

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 REORGANIZATION MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
JANUARY 1, 2025 - 12:00 PM**

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

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION written by Fr. Bill Sheridan of Saint Agnes Church

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

SWEARING IN OF THE MAYOR AND COUNCIL MEMBERS AT-LARGE

- Mayor -
- Councilwoman-at-Large -
- Councilman-at-Large -
- Councilman-at-Large -

Presentation of the "Certificate of Election" to the Mayor and Council-at-Large

Reorganization meeting of the Township Council 2025 will commence

ROLL CALL:

Councilwoman Albanese _____	Councilman Minniti _____
Councilman Hund _____	Councilman O'Connor _____
Councilman Mazzarella _____	Councilman Smith _____
	Councilman Toal _____

First Order of Business - Election of Council President

Election of Council Vice-President

1. **Professional Services** (Awarded through a fair and open process for a 1-year term)
 - A. Auditor – Scott Clelland, CPA, RMA of PKF O’Connor Davies, LLP
 - B. Engineering Services – Richard O’Connor, PE, of Grotto Engineering Associates, LLC
 - C. Professional Planner – Paul Ricci, AICP, PP, of RicciPlanning, LLC
 - D. Labor Counsel – Richard P. Flaum, Esq., of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.
 - E. Bond Counsel – Steven L. Rogut, Esq., of Rogut McCarthy LLC

- F. Special Counsel – Mark P. Dugan, Esq., Steven F. Wukovits, Esq., Richard D. Huxford, Esq., Marc A. Sposato, Esq., Alexander J. Yandoli, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC
- G. OPRA Counsel – Robert F. Varady, Esq., of La Corte, Bundy, Varady & Kinsella

Mayor’s Appointments (Confirmation of Council Required)

Terms run concurrent with the Mayor unless otherwise stated

- 2 Business Administrator – James Ulrich
- 3 Director of Law – Mark Dugan
- 4 Acting Director of Public Works – Sal Bonaccorso
- 5 Director of Recreation - Ralph Bernardo
- 6 Municipal Historian - Brian Toal
- 7 Library Board of Trustees:
 - Lisa Dunn - Regular Member 5-year term 01/01/25 – 12/31/29
 - Angel Albanese - Mayor’s Alternate 1-year term 01/01/25 – 12/31/25
 - Carla Wagner - Superintendent’s Alternate 1-year term 01/01/25 – 12/31/25

Mayor’s Appointments (Without confirmation of Council)

Affirmative Action Officer

Donna Mazzucco 2-year term 01/01/25 – 12/31/26

Union County Cultural & Heritage Affairs

Councilman Brian Toal 4-year term 01/01/25 – 12/31/28

Union County Transportation Advisory Board

Jennifer Kobliska 1-year term 01/01/25 – 12/31/25

James Ulrich, Alternate 1-year term 01/01/25 – 12/31/25

Union County Utilities Authority Solid Waste Advisory Board

Councilman Brian Toal 1-year term 01/01/25 – 12/31/25

Councilman Frank Mazzarella, Alternate 1-year term 01/01/25 – 12/31/25

Union County Community Development Revenue Sharing Committee (Public Improvements)

Councilwoman Angel Albanese Regular Member 1-year term 01/01/25 – 12/31/25

Councilman James Minniti Alternate 1-year term 01/01/25 – 12/31/25

Planning Board

Mayor Sal Bonaccorso Class I member 1-year term 01/01/25 – 12/31/25

James Ulrich Class II member 1-year term 01/01/25 – 12/31/25

Joseph Arancio Class IV member 4-year term 01/01/25 – 12/31/28

Environmental Commission

Kevin Koch Regular Member 3-year term 01/01/25 – 12/31/27

Marc Hayden Regular Member 3-year term 01/01/25 – 12/31/27

Emergency Management Coordinator: Michael Nenortas 3-year term 01/01/25 – 12/31/27

Local Emergency Management Council 1-year term 01/02/25 – 12/31/25

- Adam Nenortas Deputy EM Coordinator
- Sal Bonaccorso Mayor/Public Information Officer
- James Ulrich Business Administrator
- Patrick O’Connor Council Liaison
- Capt. Christian Lott Police Department
- Capt. Miguel Acabou Police Department
- Frank Cerasa Fire Chief

Laurie Sheldon	Emergency Medical Coordinator
David DeRosa	Health Officer
Scott McCabe	Supervisor Public Works
Elizabeth Clee	Director of Communications & Business Development
Jeff Regan	Communications Officer
Ralph Bernardo	Director of Senior Citizens
Megan Kociolek	Library Director
Edward Grande	Superintendent, Clark Public Schools
Michael Pollock	Director of Security, Clark Public Schools
Richard O'Connor	Township Engineer
Mark Dugan	Township Attorney
Dr. Kamran Tasharofi	Township Doctor

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.

Council's Appointments (Resolutions)

8. Union County Community Development Revenue Sharing Committee (Public Facilities)

Councilman Frank Mazzarella	Regular Member	1-year term	01/01/25 – 12/31/25
Councilman Brian Toal	Alternate	1-year term	01/01/25 – 12/31/25

9. Appointment of Adam Nenortas as Deputy Emergency Management Coordinator for a 3-year term

10. Insurance Fund Commissioners (JIF) 1-year term

James Ulrich	Commissioner	1-year term	01/02/25 – 12/31/25
Jennifer Kobliska	Alternate	1-year term	01/02/25 – 12/31/25

11. Planning Board

Councilman James Minniti	Class III Member	1-year term	01/01/25 – 12/31/25
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12. Board of Adjustment

John Caliguire	Regular Member	4-year term	01/01/25 – 12/31/28
Marc Hayden	Regular Member	4-year term	01/01/25 – 12/31/28
Christopher Tierney	Regular Member	4-year term	01/01/25 – 12/31/28
Dante Tignini	Alternate I Member	2-year term	01/01/25 – 12/31/26

13. Environmental Commission

Christina DeLouisa	Alternate II Member	2-year term	01/01/25 – 12/31/26
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14. Rahway Valley Sewerage Authority
 Re-appointing Councilman Frank Mazzarella as the Township's Representative to the Rahway Valley Sewerage Authority, term ending February 1, 2030

15. Municipal Alliance Committee – 1-year term:
 - Tara Oliveira - Coordinator
 - Andrew Calo - Coordinator
 - Detective Brian Soos - Chairperson/Police Department Youth
 - Sal Bonaccorso - Mayor
 - Detective Mark DeTore - Dare Officer
 - Ralph Bernardo - Citizen Representative/Recreation
 - Kelly Gencarelli - Citizen Representative
 - Richard Delmonaco - Carl H. Kumpf Principal

Joseph Beltramba - Valley Road Principal
Stephen Kalblein - Student Assistant Coordinator
Jamie Wronski - Student Assistant Coordinator
Angela DeMarzo - Teen Center Youth Representative
Lori Karnaugh - PTA Representative
Jackie Sulikowski - PTA Representative
Madeline Schmidtberg - Youth Representative
Joaquin Nikolic - Youth Representative

APPOINTMENTS BY THE DIRECTOR OF LAW

Jon-Henry Barr, Esq. – Chief Municipal Prosecutor	01/01/25 – 12/31/25
Robert J. Pansulla, Esq. – Alternate Prosecutor	01/01/25 – 12/31/25
Jared B. Weiss, Esq. – Public Defender	01/01/25 – 12/31/25

CONSENT AGENDA RESOLUTIONS

16. Entering into a Cash Management Plan for the Township for 2025
17. Adopting the Temporary Municipal Budget
18. Adopting the Temporary Sewer Utility Budget
19. Adopting the Temporary Swim Pool Utility Budget
20. Authorizing Petty Cash Funds for Business Administrator, Police Chief and Pool Director
21. Establishing the rate of interest to be charged on delinquent taxes
22. Authorizing the Tax Collector to cancel all delinquent tax, tax overpayments, delinquent sewer and sewer overpayments of \$10.00 or less
23. Authorizing funds of the Township and checks drawn upon the payroll and agency accounts be subject to withdrawal by any two of the following: Mayor, Business Administrator, Chief Financial Officer
24. Designating the Union County Hawk, Union County Local Source, and Star Ledger as the official Newspapers for the Township and TAP into Clark as the Electronic News Source in accordance with the Open Public Meetings Act
25. Appointing Donna Mazzucco as Acting Clerk and James Ulrich as Alternate Acting Clerk in the absence of the Township Clerk
26. Designating Business Administrator James Ulrich as the Public Agency Compliance Officer (P.A.C.O.)
27. Affirming the Township’s Civil Rights Policy with Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that come into Contact with Municipal Employees, Officials and Volunteers
28. Governing Body certification of compliance with the United States Equal Employment Opportunity Commission in accordance with Federal Civil Rights Law

29. Appointing James Ulrich as the Municipal Housing Liaison pursuant to P.L. 2024, c.2 and in accordance with Chapter 66 Section 15 of the Township Code
30. Establishing and approving professional fees or charges assessed for Municipal Land Use in connection with Township Boards' review of applications for development, preparation of documents and inspection of developments and improvements under construction
31. Authorizing the Township Engineer to review and approve all sewer applications to be submitted to RVSA and/or NJDEP without further action of the Governing Body
32. Authorizing the Administration and/or Township Clerk to advertise for upcoming Bids for all necessary government operations including capital projects and swim pool requirements for the year
33. Authorizing the Township to purchase materials, supplies and equipment under State Contract
34. Authorizing the Township to purchase materials, supplies and equipment through various local and national Cooperative Pricing Systems
35. Authorizing the Qualified Purchasing Agent to award contracts having an anticipated value in excess of \$17,500 but below the bid threshold
36. Authorizing the Administration to submit grant applications for upcoming grant opportunities
37. Authorizing the Mayor and Township Clerk to enter into an agreement between the Township of Clark and the City of Elizabeth, Division of Health, STD Clinic
38. Authorizing release of the 90% Performance Guarantee to Brookside Manor Group, LLC for work completed at 1019 – 1037 Raritan Road and 468 Westfield Avenue

INTRODUCTION OF PROPOSED ORDINANCES:

39. **25-01 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF COMMUNICATIONS OPERATORS FOR THE YEARS 2025 THROUGH 2028**

Public Hearing Tuesday, January 21

40. **25-02 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Public Hearing Tuesday, January 21

41. **25-03 AN ORDINANCE TO SUPPLEMENT SECTION 7 OF CHAPTER 117 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "CLOTHING DONATION BINS"**

Public Hearing Tuesday, January 21

COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2025

FINANCE COMMITTEE

Pat O'Connor, Chairman
 Angel Albanese
 Jimmy Minniti

LEGISLATIVE COMMITTEE

Brian Toal, Chairman
 Pat O'Connor
 Bill Smith

PUBLIC SAFETY

Jimmy Minniti, Chairman
 Frank Mazzarella
 Steve Hund

PARKS AND RECREATION

Bill Smith, Chairman
Pat O'Connor
Angel Albanese

PUBLIC WORKS

Frank Mazzarella, Chairman
Bill Smith
Steve Hund

COUNCIL LIAISON

Board of Education

Angel Albanese

Emergency Squad

Pat O'Connor

Recreation

Bill Smith

Fire Department

Jimmy Minniti

Police Department

Steve Hund

Public Works

Frank Mazzarella

Emergency Management

Pat O'Connor

Public Library

Angel Albanese

Senior Citizens

Frank Mazzarella

Environmental Commission

Brian Toal

PUBLIC COMMENTS

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

COUNCIL AND PROFESSIONAL REMARKS

ADJOURNMENT

TOWNSHIP OF CLARK
Resolution 25-01A
January 1, 2025

WHEREAS there exists a need for an Auditor for the Township of Clark; and

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

WHEREAS one (1) proposal was received for the professional position of Auditor and publicly opened at 10:00 am on November 15, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of professional services contract to Scott Clelland, CPA, RMA, Partner of the firm PKF O'Connor Davies, LLP to perform the Audit.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Scott Clelland, CPA, RMA, Partner of the firm PKF O'Connor Davies, LLP in accordance with NJSA 19:44A-20.5.

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-01B
January 1, 2025

WHEREAS there exists a need for per diem Engineering Services including the duties of the Municipal Engineer for the Township of Clark; and

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

WHEREAS two (2) proposals were received for the position of Professional Engineering Services under the duties of the Municipal Engineer and were publicly opened at 10:00 am on November 15, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of a professional services contract to Richard O'Connor, P.E., P.P., C.M.E., Managing Principal of the firm of Grotto Engineering Associates, LLC for the year 2025.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Richard O'Connor P.E., P.P., C.M.E., Managing Principal of the firm of Grotto Engineering Associates, LLC in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-01C
January 1, 2025

WHEREAS there exists a need for Professional Planning Services for the Township of Clark; and

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

WHEREAS two (2) proposals were received for the position of Professional Planner and were publicly opened at 10:00 am on November 15, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of professional services contract to Paul Ricci, AICP, PP, President of the firm of RicciPlanning, LLC for the year 2025.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Planning Services to Paul Ricci, AICP, PP, President of the firm of RicciPlanning, LLC in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-01D
January 1, 2025

WHEREAS there exists a need for Labor Counsel for the Township of Clark; and

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

WHEREAS three (3) proposals were received for the professional position of Labor Counsel and publicly opened at 10:00 am on November 15, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of professional services contract to Richard P. Flaum, Esq., Partner of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. for the year 2025.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Richard P. Flaum, Esq., Partner of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-01E
January 1, 2025

WHEREAS there exists a need for Bond Counsel for the Township of Clark; and

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

WHEREAS one (1) proposal was received for the professional position of Bond Counsel and publicly opened at 10:00 am on November 15, 2024; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of professional services contract to Steven L. Rogut, Esq. of the firm Rogut McCarthy, LLC to the professional position of Bond Counsel for the year 2025.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Steven L. Rogut, Esq. of the firm Rogut McCarthy, LLC in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to sign a contract with said firm.

TOWNSHIP OF CLARK
Resolution 25-01F
January 1, 2025

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

WHEREAS qualification submissions for the position of Special Counsel to represent the Township in litigated matters, contested tax appeals and to provide such other extraordinary legal services as may be required from time to time and to perform such services as are required pursuant to the Request for Proposals, were received on November 15, 2024 and publicly opened at 10:00 am; and

WHEREAS proposals were received by the Business Administrator with a recommendation to award the firm of Triarsi, Betancourt, Wukovits & Dugan, LLC for these services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby approves a contract for professional services for the year 2025 with Mark P. Dugan, Esq., Steven F. Wukovits, Esq., Richard D. Huxford, Esq., Marc A. Sposato, Esq., Alexander J. Yandoli, Esq. of the firm Triarsi, Betancourt, Wukovits & Dugan LLC, 186 North Avenue East, Cranford, NJ 07016 to provide litigation and tax appeal services to the Township together with such other legal services as may be required pursuant to the Request for Proposals; and

BE IT FURTHER RESOLVED that the value of the contract is subject to the 2025 budget appropriation; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-01G
January 1, 2025

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

WHEREAS qualification submissions for the position of OPRA Counsel to represent the Township in connection with and replying to certain OPRA demands and defend the Township in litigated matters, as may be required from time to time and to perform such services as are required pursuant to the Request for Proposals, were received on November 15, 2024, and publicly opened at 10:00 am; and

WHEREAS proposals were received by the Business Administrator with a recommendation to award Robert F. Varady, Esq., Partner of the firm La Corte, Bundy, Varady & Kinsella for these services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby approves a contract for professional services for the year 2025 with Robert F. Varady, Esq., Partner of the firm La Corte, Bundy, Varady & Kinsella, 989 Bonnel Court, Union, NJ 07083 to reply to certain OPRA demands and litigation as may be required pursuant to the Request for Proposals; and

BE IT FURTHER RESOLVED that the value of the contract is subject to the 2025 budget appropriation; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute and deliver the contract.

TOWNSHIP OF CLARK
Resolution 25-02
January 1, 2025

WHEREAS Mayor Sal Bonaccorso has re-appointed James Ulrich to the position of Business Administrator; and

WHEREAS this appointment requires the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of James Ulrich as Business Administrator whose term, commencing this 1st day of January 2025 runs concurrent with the Mayor.

TOWNSHIP OF CLARK
Resolution 25-03
January 1, 2025

WHEREAS the Mayor of the Township of Clark has appointed Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 North Avenue, East, Centennial Plaza, Cranford, New Jersey, 07016 as Director of the Department of Law; and

WHEREAS in order for such appointment to take effect, the advice and consent of the Township Council of the Township of Clark is necessary; and

WHEREAS the Township Council of the Township of Clark wishes to consent to the appointment of Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Clark hereby consents to the appointment of Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC as Director of the Department of Law.

TOWNSHIP OF CLARK

Resolution 25-04

January 1, 2025

WHEREAS Mayor Sal Bonaccorso has re-appointed himself to the position of Acting Director of Public Works; and

WHEREAS this appointment requires the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Sal Bonaccorso as Acting Director of Public Works whose term, commencing this 1st day of January 2025 runs concurrent with the Mayor.

TOWNSHIP OF CLARK
Resolution 25-05
January 1, 2025

WHEREAS Mayor Sal Bonaccorso has re-appointed Ralph Bernardo to the position of Director of Recreation; and

WHEREAS this appointment requires the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Ralph Bernardo as Director of Recreation whose term, commencing this 1st day of January 2025 runs concurrent with the Mayor.

TOWNSHIP OF CLARK
Resolution 25-06
January 1, 2025

WHEREAS Mayor Sal Bonaccorso has re-appointed Brian Toal to the position of Municipal Historian; and

WHEREAS this appointment requires the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Brian Toal as Municipal Historian whose term, commencing this 1st day of January 2025 runs concurrent with the Mayor.

TOWNSHIP OF CLARK
Resolution 25-07
January 1, 2025

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

Lisa Dunn	Regular Member	01/01/25 – 12/31/29
Angel Albanese	Mayor's Alternate	01/01/25 – 12/31/25
Carla Wagner	Superintendent's Alternate	01/01/25 – 12/31/25

WHEREAS these appointments require the advice and consent of the Council.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby confirms the above-mentioned appointments to the Library Board of Trustees.

TOWNSHIP OF CLARK
Resolution 25-08
January 1, 2025

WHEREAS Mayor Sal Bonaccorso has appointed the following individuals to the Union County Community Development Revenue Sharing Committee, Public Improvements Sub-committee effective January 1, 2025

<u>Regular Representative (Public Improvements)</u>	<u>Term</u>
Councilwoman Angel Albanese 33 Victoria Drive Clark, New Jersey 07066 aalbanese@ourclark.com 732-319-0234	01/01/25 – 12/31/25

Alternate Representative

Councilman James Minniti 94 Jupiter Street Clark, New Jersey 07066 jminniti@ourclark.com 908-380-8300	01/01/25 – 12/31/25
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WHEREAS the Township Council is the appointing authority for the Public Facilities Sub-committee of the Union County Community Development Revenue Sharing Committee.

<u>Regular Representative (Public Facilities)</u>	<u>Term</u>
Councilman Frank Mazarella 1 Fairview Road Clark, New Jersey 07066 fmazarella@ourclark.com 732-574-9130	01/01/25– 12/31/25

Alternate Representative

Councilman Brian Toal 116 Dorset Drive Clark, New Jersey 07066 btoal@ourclark.com 732-388-9209	01/01/25 – 12/31/25
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NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby appoints the above-named individuals to the Public Facilities Sub-committee and acknowledges the mayor's appointments to the Public Improvements Sub-committee as stated above.

TOWNSHIP OF CLARK
Resolution 25-09
January 1, 2025

WHEREAS the New Jersey Office of Emergency Management requires the Emergency Management Coordinator to appoint a Deputy Emergency Management Coordinator; and

WHEREAS Adam Nenortas is up to date on all required training and meets the criteria set forth by the New Jersey Office of Emergency Management to hold the position of Deputy Emergency Management Coordinator; and

WHEREAS the Governing Body of the Township of Clark concurs with the decision of the Emergency Management Coordinator to appoint Adam Nenortas as Deputy Emergency Management Coordinator.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby confirms the appointment of Adam Nenortas as Deputy Coordinator of Emergency Management effective retroactively from January 1, 2024 for a three-year term ending December 31, 2026.

TOWNSHIP OF CLARK
Resolution 25-10
January 1, 2025

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

BE IT RESOLVED, on this first day of January, 2025, by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that the appointment of James F. Ulrich as Insurance Fund Commissioner and Jennifer Kobliska as Alternate Fund Commissioner for the New Jersey Municipal Self Insurers' Joint Insurance Fund and is hereby authorized.

Date Adopted: January 1, 2025

TOWNSHIP OF CLARK
Resolution 25-11
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individual is hereby appointed to the Planning Board effective January 1, 2025.

CLASS III MEMBER

(Council's Representative to Board)

Councilman James Minniti

01/01/25– 12/31/25

TOWNSHIP OF CLARK
Resolution 25-12
January 1, 2025

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

Regular Member

Term

John Caliguire

01/01/25 – 12/31/28

Marc Hayden

01/01/25 – 12/31/28

Christopher Tierney

01/01/25 – 12/31/28

Alternate I

Dante Tignini

01/01/25 – 12/31/26

TOWNSHIP OF CLARK
Resolution 25-13
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Christina DeLouisa is hereby re-appointed as Alternate II Member of the Environmental Commission for a 2-year term from January 1, 2025 to December 31, 2026.

TOWNSHIP OF CLARK
Resolution 25-14
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following individual is hereby re-appointed as the Township's Representative to the Rahway Valley Sewerage Authority.

Councilman Frank G. Mazzealla
1 Fairview Road
Clark, New Jersey 07066

Term: February 1, 2025 - February 1, 2030

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the Secretary of State of New Jersey in accordance with N.J.S.A. 40:14A-4(e) and to the Secretary/Treasurer of the Rahway Valley Sewerage Authority.

TOWNSHIP OF CLARK

Resolution 25-15

January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby appoints the following Members of the Municipal Alliance Committee for 2025 in accordance with N.J.S.A. 26:2BB-9 for a one-year term unless otherwise noted.

Municipal Alliance Committee – 1-year term:

Tara Oliveira - Coordinator

Andrew Calo - Coordinator

Detective Brian Soos - Chairperson/Police Department Youth

Sal Bonaccorso - Mayor

Detective Mark DeTore - Dare Officer

Ralph Bernardo - Citizen Representative/Recreation

Kelly Gencarelli - Citizen Representative

Richard Delmonaco - Carl H. Kumpf Principal

Joseph Beltramba - Valley Road Principal

Stephen Kalblein - Student Assistant Coordinator

Jamie Wronski - Student Assistant Coordinator

Angela DeMarzo - Teen Center Youth Representative

Lori Karnaugh - PTA Representative

Jackie Sulikowski - PTA Representative

Madeline Schmidtberg - Youth Representative

Joaquin Nikolic - Youth Representative

TOWNSHIP OF CLARK

Resolution 25-16

January 1, 2025

BE IT RESOLVED the Township Council does hereby desire to enter into a Cash Management Plan for the Township of Clark pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for deposits, investment of certain public funds, and the assurance that all public funds identified herein are deposited in interest or dividend bearing accounts. (copy of plan to be made part of the resolution); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Clark at a meeting held on January 1, 2025 that the Chief Financial Officer be and hereby is authorized to utilize as depositories any banking institution which can provide a Government Unit Deposit Protection Act (GUDPA) Certificate issued by the State of New Jersey, Department of Banking.

THEREFORE, BE IT RESOLVED the designated officials authorized to make deposits and investments under the plan, are the Township Administrator, and the Township Chief Financial Officer.

THEREFORE, BE IT FURTHER RESOLVED the Township Council authorizes and directs the Chief Financial Officer and other officials to follow the Cash Management Plan as may be modified from time-to-time effective January 1, 2025 to December 31, 2025.

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK

IN THE COUNTY OF UNION, NEW JERSEY 2025

1. STATEMENT OF PURPOSE.

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest or dividend bearing accounts or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the Maximum within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. CASH MANAGEMENT POLICY.

- A. Objectives: The priority of investing policies shall be, in order of insure Descending Importance, security, liquidity, and yield.
1. Security: The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.
 2. Credit Risk: Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
 - (a) Limiting investments to the safest types of securities.
 - (b) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
 - (c) Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

3. Interest Rate Risk: Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:
 - (a) Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - (b) By investing operating funds primarily in shorter-term securities.
4. Liquidity: The investment portfolio must remain sufficiently liquid to meet all structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
5. Yield: The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions.
 - (a) A declining credit security could be sold early to minimize the loss of principal.
 - (b) A security swap would improve the quality, yield, or target duration in the portfolio.
 - (c) Liquidity needs of the local unit require that the security be sold.

B. Standard of Care

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with the State Law and this policy. The Chief Financial Officer, acting in accordance with written procedures and this cash management plan and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviation from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the cash management plan and policy.

Investments shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

2. Ethics and Conflicts of Interest

The designated officials involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of individuals involved in administering the cash management plan shall be governed by the Local Government Ethics Law. They shall disclose any personal financial/investments positions that could be related to the performance of the investment portfolio. The designated officials shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.

3. Delegation of Authority

Authority to manage the cash management plan is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A:5-14.

Responsibility for the operations of the cash management plan is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township (and any other that may be needed during the plan period).

Current Fund	Dog License Fund
Capital Fund	Housing Development Fund
Insurance Trust Fund	Unemployment Insurance Trust Fund
Pool Utility Fund	Other Trust Fund
Sewer Utility Fund	

And the following interest accounts:

Payroll Agency Account

IV. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Township Administrator and the Chief Financial Officer are hereby jointly or severally authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

V. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan. The Chief Financial Officer may designate other institutions, during the period of this plan, as deemed necessary for successful accomplishment of the plan objectives:

TD Bank	Columbia Bank
Community Bank	Bank of America
Wells Fargo	Provident Savings Bank

Also, for purposes of investing, all institutions presenting a GUDPA certificate may be used. All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

VI. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Officials of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in the Plan as Permitted Investments or otherwise providing for Deposits. The Designated Officials of the Township referred to Section IV above may designate additional brokerage firms and/or dealers. All such brokerage firms and/or dealers shall acknowledge in writing receipts of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

Columbia Savings Bank

VII. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;
 - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (c.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and of this subsection a;

- (b) the custody of collateral is transferred to a third party;
- (c) the maturity of the agreement is not more than 30 days;
- (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c236 (C.17:9-4 1); and
- (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposed of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940”, 15U.S.C. sec.80a-1 et seq., and operated in accordance with 17 C.F.R. sec270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
 - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisor Act of 1940”, 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the

“Administrative Procedure Act”, P.L. 1968, c410 (c.51:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56 and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities

VIII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is not unauthorized use of the funds or the Permitted Investments or Deposits.

IX. BEST PRACTICES FOR WIRE TRANSFERS AND ACH PAYMENTS

- (1) **Review contracts with financial institutions** – Township of Clark’s legal counsel must review all agreements and be certain that the “presumptive liability” is placed on financial institutions that process wire transfers and ACH payments.

- (2) Confirm receipts of Best Practices – Township of Clark’s Chief Financial Officer has reviewed each of these practices and provides specific “no exception guidelines” as to wire transfer and ACH payment policy procedures.
- (3) Include Best Practices in Annual Cash Management Plan – Requires that Chief Financial Officer includes the entire Best Practices for Wire Transfer, ACH Payments, and Check Issuance protocol as part of the Annual Cash Management Plan pursuant to N.J.S.A. 40A:5-14, which is required to be adopted annually by the governing body.
- (4) Establish specific wire transfer and ACH payment requirements – Wire transfer payments are completed the same day while the ACH payments take 1-2 business days for the transaction to be completed. Banking institutions have indicated that ACH payments are more secure than wire transfers. The following requirements must be part of your wire transfer and ACH payments policy:
 - a. The Chief Financial Officer, Assistant Treasurer, and Administrator are authorized individuals in the covered entity who are authorized to execute and confirm wire transfers and ACH payments, respectively. The Official with financial administrative rights that is tasked with this process is required to have an appropriate level of responsibility. The official will set up the wire transfer or the ACH payment and the other official, also with an appropriate level of responsibility will authorize the release of the wire or ACH payment directly with the bank utilizing a separate platform other than the electronic platform utilized to initiate the wire, i.e., Telephone, not an email on the same network.
 - b. Free form wire transfers and ACH payments must be blocked in the banking system. Only wire where an approved wire or ACH template is authorized are allowed. Wire and ACH Template authorizations should go through the same approval process as noted in a. above, wherein Official 1 initiates and Official 2 confirms. Also, any changes to a template must be authorized using this same process. A wire transfer or ACH payment requires at least two forms of verification from the vendor bank before a transfer can be authorized. The verification should include: (i) multi-factor authentication for each authorized user; (ii) user verbal authorization and verbal confirmation using phone contact information on file, not the phone number in an email; and (iii) a limited email exchange to confirm the wire transfer. The additional factor(s) can be a text with a code sent to an authorized user’s smartphone, a hard token, or biometrics. The email exchange shall never contain specific information relating to the actual contents of the transfer.
 - c. For all wire/ACH transfer of funds, the following information is required:
 - i. Must create a template for all transactions.
 - ii. Name of person spoken to, including the recipient vendor title and telephone number.

- iii. Name of the two individuals from the covered entity that verbally and in writing confirmed the authorization of the transfer, and the receiving bank information, including routing number, account number and dollar amount.
 - iv. Confirming telephone call to vendor/receiving entity verifying transfer authorization, receiving bank information including routing number, account number and dollar amount.
 - v. Memorialization of the transfer and confirmation of completion of the transaction.
 - vi. Exception to the above is when a recurring transaction with an established template is transacted, steps iii-v will not have to be completed.
- d. Memorialization of each transfer/payment must be filed in the Finance Department and made available for audit.
 - e. A detailed description of all wire transfers and ACH payments must be filed with the Finance Office.
 - f. Verbally confirm or email confirm, within 24 hours, with receiving vendor/entity that the funds were credited to their account.
 - g. The frequency of wire transfers restricted to infrequent or emergent matters, rather than for routine payments to vendors. The frequency of fraudulent transactions for wire transfers is far greater than for checks. Templates must be set up for wire transfers and ACH payments.
 - h. The Chief Financial Officer places a dollar limit on wire transfers and ACH payments that is reasonable to your size entity but recognize when setting that limit that your coverage is limited to the maximum coverage of the crime policy and your entity will be responsible for any losses between the coverage limits and the wire limit you set.
 - i. Establish on-line banking alerts for all wires & ACHs changes to a template. The online banking policy must include a requirement that the wire/ACH is not released until the recipient of the alert approves it.
 - j. Covered entities are required to restrict all permissions on international wires. Authorized users are required to set up restrictions on the banking institution's on-line system.
 - k. Each Chief Financial Officer must utilize blocks and alerts in their banking system to ensure that any transactions not specifically authorized will be flagged by the banking system, and the Chief Financial Officer must authorize each flagged transaction. Additionally, daily review of overnight transactions and balances to identify any unusual transactions or events is strongly recommended.
 - l. Notify the bank and Chief Financial Officer/Treasurer/Responsible individual immediately if suspicious activity is detected.

X. CREDIT CARDS/DEBIT CARDS AND ELECTRONIC PAYMENTS

- A. N.J.S.A. 40A:5-43 et seq. and N.J.S.A.2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept

electronic payments such as court-imposed obligations, or other valid municipal charges.

- B. All systems established for receipt of electronic payments are subject to the rules established by the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and N.J.A.C. 5:30-9.1 et seq. which are established by the Division of Local Government Services providing guidelines for local governments use and receipt of electronic payments.
- C. Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.
- D. Prior to any municipal agency utilizing a method of electronic payments, the Chief Financial Officer must have evaluated the process to ensure compliance with the rules and regulations and approved the accounting and control procedures to be utilized.

XI. RECEIPTS AND DISBURSEMENTS OF THE FUNDS OF THE TOWNSHIP OF CLARK

- A. All municipal funds received by any official or employees shall be deposited within 48 hours to accounts in the name of the Township of Clark. Additionally, funds can be received utilizing methods of electronic payment such as Electronic Funds Transfer (EFT) and/or Automated Clearing House (ACH).
- B. No municipal funds shall be disbursed by the Chief Financial Officer prior to the approval of the Business Administrator or Mayor except for:
 - a. Debt Service payments
 - b. Investments
 - c. Payroll and Payroll agency turnovers
 - d. School and County Tax payments
 - e. Purchases made by Procurement Cards
 - f. Refunds not otherwise required to be approved by the Business Administrator or Mayor
 - g. Payments deemed necessary by the Chief Financial OfficerNotification of the disbursements listed above not otherwise memorialized by resolution are to be provided at the next council meeting following payment.
- C. The Chief Financial Officer is authorized to designate employees who may, from time to time, initiate wire transfers. Only the Chief Financial Officer, Treasurer, or the Town Administrator may confirm wire transfers.
- D. Electronic Disbursement/Claimant Certification – In accordance with N.J.S.A. 40A:5-16(C), payments to vendors do not require Claimant Certification under certain circumstances, including but not limited to:
 - a. When payment to vendors is required in advance of the delivery of certain materials or services that cannot be obtained from any other source at comparable prices; or
 - b. When ordering, billing and payment transactions for goods or services are made through a computerized electronic transaction; or

- c. When claim or demand is less than a threshold as set by the Local Finance Board (the Bid threshold) and the certification is not readily obtainable by the contracting unit; but such exceptions shall not include reimbursement of employee expenses or payment for personal services.
- E. The Chief Financial Officer is authorized to electronically transmit paycheck across 24 pay periods to regular salaried employees of the Township of Clark at the rates approved by Mayor and Council.

XII. PROCUREMENT CARDS PROGRAM POLICY & PROCEDURES

The Township of Clark Procurement Card has been established to provide a convenient method to purchase goods and services. Only purchasing cards issued by a bank or major credit card provider with generally pre-established credit limit can be utilized.

N.J.S.A. 40A:5-16(C) and N.J.S.A. 5:30-9A; establishes specific circumstances which qualify the use of procurement card and are as follows:

- a) Comparable pricing is not otherwise obtainable for goods and services to be available at the time and place required.
- b) The cost of purchases is comparable to the cost available from other vendors who can provide the required goods and services in a timely manner.
- c) The vendor requires immediate payment AND the Chief Financial Officer has approved such use for a purchase from a particular vendor for a particular item.
- d) Purchase is from a “big box” or other store that does not accept vouchers, purchase orders or checks.

Purchasing Cards will not change or eliminate any provision of the Local Public Contracts Law and will be administered in accordance with the rules enumerated in N.J.S.A. 40A:5-16(C) notwithstanding the provisions of N.J.S.A. 40A:5-16(a) or N.J.A.C. 5:309A. 1 et seq.

Purchasing cards will only be distributed to select personnel, which shall be determined by the Chief Financial Officer. All authorized procurement card users will be required to complete training on the policies and procedures governing the use of the procurement card and shall complete and sign a contract of understanding that includes the financial and legal responsibility for misuse.

Procurement cards shall be issued in the name of a specific individual but under no circumstance shall be used to purchase personal property or services, including travel and dining expenses.

Limits on cards will be established by individual/title, amount, time, and category of usage permissible. An authorized procurement card user is prohibited from using their P-card to conduct personal business or for any circumstance that are not authorized in N.J.S.A. 40A:5-16(C) or N.J.A.C. 5:30-9A-1.

XIII. DESIGNATION OF AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS

N.J.S.A. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to pay any other purpose. The custodian of the following separate funds shall be the Chief Financial Officer. All disbursements shall be made by checks signed live or by facsimile signature of the Mayor, Business Administrator, Chief Financial Officer, and Treasurer or by electronic funds transfer.

XIV. FEES CHARGED BY THE OFFICE OF THE TAX COLLECTOR

- A. The Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of a delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2024, to be calculated from the date the tax or fee was due until the date of actual payment.
- B. The Collector of Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2024 until the date of actual payment.
- C. The grace period of ten (10) calendar days will be allowed for an installment of taxes, assessments, and sewer fees where payments will not be subject to interest charges as provided by Chapter 105, Public Laws of 1965.
- D. The Collector of Taxes is hereby authorized to sell all municipal delinquencies through December 31, 2025, in a manner prescribed by N.J.S.A. 54:5-19, and as amended by Chapter 99, Public Laws of 1977, at a date and time which the Tax Collector selects.
- E. If any check or draft received by the Tax Collector from any person or organization for the payment of taxes is dishonored after deposit for “insufficient funds” or for any other reason, the Tax Collector shall not redeposit such check or draft but shall notify such person or organization by letter of this dishonor and require a replacement check, draft, or cash to replace the amount of the check in addition to any interest that may accrue. A fee of \$20 shall be charged if the check is returned for “insufficient funds”. The Tax Collector shall not accept replacement payment until the fee of \$20 is paid.

TERM OF PLAN

This Plan shall be in effect from January 1, 2025 to December 31, 2025. Attached to this Plan is a resolution of the Governing Body of the Township approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

TOWNSHIP OF CLARK
Resolution 25-17
January 1, 2025

WHEREAS the 2024 Municipal Budget totaled \$30,447,179.39; and

WHEREAS the Temporary Municipal Budget for 2025 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

WHEREAS the total amount that may be introduced as a Temporary Budget for 2025 is \$6,919,577.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the line items attached hereto are hereby adopted as the Temporary Budget for 2025 in the total amount of \$6,919,577.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$4,086,325.00 for Capital Appropriations and Debt Service.

**CLARK TOWNSHIP
TEMPORARY BUDGET - 2025**

Dept#	DEPARTMENT	SALARIES	OTHER	TOTAL
20-100	Administration	\$ 75,000.00	35,000.00	\$ 110,000.00
20-101	Communications	\$ 60,000.00	75,000.00	\$ 135,000.00
20-110	Mayor's Office	25,000.00	3,000.00	28,000.00
20-111	Municipal Council	17,000.00	6,500.00	23,500.00
20-120	Clerk	86,000.00	7,000.00	93,000.00
20-121	Clerk - Elections	-	10,000.00	10,000.00
20-130	Financial Administration	75,000.00	75,000.00	150,000.00
20-145	Revenue Administration	30,000.00	5,000.00	35,000.00
20-150	Tax Assessor	30,000.00	15,000.00	45,000.00
20-155	Legal Services	-	120,000.00	120,000.00
20-165	Engineering Services	-	45,000.00	45,000.00
21-180	Planning Board	2,500.00	6,000.00	8,500.00
21-185	Zoning Board of Adjustment	2,500.00	2,000.00	4,500.00
22-195	Code Enforcement	130,000.00	70,000.00	200,000.00
23-210	Ins & Bonding	-	330,000.00	330,000.00
23-220	Health Benefits	-	1,500,077.00	1,500,077.00
23-222	Life Insurance	-	12,000.00	12,000.00
23-223	Disability	-	20,000.00	20,000.00
25-240	Police	1,570,000.00	75,000.00	1,645,000.00
25-250	911	220,000.00	30,000.00	250,000.00
25-252	Emergency Management	6,000.00	10,000.00	16,000.00
25-260	Volunter EMS Squad	-	75,000.00	75,000.00
25-265	Public Safety	500.00	-	500.00
25-266	Fire Bureau	40,000.00	40,000.00	80,000.00
25-267	Fire Hydrant	-	75,000.00	75,000.00
25-268	Fire Prevention	40,000.00	7,500.00	47,500.00
26-290	Streets and Roads	275,000.00	125,000.00	400,000.00
26-291	Traffic Lights	-	-	-
26-305	Grass	-	5,000.00	5,000.00
26-306	Leaves	-	5,000.00	5,000.00
26-307	Recycling	-	180,000.00	180,000.00
26-308	Cleanup	-	5,000.00	5,000.00
26-310	Building and Grounds	65,000.00	110,000.00	175,000.00
26-313	Shade Tree	-	5,000.00	5,000.00
26-325	Municipal Services Act	-	5,000.00	5,000.00
27-330	Public Health Services	60,000.00	5,000.00	65,000.00
27-331	Senior Citizens	26,000.00	6,000.00	32,000.00
27-365	Animal Control	-	15,000.00	15,000.00
28-370	Recreation	130,000.00	15,000.00	145,000.00
29-390	Municipal Library	-	100,000.00	100,000.00
30-420	Celebration of Public Events	-	10,000.00	10,000.00
31-430	Utilities	-	120,000.00	120,000.00
31-435	Street Lighting	-	120,000.00	120,000.00
31-440	Utilities - Telephone	-	40,000.00	40,000.00
31-460	Utilities - Gasoline	-	125,000.00	125,000.00
36-472	Social Security - FICA	-	200,000.00	200,000.00
36-476	Unemployment Comp.	-	2,000.00	2,000.00
36-477	DCRP	-	-	-
42-102	Interlocal Svc-Bd of Ed	-	20,000.00	20,000.00
43-490	Municipal Court	80,000.00	7,000.00	87,000.00
		\$ 3,045,500.00	\$ 3,874,077.00	\$ 6,919,577.00
44-901	Capital Improvements	-	275,000.00	275,000.00
45-920	Bond Principal	-	2,150,000.00	2,150,000.00
45-925	BAN Principal	-	876,450.00	876,450.00
45-930	Bond Interest	-	344,875.00	344,875.00
45-935	Note Interest	-	440,000.00	440,000.00
46-871	Deferred Charges	-	-	-
		\$ -	\$ 4,086,325.00	\$ 4,086,325.00

TOWNSHIP OF CLARK
Resolution 25-18
January 1, 2025

WHEREAS the 2024 Municipal Sewer Budget totaled \$3,376,282.00; and

WHEREAS the Temporary Municipal Sewer Budget for 2025 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

WHEREAS the total amount that may be introduced as a Temporary Sewer Budget for 2025 is \$886,274.00 exclusive of Capital Appropriations and Debt Service.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following line items are hereby adopted as the Temporary Sewer Budget for 2025 in the total amount of \$700,000.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$150,000.00 for Capital Appropriations and Debt Service.

Salaries and Wages	\$350,000.00
Miscellaneous Other Expenses	<u>\$386,274.00</u>
	\$736,274.00
Capital Outlay	\$150,000.00
Bond Principal	-
Interest on Bonds	-
	<u>\$150,000.00</u>
	<u>\$886,274.00</u>

TOWNSHIP OF CLARK

Resolution 25-19

January 1, 2025

WHEREAS the 2024 Municipal Pool Budget totaled 424,715.00; and

WHEREAS the Temporary Municipal Pool Budget for 2025 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

WHEREAS the total amount that may be introduced as a Temporary Pool Budget for 2025 is \$111,487.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following line items are hereby adopted as the Temporary Pool Budget for 2025 in the total amount of \$111,487.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$30,000.00 for Capital Appropriations.

Salaries and Wages	\$ 40,000.00
Miscellaneous Other Expenses	<u>\$ 41,487.00</u>
	\$ 81,487.00
Capital Outlay	<u>\$ 30,000.00</u>
	<u>\$111,487.00</u>

TOWNSHIP OF CLARK

Resolution 25-20

January 1, 2025

WHEREAS the Petty Cash balances of the Business Administrator, Police Chief and Pool Director were turned over as of 10:00 a.m., Tuesday, December 31, 2024 to the Treasurer's Office.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that there has been established a Petty Cash Fund for the Year 2025 and the Treasurer's Office is hereby authorized to issue checks to the following department heads:

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

TOWNSHIP OF CLARK

Resolution 25-21

January 1, 2025

WHEREAS NJSA 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment of taxes and/or municipal fees as provided by law; and

WHEREAS NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

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

1. The Tax collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and/or municipal fees becoming delinquent after due date and 18% per annum on any amount of taxes and/or municipal fees in excess of \$1,500.00 be delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency subject to any abatement or discount for the late payment of taxes and/or municipal fees as provided by law.

2. Authorize Tax Collector to sell prior years' delinquent taxes and/or municipal fees.

3. Effective January 1, 2025, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

4. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

5. This resolution shall be published in its entirety once in an official newspaper of the Township of Clark.

6. A certified copy of this resolution shall be provided by the Township Clerk to the Tax Collector, Township Attorney, and Township Auditor for the Township of Clark.

TOWNSHIP OF CLARK
Resolution 25-22
January 1, 2025

**AUTHORIZING THE TAX COLLECTOR TO CANCEL
DELINQUENT PAYMENTS AND OVERPAYMENTS**

WHEREAS N.J.S.A. 40A:5-17.1 authorizes the designation of an official to cancel, without further action on the part of the Governing Body, all delinquent tax, tax overpayments, delinquent sewer, and sewer overpayments of \$10.00 or less.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Loretta Caliguire, Tax Collector, is hereby designated as the official authorized to cancel delinquent payments and overpayments of \$10.00 or less as per N.J.S.A. 40A:5-17.1; and

BE IT FURTHER RESOLVED that a list of these cancellations be included in the Tax Collector's Annual Report.

TOWNSHIP OF CLARK
Resolution 25-23
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark that the funds of the Township of Clark be subject to withdrawal upon checks signed by any two of the following:

Mayor
Business Administrator
Chief Financial Officer

BE IT FURTHER RESOLVED that checks drawn upon the payroll account and agency account shall require the signature of any two of the following:

Mayor
Business Administrator
Chief Financial Officer

TOWNSHIP OF CLARK
Resolution 25-24
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark in the County of Union, State of New Jersey that the Union County Local Source, Union County Hawk, and the Star Ledger be designated as the 2025 Official Newspapers to which notices and other matters are to be provided under the Open Public Meetings Act (N.J.S.A. 10:4-6 to 10:21) for the Township; and

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

TOWNSHIP OF CLARK
Resolution 25-25
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark that Donna Mazzucco is hereby appointed as Acting Township Clerk in the absence of Township Clerk Edith Merkel as the need may arise from time to time until December 31, 2025; and

BE IT FURTHER RESOLVED that the need may arise for an Alternate Acting Clerk due to the unforeseen and/or unavoidable absence of both Edith Merkel, Township Clerk and Donna Mazzucco, Acting Clerk; and

BE IT FURTHER RESOLVED by the Governing Body of the Township of Clark that James Ulrich is hereby appointed as Alternate Acting Township Clerk in the absence of both the Township Clerk, Edith Merkel and the Acting Township Clerk, Donna Mazzucco as the need may arise from time to time until December 31, 2025.

TOWNSHIP OF CLARK

Resolution 25-26

January 1, 2025

WHEREAS in accordance with N.J.A.C. 17:27-3.2 each public agency shall designate an individual to serve as its Public Agency Compliance Officer or **P.A.C.O.**; and

WHEREAS the **P.A.C.O.** is the liaison between the Division of Contract Compliance & Equal Employment Opportunity in Public Contracts (the Division) and the Public Agency and is the Public Agency point of contact for all matters concerning implementation and administration of the statute; and

WHEREAS the **P.A.C.O.** is also responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers; and

WHEREAS the service provider shall include but shall not be limited to goods and services vendors, professional service vendors and construction contractors; and

WHEREAS the **P.A.C.O.** must have the authority to recommend changes to effectively support the implementation of the statute and its regulations; and

WHEREAS each year, all Public Agencies are required to submit the name, title, address, telephone number, fax, and e-mail address of the **P.A.C.O.** designated by the Public Agency to the Division no later than January 10th of each year; and

WHEREAS it is the responsibility of the Public Agency to update the **P.A.C.O.** designation at any time during the year if any changes are made.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby designates, James F. Ulrich, Business Administrator as the Public Agency Compliance Officer, effective January 1, 2025 for a period of one year ending December 31, 2025; and

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Department of the Treasury, Division of Contract Compliance & Equal Employment Opportunity in Public Contracts.

TOWNSHIP OF CLARK
Resolution 25-27
January 1, 2025

A RESOLUTION TO AFFIRM THE TOWNSHIP OF CLARK'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS it is the policy of the Township of Clark to treat the public, employees, prospective employees, appointees, volunteers, and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the policy adopted April 20, 2015 (Resolution 15-58) continues in full force and effect as follows:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the local Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment, and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment, and civil rights.

Section 4: The Business Administrator has established written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment, or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator has established written procedures that require all officials, employees, appointees, and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities, and rights pursuant to this resolution.

Section 7: The Business Administrator has established a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

TOWNSHIP OF CLARK
Resolution 25-28
January 1, 2025

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Clark, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

TOWNSHIP OF CLARK
Resolution 25-29
January 1, 2025

WHEREAS, pursuant to P.L. 2024, c.2, the Township of Clark is required to appoint a Municipal Housing Liaison for the oversight of administration of the Township of Clark's affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Township of Clark has amended Chapter 66 entitled Affordable Housing, Section 15 entitled Administration to provide for the appointment of a Municipal Housing Liaison to administer the Township of Clark's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Clark, in the County of Union, and the State of New Jersey that James F. Ulrich is hereby appointed by the Governing Body of the Township of Clark as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 66, Section 15 of the Code of the Township of Clark.

TOWNSHIP OF CLARK

Resolution 25-30

January 1, 2025

WHEREAS the Municipal Land Use Law and in particular N.J.S.A. 40:55D-53.2 authorizes the Township to offset the cost of professional fees incurred by it in connection with Township’s or its Administrative Boards’ review of application for development, the preparation of documents and the inspection of developments and improvements under construction; and

WHEREAS the fees or charges to be assessed in connection therewith shall be based upon a schedule to be established.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that in accordance with N.J.S.A. 40:55D-53.2 that the following 2025 fee schedule as the same may be periodically updated yearly, for in-house review of applications for development, review and preparation of documents, inspection of improvements or other charges authorized by the Municipal Land Use Law is hereby approved.

ESCROW FEE SCHEDULE (In-House)

Plan Review, Site Inspection & Testing Fees

<u>Title Category</u>	<u>Name</u>	<u>Salary</u>	<u>Work Hours</u> <u>Rate</u>	<u>Hourly</u>
Township Engineer	Richard O’Connor Grotto Engineering Associates, LLC	-0-	As needed	As follows:
Principal		-0-	As needed	\$195.00
Project Manager		-0-	As needed	\$185.00
Licensed Professional Engineer/Surveyor or Planner		-0-	As needed	\$175.00
Senior Field Inspector		-0-	As needed	\$150.00
Senior Staff Engineer		-0-	As needed	\$125.00
Staff Engineer		-0-	As needed	\$120.00
Senior Engineering Technician		-0-	As needed	\$115.00
Engineering Technician/Survey Technician		-0-	As needed	\$100.00
Field Inspector		-0-	As needed	\$ 95.00
Junior Engineering Technician		-0-	As needed	\$ 80.00
Clerical		-0-	As needed	\$ 80.00
Reimbursable Items		-0-	As needed	At Cost
Professional Planner	Paul N. Ricci Ricci Planning	-0-	As needed	\$160.00
Planning Board Attorney	Albert Cruz DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC	-0-	As needed	\$175.00
Board of Adjustment Attorney	Kelly Carey Pashman Stein Walder Hayden, PC	-0-	As needed	\$175.00

TOWNSHIP OF CLARK
Resolution 25-31
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes the Township Engineer to review, on behalf of the Township, and approve/endorse/sign, without further action of the Governing Body, applicable sewer applications to be submitted to the Rahway Valley Sewerage Authority and/or the New Jersey Department of Environmental Protection.

TOWNSHIP OF CLARK
Resolution 25-32
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby authorize the Administration and/or Township Clerk to advertise for upcoming Bids for all necessary government operations including capital projects and swim pool requirements for the year 2025.

TOWNSHIP OF CLARK

Resolution 25-33

January 1, 2025

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

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

WHEREAS it is contemplated that it will be necessary or desirable to obtain materials, supplies and equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2025.

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

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

TOWNSHIP OF CLARK
Resolution 25-34
January 1, 2025

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS the Governing Body of the Township of Clark has entered into Cooperative Pricing System Agreements with the Hunterdon County Educational Services Commission, National BuyBoard, Keystone Purchasing Network, Middlesex Regional Educational Services Commission, Educational Services Commission of New Jersey (ESCNJ), Cranford Police Cooperative Pricing System, Somerset County Cooperative Pricing System, Sourcewell Cooperative Pricing System, County of Union Cooperative Pricing System, County of Bergen aka New Jersey Cooperative Purchasing Alliance, Morris County Cooperative Pricing Council and the Houston-Galveston Area Council (H-GAC) as the Lead Agencies to effect substantial economies in the purchase of work, materials and supplies; and

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

WHEREAS all parties have approved the Agreements by Ordinance or Resolution as appropriate, in accordance with the aforesaid Statutes.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby reaffirms its commitment to participate in the aforementioned Cooperative Pricing Systems for the period January 1, 2025 through December 31, 2025; and

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

TOWNSHIP OF CLARK
Resolution 25-35
January 1, 2025

WHEREAS Contracts between Pay-to-Play and Qualified Purchasing Agent Bid Thresholds, Sections 11 and 12 of the P.L. 2023, c. 30, known as the “Elections Transparency Act,” (the Act) amend N.J.S.A. 19:44A-20.4 and 20.5, respectively, to clarify that the governing body of a municipality or county (or any agency or instrumentality thereof) may delegate the authority to award a contract having an anticipated value in excess of \$17,500 but below the bid threshold of a Local Public Contracts Law contracting unit with a qualified purchasing agent (i.e. a “window contract”) to the QPA; and

WHEREAS N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS Jennifer Kobliska possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS Jennifer Kobliska was appointed on January 1, 2018 as the Qualified Purchasing Agent for the Township of Clark to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

WHEREAS the Township of Clark desires to take advantage of the delegation of authority to the QPA to award contracts with an anticipated value in excess of \$17,500 but below the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union, in the State of New Jersey that the Qualified Purchasing Agent is hereby authorized to award contracts having an anticipated value in excess of \$17,500 but below the bid threshold; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:34-5.2 the Township Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Jennifer Kobliska’s certification to the Director of the Division of Local Government Services.

TOWNSHIP OF CLARK
Resolution 25-36
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby authorize the Administration to submit grant applications for upcoming grant opportunities for all necessary government operations including capital projects and swim pool requirements for the year 2025.

TOWNSHIP OF CLARK
Resolution 25-37
January 1, 2025

BE IT RESOLVED by the Governing Body of the Township of Clark that the Mayor and Township Clerk are hereby authorized to enter into an agreement between the Township of Clark and the City of Elizabeth, Department of Health and Human Services, Division of Health; Sexually Transmitted Disease (STD) Clinic for the period commencing January 1, 2025 and shall remain valid through December 31, 2025.

TOWNSHIP OF CLARK

Resolution 25-38

January 1, 2025

WHEREAS Brookside Manor Group, LLC whose post office address is 138 Westfield Avenue, Clark, NJ 07066 has requested release of their 90% Performance Bond in the amount of Twenty-Five Thousand, Four Hundred Seventeen Dollars and Eighty Cents (\$25,417.80) for work completed at Brookside Manor, 1019-1037 Raritan Road and 468 Westfield Avenue, Block 63, Lot 45.01; and

WHEREAS the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of the Performance Guarantee; and

WHEREAS section 195-65D 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 Guarantee(s); and

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Brookside Manor Group, LLC, for 1019-1037 Raritan Road and 468 Westfield Avenue to be Two Thousand, Eight Hundred Twenty-Four Dollars (\$2,824.00) to be held for one year from the date of the release of the Performance Guarantee; and

WHEREAS the Township Engineer recommendations, with approval by the Business Administrator, that the 90% Performance Guarantee be released, and the 10% Cash Bond originally posted as the balance of the Performance Guarantee be retained and converted to a Maintenance Bond.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and Business Administrator and directs the Chief Financial Officer to release the Performance Guarantee as stated herein for the abovementioned project.

TOWNSHIP OF CLARK
Ordinance No. 25 - 01
Adopted _____

Introduced: January 1, 2025 Public Hearing: January 21, 2025

AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF COMMUNICATIONS OPERATORS FOR THE YEARS 2025 THROUGH 2028

BE IT ORDAINED said ordinance reflects the changes in salaries paid to certain communications operators in accordance with Union Contracts adopted for the years 2025 through 2028;

BE IT FURTHER ORDAINED the new pay scale for all communications operators will be on the following wage scale:

Step/Year	2025	2026	2027	2028
Start	42,901.41	44,402.96	45,957.06	47,565.56
Step 2	46,181.66	47,798.02	49,470.95	51,202.43
Step 3	48,731.94	50,437.55	52,202.87	54,029.97
Step 4	55,739.51	57,690.40	59,709.56	61,799.39
Step 5	58,923.74	60,986.07	63,120.59	65,329.81
Step 6	62,746.06	64,942.17	67,215.15	69,567.68
Step 7	69,200.22	71,622.22	74,129.00	76,723.52
Step 8	76,762.25	79,448.92	82,229.64	85,107.67
Sr. Communications Operator	83,596.36	86,522.24	89,550.51	92,684.78

The salary ranges designated above shall be effective as of the 1st of January for the years 2025 through 2028.

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.

TOWNSHIP OF CLARK
Ordinance No. 25 - 02
Adopted _____

Introduced: January 1, 2025 Public Hearing: January 21, 2025

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

WHEREAS the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS the Governing Body of the Township of Clark in the County of Union finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS the Governing Body hereby determines that a 2.5% increase in the budget for said year, amounting to \$561,804.63 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2025 budget year, the final appropriations of the Township of Clark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$786, 526.49 and that the CY 2025 municipal budget for the Township of Clark be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

TOWNSHIP OF CLARK

Ordinance No. 25-03

Adopted _____

Introduced: January 1, 2025 Public Hearing: January 21, 2025

**AN ORDINANCE TO SUPPLEMENT SECTION 7 OF CHAPTER 117
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
“CLOTHING DONATION BINS”**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 117 of the Code of the Township of Clark entitled “Clothing Donation Bins” is hereby amended and supplemented in the following particulars:

SECTION 1: Section 117-7 entitled “Limitations on Locations and Numbers of Clothing Bins” is amended and supplemented as follows:

- A. Clothing bins may be located only in those zones designated as Public Districts, Golf Course District, Light Commercial Industrial District and Commercial Neighborhood zones as the same are defined in the Land Use and Development Ordinance of the Township of Clark;

SECTION 2: **Effective Date:** This Ordinance shall take effect upon adoption and publication according to law and shall be applied prospectively to those entities presently operating clothing donation bins, as each entity’s permit renews on an annual basis.

SECTION 3: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.