofit organizations are exempt from this fee provided that such nonprofit organization provides to the Township a certified copy of such nonprofit organization's Certificate of Incorporation as a nonprofit and official proof that such

nonprofit organization is and has timely registered pursuant to, and otherwise has complied with, the "Charitable Registration and Investigation Act," N.J.S.A. 45:17A-18, *et seq.* The Township may collect, through a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c. 274 (C.2A:58-10 *et seq.*), a fine of not less than \$500.00 but no more than \$5,000.00 against an owner who failed to comply with the provisions of N.J.S.A. 40A:10A-2.

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

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

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

Effective Date: January 8, 2025

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

ANGEL ALBANESE
 Council President

SALVATORE BONACCORSO
 Mayor

Ord24/11-18 24-16Ch145BusinessandRentalPropertyFeeExemptingNon-profits

		Motion to Introduce	Second	Motion to Adopt	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
Ordinance No. 24 - 17
Adopted _____

PH 3

Introduced: November 18, 2024 Public Hearing: December 16, 2024

**AN ORDINANCE ENTITLED AN ORDINANCE TO FIX
MINIMUM AND MAXIMUM SALARIES**

WHEREAS said Ordinance reflects a change in salaries to be paid to certain employees of the Township for the year 2025 and forward.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers of the Township of Clark be and they are hereby authorized and directed to execute and deliver checks on Township funds for the purpose of paying the following annual salaries to the employees of the Township of Clark within the range as set forth below opposite each job classification as in such cases made. The Schedule of salaries hereinafter set forth shall be effective as of January 1, 2025 and may be amended for those who may exceed the maximum.

	MINIMUM	MAXIMUM
Business Administrator	\$ 75,000.00	\$ 220,000.00
Township Clerk	\$ 55,000.00	\$ 160,000.00
Deputy Township Clerk	\$ 55,000.00	\$ 130,000.00
Township Attorney*		
Mayor's Confidential Secretary	\$ 30,000.00	\$ 80,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 120,000.00
Assessor P/T	\$ 20,000.00	\$ 120,000.00
Tax Collector	\$ 50,000.00	\$ 120,000.00
Assistant Treasurer	\$ 50,000.00	\$ 125,000.00
Certified Finance Officer/Treasurer	\$ 50,000.00	\$ 200,000.00
Construction Code Official	\$ 50,000.00	\$ 175,000.00
Technical Assistant to the Construction Official	\$ 45,800.00	\$ 90,000.00
Municipal Court Administrator	\$ 60,000.00	\$ 120,000.00
Deputy Court Administrator	\$ 50,000.00	\$ 90,000.00
Health Officer	\$ 50,000.00	\$ 125,000.00
Assistant to Health Officer	\$ 50,000.00	\$ 100,000.00
Supervisor of Public Works	\$ 40,000.00	\$ 150,000.00
Public Works Assistant Supervisor	\$ 40,000.00	\$ 125,000.00
Laborer 1	\$ 42,900.00	\$ 55,000.00
Laborer 2	\$ 42,900.00	\$ 60,000.00
Public Works Repairer	\$ 53,000.00	\$ 67,000.00
Senior Public Works Repairer	\$ 66,000.00	\$ 90,000.00
Mechanic	\$ 55,000.00	\$ 75,000.00
Bus Driver – Part Time	\$ 25,000.00	\$ 50,000.00
Mayor	\$ 6,000.00	\$ 30,000.00
Council President	\$ 6,000.00	\$ 15,000.00
Council Members	\$ 6,000.00	\$ 15,000.00

	MINIMUM	MAXIMUM
Board of Adjustment Secretary	\$ 8,000.00	\$ 12,000.00
Planning Board Secretary	\$ 8,000.00	\$ 12,000.00
Fire Prevention Official	\$ 10,000.00	\$ 125,000.00
Deputy Fire Prevention Official	\$ 5,000.00	\$ 25,000.00
Director Public Safety	\$ 1,700.00	\$ 3,500.00
Director Senior Citizen	\$ 1,700.00	\$ 7,500.00
Director Public Works/Shade Tree	\$ 1,750.00	\$ 20,000.00
Fire Sub Code Official P/T	\$ 5,000.00	\$ 20,000.00
Elevator Inspector P/T	\$ 5,000.00	\$ 20,000.00
Plumbing Sub Code Official P/T	\$ 10,000.00	\$ 30,000.00
Electrical Inspector P/T	\$ 10,000.00	\$ 35,000.00
Emergency Management Coordinator	\$ 2,000.00	\$ 20,000.00
Deputy Emergency Management	\$ 1,000.00	\$ 10,000.00
Fire Prevention – IT P/T	\$ 2,500.00	\$ 10,000.00
Fire Official Secretary	\$ 750.00	\$ 1,000.00
Fire Chief	\$ 3,800.00	\$ 20,000.00
Battalion Chief	\$ 2,500.00	\$ 6,000.00
Deputy Chief #1	\$ 1,100.00	\$ 6,000.00
Deputy Chief #2	\$ 1,100.00	\$ 5,500.00
Deputy Chief #3	\$ 1,100.00	\$ 5,500.00
1 st Fire Captain	\$ 1,900.00	\$ 4,500.00
2 nd Fire Captain	\$ 1,900.00	\$ 4,500.00
3 rd Fire Captain	\$ 1,000.00	\$ 4,500.00
4 th Fire Captain	\$ 1,000.00	\$ 4,500.00
Public Information Officer	\$ 1,000.00	\$ 5,500.00
Fire Lieutenants	\$ 1,000.00	\$ 3,000.00
Prosecutor P/T	\$ 8,500.00	\$ 35,000.00
Judge	\$ 20,000.00	\$ 90,000.00
Public Defender P/T	\$ 4,000.00	\$ 15,000.00
Director of Recreation/Facilities Mgr.	\$ 50,000.00	\$ 150,000.00
Assistant Recreation Supervisor	\$ 9,200.00	\$ 40,000.00
Director Teen Center	\$ 2,000.00	\$ 20,000.00
Assistant Teen Center	\$ 2,000.00	\$ 15,000.00
Recreation/Senior Fitness P/T Personnel	\$ 500.00	\$ 25,000.00
Manager – TV 36	\$ 5,000.00	\$ 60,000.00
Fire Training Officer	\$ 1,000.00	\$ 5,000.00
Property Maintenance P/T	\$ 5,000.00	\$ 40,000.00
Building Maintenance Worker	\$ 39,000.00	\$ 59,000.00
Sr. Building Maintenance	\$ 50,000.00	\$ 120,000.00
Administrative Clerk	\$ 40,000.00	\$ 77,000.00
Accounting Clerk	\$ 39,000.00	\$ 49,000.00
Sr. Accounting Clerk	\$ 45,800.00	\$ 80,000.00
Principal Accounting Clerk	\$ 50,000.00	\$ 77,000.00
Clerk 1	\$ 39,000.00	\$ 52,000.00
Clerk 2	\$ 45,800.00	\$ 59,000.00
Clerk 3	\$ 50,000.00	\$ 77,000.00

Keyboarding Clerk 1	\$ 39,000.00	\$ 49,000.00
Keyboarding Clerk 2	\$ 45,800.00	\$ 59,000.00
Keyboarding Clerk 3	\$ 50,000.00	\$ 77,000.00
Records Support Tech 1	\$ 39,000.00	\$ 49,000.00
Records Support Tech 2	\$ 45,800.00	\$ 59,000.00
Sr. Technical Assistant	\$ 50,000.00	\$ 77,000.00
Assistant Director of Information Technology	\$ 65,000.00	\$ 110,000.00
Supervisor Information Technology	\$ 60,000.00	\$ 110,000.00
Information Technology Assistant	\$ 50,000.00	\$ 80,000.00

HOURLY

Police Matron – on duty	\$ 60.00 event	\$ 60.00 event
Police Matron – on call	\$ 60.00 hour	\$ 60.00 hour
Seasonal Employees – Recreation/Sr. Citizen	\$ 14.53 hour	\$ 30.00 hour
Building Maintenance	\$ 15.00 hour	\$ 25.00 hour
Clerk Typist	\$ 15.00 hour	\$ 25.00 hour
Inspectors	\$ 15.00 hour	\$ 40.00 hour
Bus Driver	\$ 15.00 hour	\$ 25.00 hour
General Part-Time Help	\$ 15.00 hour	\$ 25.00 hour

POLICE – Base Pay

**Chief (plus longevity and education)	\$ 150,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 140,000.00	\$ 200,000.00

MUNICIPAL POOL

MINIMUM

MAXIMUM

Pool Director	\$ 8,450.00	\$ 20,000.00
Pool Facilities Manager	\$ 5,000.00	\$ 20,000.00
Assistant Manager(s)	\$ 4,100.00	\$ 10,000.00
Water Safety Instructor(s)	\$ 3,300.00	\$ 10,000.00
Lifeguard(s) – Seasonal	\$ 2,700.00	\$ 10,000.00
Maintenance Worker(s) – Seasonal	\$ 2,000.00	\$ 10,000.00
Gate Control Person(s) – Seasonal	\$ 2,000.00	\$ 5,000.00
Activities Director – Seasonal	\$ 1,050.00	\$ 5,000.00

*Annual Professional Services Contract

**Contract(s) for each position is 10% above lower position plus longevity and education.

Any ordinance inconsistent with the provisions contained herein is hereby repealed to the extent of such inconsistency.

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

Effective Date: January 8, 2025

TOWNSHIP OF CLARK
 Resolution 24-174
 December 16, 2024

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WHEREAS the County of Union is accepting applications for funding for the Year 51 Community Development Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Township to submit the following projects to the County of Union for Year 51 of the Community Development Block Grant Program:

Senior Citizen Program	\$60,000.00
ADA Ramp Improvements (Hayes Ave. and Hillside Ave.)	\$25,000.00

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res24/12-16 174SubmitCDBGyear51

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

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TOWNSHIP OF CLARK
Resolution 24-175
December 16, 2024

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2024 budget appropriations in accordance with the following schedule of transfers.

**CLARK TOWNSHIP
BUDGET TRANSFERS 2024**

	<u>To</u>	<u>From</u>
Communications: Other Expenses 4-01-20-101-224	30,000.00	
Communications: S&W 4-01-20-101-101		30,000.00
Recreation: OE 4-01-28-370-218	25,000.00	
Planning Board: OE 4-01-21-180-201		10,000.00
Public Works: S&W 4-01-26-290-102		15,000.00
	<u>55,000.00</u>	<u>55,000.00</u>

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 175BudgetTransfers

			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 24-176
December 16, 2024

7

WHEREAS there exists a need for construction and general building contractors who specialize in maintenance and construction services in order to call upon these Contractors as needed for miscellaneous projects such as but not limited to painting, plumbing, electrical work, building renovations and maintenance, fencing, and miscellaneous rehab projects; and

WHEREAS in accordance with NJSA 19:44A-20.5 qualifications/proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS proposals were received from general contractors, electricians and plumbers who wish to be included on an On-Call General Contractors List and were publicly opened at 10:00 am on December 3, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Qualifications/Proposals (RFQ/RFP) and recommend award of contract to the following Contractors to be included on an On-Call General Contractors List for the year 2025.

<u>Specialty</u>	<u>Contractor</u>
Painting, Carpentry, Mason, Laborer, Roofer, HVAC, Fencing and Flooring	M & M Construction Company, Inc.
Plumbing	Lenny's Plumbing & Heating, Inc. of NJ (primary) M & M Construction Company, Inc. (secondary)
Electrical	Kobra Electric LLC (primary) M & M Construction Company, Inc. (secondary)

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards the above contractors, placement on an on-call construction and maintenance general building contractors list; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to issue work orders as needed to the approved listed contractors.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 176Award2025On-CallFacilitiesMaint

			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 24-177
December 16, 2024

8

WHEREAS LawSoft, Inc. (the vendor) was awarded the contract for Information Technology (IT) Maintenance and Support for 2024 through a Fair and Open process in accordance with NJSA 19:44A-20.5; and

WHEREAS the Vendor has submitted a written request to be considered for a one (1) year extension of this contract; and

WHEREAS the contract may be extended in accordance with the Request for Proposals dated November 7, 2023 which states: Terms of the Contract – January 1, 2024 -December 31, 2024, with an additional 1-year option at the sole discretion of the Township with 90 days’ notice; and

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

WHEREAS the Chief Financial Officer has ascertained funds are available in the 2025 Municipal Budget, Account Number 5-01-20-101-201—Communications Special Services.

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 one-year contract to LawSoft, Inc. and authorizes and directs the Business Administrator to execute said contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 177ITSupport1-yearextensionLawSoft

		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 24-179
December 16, 2024

9

WHEREAS the Governing Body of the Township of Clark desires to retain the services of a third-party administrator on behalf of the Township to administer the Township's Self-Insured Retention (SIR); and

WHEREAS Inservco Insurance Services, Inc. has submitted a proposal in the amount of \$16,720.00 from January 1, 2025 to December 31, 2025, \$17,220.00 from January 1, 2026 to December 31, 2026 and \$17,730.00 from January 1, 2027 to December 31, 2027 to provide for the claims administration of Worker's Compensation, Automobile Liability, General Liability, including Police Professional Liability and Workers' Compensation – Lost time and medical only submitted against the Township to the SIR; and

WHEREAS the Governing Body desires to retain Inservco Insurance Services, Inc. as the Township's third-party administrator for claims administration made to the SIR beginning January 1, 2025 through December 31, 2027; and

WHEREAS said claims servicing organization's services constitute extraordinary unspecified services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., authorizing the services without competitive bids, and

WHEREAS there are funds available in the 2025 budget as evidenced by the Finance Officer's Certification of Availability of Funds in Current Account 23-210-223 for said contract with subsequent years subject to the adoption of budgets through 2027.

NOW, THEREFORE, 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 to enter into a contract with Inservco Insurance Services, Inc. as the claims servicing organization on behalf of the Township of Clark for the period and amounts hereinabove described, commencing January 1, 2025 for the SIR.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 179Inservco2025-2027

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

**RESOLUTION SUPPORTING AMENDMENT OF THE FAIR HOUSING ACT (FHA) AS
PROPOSED BY THE NEW JERSEY INSTITUTE OF LOCAL GOVERNMENT ATTORNEYS
(NJILGA)**

WHEREAS the current standards embodied in the New Jersey Fair Housing Act (“FHA”) impose unrealistic burdens on municipalities as demonstrated by the fact that the FHA calls for the imposition of a statewide affordable housing obligation of 84,698 just for Round 4 on municipalities that issued only 99,956 Certificates of Occupancy for all housing units in the 2010-2020 period that was used to establish prospective need obligations for Round 4; and

WHEREAS the imposition of unrealistic obligations does not advance the realistic opportunity for the construction of more affordable housing, but instead encourages opposition and litigation; and

WHEREAS the imposition of excessive obligations disincentivizes municipalities to comply voluntarily with the Mount Laurel doctrine – an overarching goal of all three branches of government. Unrealistic housing obligations force municipalities to overdevelop with inclusionary housing, thereby causing resistance to affordable housing.

WHEREAS compliance with the obligation proposed by the Department of Community Affairs places the cost of the obligation on the shoulders of municipal taxpayers to implement measures to address the secondary impacts of overdevelopment; and

WHEREAS even-handed justice requires that the obligations imposed by our laws must be realistic in order to justify imposing an obligation of constitutional dimension on municipalities to create a realistic opportunity for affordable housing; and

WHEREAS the unrealistic obligations imposed by the current laws can be easily addressed by redefining the manner in which the regional need is calculated to be faithful to a principle embodied in the FHA despite its many changes over almost forty years; and

WHEREAS more specifically, the FHA has consistently defined the prospective need to include “a projection of housing needs based on development and growth which is *reasonably likely to occur* in a region or a municipality, as the case may be, as a result of actual determination of public and private entities” N.J.S.A. 52:27D-304 (j); and

WHEREAS a determination of the number of new residential housing units, adjusted to remove tear down/rebuilds, represents a far more solid foundation to project “development and growth which is *reasonably likely to occur*” than the FHA’s current formula, which is based on “household change,” a nebulous and undefined term; and

WHEREAS establishing prospective need for affordable units based on 20 percent of residential housing units *actually constructed* over a prior ten-year period accords with New Jersey’s long-standing policies of empowering municipalities to cure the abuse of exclusionary zoning with traditional inclusionary zoning; and

WHEREAS the demand for market-rate housing is a reasonable basis for determining whether and to what extent a realistic opportunity for the creation of affordable housing may exist, and the issuance of certificates of occupancy for new residential units is a reliable indicator of such demand; and

WHEREAS a standard aimed at ensuring that the number of affordable housing units in our state will increase commensurately with the number of market units constructed will put the doctrine on a sustainable trajectory that will avoid the tendency of municipalities to oppose implementation of affordable housing obligations; and

WHEREAS the New Jersey Institute of Local Government Attorneys (“NJILGA”) has expressed its support for and amendment to the FHA by which “development and growth which is *reasonably likely to occur*” would be based upon the net number of new housing units constructed over each ten-year period for which the state’s affordable housing rounds are established; and

WHEREAS for the above reasons, the Governing Body of the Township of Clark has determined that its prospective need, and the prospective need for all New Jersey municipalities for the fourth round and all future rounds of affordable housing obligations, should be calculated using NJILGA’s proposed net housing unit based on certificates of occupancy as a methodology rather than the current FHA methodology based on “household change.”

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union, and State of New Jersey, that the New Jersey Legislature is hereby requested to enact the amendment to the Fair Housing Act that has been recommended by the New Jersey Institute of Local Government Attorneys; and

BE IT FURTHER RESOLVED that the Township Clerk or Business Administrator of the Township of Clark is also hereby directed to send a copy of this signed, dated Resolution within five (5) days after its adoption, by mail and email to the following additional listed persons and entities:

New Jersey Institute of Local Government Attorneys
PO Box 5389
Clinton, New Jersey 08809
Attention: J. Peter Jost, Esq.
Executive Director
jpeter@npjlegal.com

Governor Philip Murphy
PO Box 001
Trenton, New Jersey 08625-0001

Senator Nicholas Scutari
1514 East St. Georges Avenue, 2nd Fl.
Linden, New Jersey 07036

Assemblyman James Kennedy
1445 Main Street
Rahway, New Jersey 07065

Assemblywoman Linda Carter
200 W. 2nd Street, Ste. 102
Plainfield, New Jersey 07063

New Jersey League of Municipalities
Frank Marshall finarshall@njlm.org
Lori Buckelew lbuckelew@njlm.org

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 180AmendFairHousingAct

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

CERTIFICATION

I, Edith L. Merket, Municipal Clerk of the Township of Clark, do hereby certify that the foregoing Resolution No. 24-180 was duly adopted by the Township Council at their regular meeting held on December 16, 2024

Edith L. Merkel, RMC
Municipal Clerk

TOWNSHIP OF CLARK
Resolution 24-181
December 16, 2024

11

WHEREAS DLS Contracting, Inc. has completed work on the 2023 NJDOT –Stonehenge Terrace Road Improvements and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Thirteen Thousand, One Hundred Two Dollars and Ninety-Three Cents (\$13,102.93) including change order #1 (final) which increases the adjusted contract amount by Ten Thousand, Seven Hundred Ninety-One Dollars and Nine Cents (\$10,791.09); and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Capital Account C-04-23-009-001 as attached hereto as a “Certification of Availability of Funds”; and

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

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by DLS Contracting, Inc. to be Fifty-Two Thousand, Six Hundred Thirty-Four Dollars and Seventy-Nine Cents (\$52,634.79); and

WHEREAS DLS Contracting has submitted a Maintenance Bond in the amount of \$52,634.79.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to DLS Contracting, Inc., 36 Montesano Road, Fairfield, NJ 07004 in the amount of \$13,102.93 including final change order and release of the Performance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 181FinalPayment2023NJDOTStonehenge-DLS

		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 24-182

December 16, 2024

12

WHEREAS Resolution 24-170 was adopted November 18, 2024, approving the Council's meeting calendar for 2025; and

WHEREAS there is a need to amend the meeting calendar as follows:

Cancel January 6, 2025 Workshop Meeting

Add Wednesday, January 29, 2025 Regular Meeting, 430 Westfield Ave., 7:00 pm

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby approve the amended Meeting Calendar for the Year 2025 as outlined below.

CLARK MUNICIPAL COUNCIL 2025 MEETING DATES
Reorganization Meeting Wednesday, January 1, 2025
315 Westfield Avenue – Noon

WORKSHOP MEETINGS 7:30 PM

430 Westfield Avenue
 Room 30

PUBLIC MEETINGS 7:30 PM

315 Westfield Avenue
 Council Chambers

No January Workshop
 January 29 – Public Meeting, Wednesday, 7:00 pm
 February 3
 March 3
 April 7
 May 5
 June 2
 July 7
 August 4
 September 2 (Tuesday)
 October 6
 November 3
 December 1

January 21 (Tuesday)
 February 18 (Tuesday)
 March 17
 April 21
 May 19
 June 16
 July 21
 August 18
 September 15
 October 20
 November 17
 December 15

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 ANGEL ALBANESE
 Council President

Res24/12-16 182AmendRes170MeetingDates2025

		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 24-183
December 16, 2024

CA 13

WHEREAS, it is necessary and desirable in order to ensure the general health and welfare of the residents of the Township of Clark to provide uniform procedures for administering the issuance, renewal and revocation of licenses for the placement of clothing bins within the Township; and

WHEREAS, Chapter 117, Section 10 of the Code of the Township of Clark provides for enforcement by the Police Department and the Construction Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following clothing bin operators having met all the requirements of Chapter 117 of the Code of the Township of Clark are hereby approved in accordance with the law; and

BE IT FURTHER RESOLVED that the Police Chief is hereby authorized and directed to issue permits to the vendors listed as follows to be displayed according to law effective January 1, 2025 through December 31, 2025.

Clothing Bin Operators

Location of Bins

American Recycling Technologies, Inc.
98 Cutter Mill Road, S-290N
Great Neck, NY 11021-3010
Attn: Bruce Binler (516-708-9959)

315 Westfield Avenue (2 bins)

American Recycling Technologies, Inc.
98 Cutter Mill Road, S-290N
Great Neck, NY 11021-3010
Attn: Bruce Binler (516-708-9959)

1060 Raritan Road (2 bins)

Planet Aid
18 Commerce Road, Suite #0-P
Fairfield, NJ 07004
Attn: Joel Podelsky (848-219-0426) (201-312-3962)

1030 Raritan Road (1 bin)
12 Clarkton Drive (1 bin)

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 183ClothingBinpermits

		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 24-185
 December 16, 2024

CA 15

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

Res24/12-16 185SewerAdj

		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 24-186
December 16, 2024

CA 16

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2024 taxes; 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 refund(s)/transfer(s) in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUNDS
97	9		Leamy, Robert & Kristin	11	Gloria Street	\$ 2,976.15
33	6.01		Siegel, Samuel	3	Winters Court	\$ 2,590.65
5	16		Sangiuliano, Stella & Owen, Benjamin	21	Limoli Lane	\$ 512.00
33.01	8		Dyer, Theresa G	64	Tudor Drive	\$ 3,303.29
110	18		30 Runnymede LLC	30	Runnymede	\$ 2,668.16
8.02	8		Ullrich, Richard & Pangaro, Brianne	40	Lance Drive	\$ 2,952.94
40	50.04		Sethi, Navdeep S	8	Hartman Court	\$ 8,151.58
81	43		Blevis, Michael & Hansen, Samantha	69	Prescott Turn	\$ 2,860.43
5	15		Mattinson, Alyssa & Kurek	27	Limoli Lane	\$ 3,959.21
Total Refunds						\$ 29,974.41

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res24/12-16 186TaxRefund(s)

		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 24-187

December 16, 2024

CA 17

WHEREAS, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Kenneth Novak to be 100% permanently disabled effective January 11, 2023, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

WHEREAS, Kenneth Novak owns one hundred percent of the property listed in the tax duplicate as 60 Kenneth Place, Clark, NJ, Block 49 Lot 2, and is entitled to one hundred percent of the taxes for this property beginning January 1st, 2025; and

WHEREAS, the total 2025 taxes on this property, for the 1st & 2nd quarters, are \$5,031.32, and should be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Kenneth Novak 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

Res24/12-16 187TaxExemptDisabledVeteran-Novak

		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						