

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

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
Tuesday, January 21, 2025
7:30 pm**

ROLL CALL:

Council Member Hund _____ **Council Member O'Connor** _____
Council Member Mazzarella _____ **Council Member Toal** _____
Council Member Minniti _____ **Council Vice-President Smith** _____

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

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

Regular Order of Business Suspended

Presentation of the Volunteer of the Year Award

Regular Order of Business Resumes

Private Session:

1. Executive Resolution to go into Private Session to conduct interviews with the candidates selected by the Clark Republican Committee; Albanese, Minniti and Smith to fill the unexpired term of Mayor Bonaccorso to serve until the November 4, 2025 election, when a permanent replacement is elected to fill the remainder of the unexpired term

No action is taken during the Executive Session.

Action will be taken once the public portion of the meeting resumes.

2. Mayoral appointment to serve until the November 4, 2025 election, when a permanent replacement to fill the remainder of the unexpired term is elected by the voters

Election of Council President

Election of Council Vice-President

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

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

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

3. **25-01 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF COMMUNICATIONS OPERATORS FOR THE YEARS 2025 THROUGH 2028**
4. **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)**
5. **25-03 AN ORDINANCE TO SUPPLEMENT SECTION 7 OF CHAPTER 117 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “CLOTHING DONATION BINS”**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through January 8, 2025 in the amount of \$220,102.76

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in duration.

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

RESOLUTIONS:

6. Amending Resolution 25-16 to modify the section of the Township's Cash Management Plan regarding Electronic Disbursement/Claimant Certification as required under N.J.S.A. 40A:5-16(a) and N.J.A.C. 5:30-9A.6 and 5:31-4
7. Authorizing the Mayor or Business Administrator to execute an agreement with Phoenix Advisors for professional services as the Municipal Advisor and Continuing Disclosure Services, effective January 1, 2025 for a one-year period
8. Authorizing the Health Officer to enter into an agreement with Atlantic Health System for Health Education Services billed at \$64.55 per hour for the first 225 hours and \$70.00 per hour beyond the 225 hours, funded by the New Jersey Association of County and City Health Officials Grant and pending adoption of the 2025 Municipal Budget
9. Authorizing the purchase of TV Studio hardware and software through the New Jersey Cooperative Purchasing Alliance Contract # CK04, Subcontract # 24-38 in the amount of \$21,403.18
10. Appointing Daniel Majeski and Alejandro Ciprian as members of the Clark Volunteer Fire Department effective January 21, 2025

11. Appointing William Grzyb to the Planning Board as Alternate I Member, to fill the unexpired term of Joseph Arancio effective January 21, 2025 until December 31, 2025
12. Authorizing the purchase of a Fuel Dispensing System with upgraded software under State Contract #42262 through Whitemarsh Corporation
13. Authorizing Release of Performance Guarantees for work completed at L'Oreal Research and Development, 30 & 100 Terminal Avenue

CONSENT AGENDA RESOLUTIONS:

14. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 179.01 Lot 8 in accordance with a directive from the U.S. Department of Veterans Affairs
15. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$3,622.89
16. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$230.00
17. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$280.62

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK
Resolution 25-39
January 21, 2025

EXECUTIVE RESOLUTION

WHEREAS Section three (3) of the Open Public Meetings Act, Chapter 231, P. L. 1975 permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS this public body is of the opinion that circumstances presently exist; and

WHEREAS the Acting Mayor and Council wish to interview the nominees, Albanese, Minniti and Smith, to fill the mayor's seat in private session pursuant to NJS 10:4-12(b)(8); and

WHEREAS NJS 10:4-12 (b) 8 provides that all personnel matters, which includes any matter involving employment, appointment, termination, terms and conditions of employment, evaluation of performance, promotion, or discipline of any specific prospective or current public officer or employee may be discussed in closed session.

NOW, THEREFORE BE IT RESOLVED that the public be excluded from the meeting;
and

BE IT FURTHER RESOLVED that the subject matter of this meeting will be released when the reasons for discussion and action on it in closed session no longer exist.

TOWNSHIP OF CLARK
Resolution 25-40
January 21, 2025

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WHEREAS a vacancy has occurred due to the resignation of Mayor Bonaccorso on January 10, 2025; and

WHEREAS N.J.S.A. 40A:16-11 requires the Governing Body to fill the vacancy for the unexpired term within 30 days of the date of the occurrence; and

WHEREAS the Republican Committee has submitted the names of three prospective candidates, Albanese, Minniti and Smith, for the office within 15 days as required by State Statute; and

WHEREAS the Governing Body has interviewed each of the candidates and discussed their qualifications.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby appoints _____ effective this 21st day of January, 2025 to serve as Mayor until the November 4, 2025 election, when a permanent replacement to fill the remainder of the unexpired term is elected by the registered voters in Clark.

TOWNSHIP OF CLARK
Ordinance No. 25 - 01
Adopted _____

PH 3

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 _____

PH 4

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 _____

PH 5

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.

Effective Date: February 12, 2025

TOWNSHIP OF CLARK
Resolution 25-41
January 21, 2025

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WHEREAS Resolution 25-16 adopted January 1, 2025 authorized a Cash Management Plan in accordance with N.J.S.A. 40A:5-14; and

WHEREAS the Township Council desires to amend Resolution 25-16 to modify section XI. entitled Receipts and Disbursements of the Funds of the Township of Clark, Subsection D. entitled Electronic Disbursement/Claimant Certification of the 2025 Cash Management Plan as follows:

c. is hereby deleted and replaced as follows:

c. Claimant's Certifications and Declarations are required for purchase orders for goods and services that equal or exceed the bid threshold set by the Local Finance Board. Claimant's Certifications and Declarations are not required for purchase order for goods or services that are less than the bid threshold set by the Local Finance Board excluding advance or reimbursement of employee expenses, or for services provided exclusively and entirely by an individual (e.g., sole proprietors) as required under N.J.S.A. 40A:5-16(a) and N.J.A.C. 5:30-9A.6 and 5:31-4.

NOW, THEREFORE BE IT 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.

TOWNSHIP OF CLARK
Resolution 25-42
January 21, 2025

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BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it hereby authorizes the Mayor and/or Business Administrator to execute an agreement by and between the Township of Clark, 430 Westfield Avenue, Clark, New Jersey, 07066 and Phoenix Advisors, 2000 Waterview Drive, Suite 101, Hamilton, NJ 08691 for professional services as the Municipal Advisor and Continuing Disclosure Services, effective January 1, 2025 for a one-year period.

TOWNSHIP OF CLARK
Resolution 25-43
January 21, 2025

8

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the Health Officer is hereby authorized to enter into an agreement between the Township of Clark and Atlantic Health System (AHS), Atlantic Corporate Health for the period ending December 31, 2025 to provide health education services by a Certified Health Education Specialist (CHES) at \$64.55 per hour up to 225 hours in an amount not to exceed \$14,523.75, any hours beyond the 225 hours per year will be billed at \$70.00 per hour, funded by the New Jersey Association of County and City Health Officials (NJACCHO) Grant and pending the approval of the 2025 Municipal Budget.

TOWNSHIP OF CLARK
Resolution 25-44
January 21, 2025

9

WHEREAS the Administration has requested that the Township Council authorize the appropriate Township Officials to approve the authorization of the purchase of Hardware and Software for use by the TV 36 Studio; and

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

WHEREAS SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 is an authorized vendor under the Bergen County Cooperative Contract Purchasing System:

Contract Name: New Jersey Cooperative Purchasing Alliance
Contract # CK04
Subcontract # 24-38
SHI Quotation # 25701585
Cost: \$21,403.18

WHEREAS Resolution 22-41, adopted February 22, 2022 authorized the Township of Clark to enter into the New Jersey Cooperative Purchasing Alliance Cooperative Pricing Agreement; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in an amount not to exceed \$21,403.18 funded by Account #4-01-20-101-203 as attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby concurs with the recommendation of the Administration and authorizes the Chief Financial Officer to execute a purchase order to SHI International Corp. in an amount not to exceed \$21,403.18 for the purchase of Hardware and Software for the TV 36 Studio.

TOWNSHIP OF CLARK
Resolution 25-45
January 21, 2025

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BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Daniel Majeski and Alejandro Ciprian are hereby appointed as Members of the Clark Volunteer Fire Department effective this 21st day of January 2025.

TOWNSHIP OF CLARK
Resolution 25-46
January 1, 2025

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BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that William Grzyb Jr. is hereby appointed to the Planning Board as Alternate I Member, to fill the unexpired term of Joseph Arancio effective January 21, 2025 until December 31, 2025.

TOWNSHIP OF CLARK
Resolution 25-47
January 21, 2025

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WHEREAS 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 as authorized by Township Resolution 25-33; and

WHEREAS the Department of Public Works and the Department of Administration wish to purchase a Fuel Dispensing System including hardware, software and installation from an authorized vendor as follows:

Fuel Dispensing System including hardware, software and installation in an amount not to exceed \$23,910.00
NJ State Contract: #42262
Whitemarsh Corporation
80 Baekeland Avenue
Middlesex, New Jersey 08846

WHEREAS the Business Administrator recommends the utilization of this contract on the grounds that it meets all industry standards; and

WHEREAS the Chief Financial Officer has certified the availability of funds for these purchases from Account #4-01-31-460-223 in the total amount not to exceed \$23,910.00

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Township of Clark that it hereby authorizes the purchase of a Fuel Dispensing System as hereinabove described.

TOWNSHIP OF CLARK
Resolution 25-48
January 21, 2025

13

WHEREAS Structure Tone, LLC having offices at 10 Woodbridge Center Drive, Woodbridge, New Jersey 07095 has requested release of their 90% Performance Bond in the amount of Nine Hundred Sixty-Two Thousand, Six Hundred Forty-Five Dollars (\$962,645.00) and the 10% Cash Bond in the amount of One Hundred Six Thousand, Nine Hundred Sixty-Five Dollars (\$106,965.00) for work completed at L'Oreal Research and Development, 30 & 100 Terminal Avenue, Block 58, Lots 4 & 5; and

WHEREAS the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of the Performance Guarantee(s); 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, for 30 & 100 Terminal Avenue to be One Hundred Sixty Thousand, Four Hundred Forty-Seven Dollars (\$160,447.00) 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 Performance Guarantee(s) be released, upon the posting of a \$160,447.00 Maintenance Bond to be held for a one-year period from the date of release of the Performance Guarantee(s).

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 Guarantees as stated herein for the abovementioned project.

TOWNSHIP OF CLARK
Resolution 25-49
January 21, 2025

CA 14

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

WHEREAS, Guy Saladino owns one hundred percent of the property listed in the tax duplicate as 377 Valley Road, Clark, NJ, Block 179.01 Lot 8, and is entitled to one hundred percent of the taxes for this property beginning January 1st, 2025; and

WHEREAS, the total 2025 taxes on this property, for the 1st & 2nd quarters, are \$6770.51, and should be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Guy Saladino is owner of the property.

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

TOWNSHIP OF CLARK
 Resolution 25-50
 January 21, 2025

CA 15

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

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

Sewer Refund 2025							
REF	Acct #	Name	#	Address	Reason	Refund	
25	1	4072-0	Platero, Michael	339	New York Ave	leak	\$ 3,250.00
25	2	921-0	Schiumo, Rosemarie	5	Bienko Court	duplicate payment	\$ 142.89
25	3	3866-0	DePinho, Michael & Cheryl	359	Carolina St	overpayment due to adj	\$ 230.00
						Total Refunds	\$ 3,622.89

TOWNSHIP OF CLARK
Resolution 25-51
January 21, 2025

CA 16

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

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

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

TOWNSHIP OF CLARK
Resolution 25-52
January 21, 2025

CA 17

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Tax Collector is hereby authorized and directed to make refund(s)/transfer(s) in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
101	10		Zarecki, Robert & Mortensen	20	Gloria Street	\$ 280.62
					Total Refunds	\$ 280.62