

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
January 17, 2017
7:30 PM**

ROLL CALL:

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

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 Local Source, and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the proper filing of said Notice. Formal action may be taken at this meeting.

Suspend regular order of business:

Presentation: Recognizing the Cheerleaders for their accomplishments

Resume regular order of business

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor: Appointment: Acting Director of Public Works

Township Officers: The Police, Fire, Emergency Management and First Aid Squad reports for the month of December 2016 have been received and are filed in the Clerk's office.

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

INTRODUCTION OF PROPOSED ORDINANCES:

Supplemental Debt Statement for the following Bond Ordinance has been properly filed with the New Jersey Division of Local Government Services by the Chief Financial Officer

- BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A SYNTHETIC TURF SOCCER FIELD AT BARTELL PARK IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, TO APPROPRIATE THE SUM OF \$680,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT AND A PRIVATE CONTRIBUTION, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

PH February 6th Town Hall

2. **AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES** PH February 21st
3. **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)** PH February 21st

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through January 11, 2017 in the amount of \$183,110.41

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

RESOLUTIONS:

4. Confirmation of the Mayor's appointment of John Laezza as Acting Director of Public Works
5. Resolution disapproving of the Federal Highway Administration determination that the painting of a "thin blue line" between the lines of a double-yellow centerline marking on a roadway does not comply with the Manual on Uniform Traffic Control Devices for Streets and Highways
6. Accepting the revised Standard Operating Guideline to administer LOSAP to qualified Fire Department volunteers
7. Rejecting the bid for the Collection and Disposal of Grass
8. Authorizing transfers of 2016 Appropriation Reserves
9. Authorizing the Chief Financial Officer to refund overpayment of Taxes in the amount of \$437.61
10. Authorizing the Tax Collector to settle tax appeals authorized by the Tax Court of New Jersey with refunds in the amount of \$41,268.71 and credit to be issued in the amount of \$169,242.75 as detailed in the filed schedule
11. Authorizing Final Payment to P & A Construction, Inc. for the Colonial Drive Sewer Improvement Project in the amount of \$26,613.98

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

INTRO 1

Ordinance No. _____

Adopted _____

Introduced: January 17, 2017 Public Hearing: February 6, 2017

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A SYNTHETIC TURF SOCCER FIELD AT BARTELL PARK IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, TO APPROPRIATE THE SUM OF \$680,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT AND A PRIVATE CONTRIBUTION, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Clark, in the County of Union, New Jersey (the "Township") is hereby authorized to construct a synthetic turf soccer field at Bartell Park in, by and for the Township. Said improvement shall include all work, materials, equipment and appurtenances necessary and suitable therefor.

Section 2. The sum of \$680,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment, the \$79,000 grant from the County of Union Kids Recreation

Trust (the "County Grant") and the \$40,000 contribution from the Clark Soccer League (the "Clark Soccer League Contribution") appropriated, by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) the making of such improvement is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$680,000, and (4) \$79,000 of said sum is to be provided by the County Grant hereinafter appropriated to finance said purpose, and (5) \$40,000 of said sum is to be provided by the Clark Soccer League Contribution hereinafter appropriated to finance said purpose, and (6) \$39,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (7) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$522,000, and (8) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$57,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$79,000 received or to be received as the County Grant is hereby appropriated to the payment of the cost of such purpose.

Section 5. It is hereby determined and stated that the sum of \$40,000 received or to be received as the Clark Soccer League Contribution is hereby appropriated to the payment of the cost of such purpose.

Section 6. It is hereby determined and stated that moneys exceeding \$39,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$39,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 7. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$522,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$522,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$522,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the Clark Soccer League

Contribution and the County Grant hereinbefore appropriated which shall be applied to the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

SALVATORE BONACCORSO
Mayor

Ord17/1-17BondOrdSoccerTurf	Aye	Nay	Abstain	Absent
Barr	_____	_____	_____	_____
Hund	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
Albanese	_____	_____	_____	_____

TOWNSHIP OF CLARK
Ordinance No. _____
Adopted _____

INTRO
2

Introduced: January 17, 2017 Public Hearing: February 21, 2017
 Motion: _____ Motion: _____
 Seconded: _____ Seconded: _____

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

WHEREAS said Ordinance reflects a change in salaries to be paid to certain employees of the Township for the year 2017 and forward.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers of the Township of Clark be and they are hereby authorized and directed to execute and deliver checks on Township funds for the purpose of paying the following annual salaries to the employees of the Township of Clark within the range as set forth below opposite each job classification as in such cases made. The Schedule of salaries hereinafter set forth shall be effective as of January 1, 2017 and may be amended for those who may exceed the maximum.

	MINIMUM	MAXIMUM
Business Administrator	\$ 75,000.00	\$ 200,000.00
Township Clerk	\$ 55,000.00	\$ 100,000.00
Township Attorney*		
Mayor's Confidential Secretary	\$ 30,000.00	\$ 75,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 75,000.00
Assessor P/T	\$ 20,000.00	\$ 50,000.00
Tax Collector	\$ 1,200.00	\$ 75,000.00
Certified Finance Officer	\$ 50,000.00	\$ 200,000.00
Construction Code Official	\$ 40,000.00	\$ 150,000.00
Municipal Court Administrator	\$ 35,000.00	\$ 70,000.00
Deputy Court Administrator	\$ 35,000.00	\$ 60,000.00
Health Officer/Purchasing Asst.	\$ 40,000.00	\$ 120,000.00
Prosecutor P/T	\$ 8,500.00	\$ 25,000.00
Judge	\$ 20,000.00	\$ 75,000.00
Public Defender P/T	\$ 4,000.00	\$ 10,000.00

	MINIMUM	MAXIMUM
Superintendent of Public Works	\$ 15,000.00	\$ 100,000.00
Public Works Supervisor	\$ 40,000.00	\$ 100,000.00
Mayor	\$ 4,000.00	\$ 20,000.00
Council President	\$ 4,000.00	\$ 10,000.00
Council Members	\$ 4,000.00	\$ 10,000.00
Board of Adjustment Secretary	\$ 1,600.00	\$ 10,000.00
Planning Board Secretary	\$ 1,600.00	\$ 10,000.00
Fire Prevention Official	\$ 7,000.00	\$ 95,000.00
Deputy Fire Prevention Official	\$ 4,200.00	\$ 20,000.00
Fire Official Secretary	\$ 750.00	\$ 1,000.00
Director Public Safety	\$ 1,700.00	\$ 3,500.00
Director Senior Citizen	\$ 1,700.00	\$ 7,500.00
Director Public Works/Shade Tree	\$ 1,750.00	\$ 20,000.00
Fire Sub Code Official P/T	\$ 3,000.00	\$ 10,000.00
Elevator Inspector P/T	\$ 2,500.00	\$ 15,000.00
Plumbing Sub Code Official P/T	\$ 6,000.00	\$ 14,000.00
Electrical Inspector P/T	\$ 7,000.00	\$ 25,000.00
Emergency Management Coordinator	\$ 1,500.00	\$ 7,000.00
Deputy Emergency Management	\$ 300.00	\$ 3,000.00
Fire Chief	\$ 3,800.00	\$ 15,000.00
Battalion Chief	\$ 2,500.00	\$ 6,000.00
Deputy Chief #1	\$ 1,100.00	\$ 6,000.00
Deputy Chief #2	\$ 1,100.00	\$ 5,500.00
Deputy Chief #3	\$ 1,100.00	\$ 5,500.00
1 st Fire Captain	\$ 1,900.00	\$ 4,500.00
2 nd Fire Captain	\$ 1,900.00	\$ 4,500.00
3 rd Fire Captain	\$ 1,000.00	\$ 4,500.00
4 th Fire Captain	\$ 1,000.00	\$ 4,500.00
Public Information Officer	\$ 1,000.00	\$ 5,500.00

	MINIMUM	MAXIMUM
Director of Recreation/Facilities Mgr.	\$ 50,000.00	\$ 125,000.00
Assistant Recreation Supervisor	\$ 9,200.00	\$ 15,000.00
Director Teen Center	\$ 2,000.00	\$ 15,000.00
Assistant Teen Center	\$ 2,000.00	\$ 10,000.00
Recreation/Senior Fitness P/T Personnel	\$ 500.00	\$ 25,000.00
Manager – TV 36	\$ 5,000.00	\$ 60,000.00
Fire Training Officer	\$ 1,000.00	\$ 5,000.00
Bus Driver – Part Time	\$ 15,000.00	\$ 25,000.00
Property Maintenance P/T	\$ 5,000.00	\$ 25,000.00
Sr. Building Maintenance	\$ 50,000.00	\$ 95,000.00

HOURLY

Police Matron – on duty	\$ 40.00 event	\$ 40.00 event
Police Matron – on call	\$ 40.00 hour	\$ 40.00 hour
Seasonal Employees – Recreation/Sr. Citizen	\$ 9.00 hour	\$ 25.00 hour

POLICE – Base Pay

**Chief (plus longevity and education)	\$ 115,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 100,000.00	\$ 180,000.00

MUNICIPAL POOL

Pool Director/Manager	\$ 8,450.00	\$ 15,000.00
Pool Facilities Manager	\$ 5,000.00	\$ 15,000.00
Assistant Manager(s)	\$ 4,100.00	\$ 10,000.00
Water Safety Instructor(s)	\$ 3,300.00	\$ 10,000.00
Lifeguard(s)	\$ 2,700.00	\$ 6,000.00
Maintenance Worker(s)	\$ 2,000.00	\$ 6,000.00
Gate Control Person(s)	\$ 2,000.00	\$ 5,000.00
Activities Director	\$ 1,050.00	\$ 3,750.00

*Annual Professional Services Contract

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

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

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

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

SALVATORE BONACCORSO
Mayor

Ord17/1-17Salary

Aye Nay Abstain Absent

Barr	_____	_____	_____	_____
Hund	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Toal	_____	_____	_____	_____
Albanese	_____	_____	_____	_____

TOWNSHIP OF CLARK

INTRO 3

Ordinance No. _____

Adopted _____

Introduced: January 17, 2017 Public Hearing: February 21, 2017

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

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 0.5% 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 2017 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 3.0% increase in the budget for said year, amounting to \$498,921.69 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 2017 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 \$582,075.30 and that the CY 2017 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.

Effective Date:

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

SALVATORE BONACCORSO
Mayor

Ord17/1-17ExceedBudgetCAPBank
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

4

TOWNSHIP OF CLARK
Resolution _____
January 17, 2017

Motion _____ Second _____

WHEREAS Mayor Sal Bonaccorso has appointed John Laezza for 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 appointment of John Laezza as Acting Director of Public Works whose term, commencing this 17st day of January 2017 runs concurrent with the Mayor.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-1ConfirmActingDirDPWLaezza
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

5

TOWNSHIP OF CLARK
Resolution _____
January 17, 2017

Motion _____ Second _____

**RESOLUTION DISAPPROVING OF THE FEDERAL HIGHWAY
ADMINISTRATION DETERMINATION THAT THE PAINTING OF A "THIN BLUE
LINE" BETWEEN THE LINES OF A DOUBLE-YELLOW CENTERLINE MARKING
ON A ROADWAY DOES NOT COMPLY WITH THE MANUAL ON UNIFORM
TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.**

WHEREAS in 2016, reports indicate that 140 law enforcement officers died in the line of duty, with some of those deaths resulting from targeted attacks on members of the law enforcement community; and

WHEREAS negative press coverage of certain incidents involving police officers has led to increased scrutiny of some of our nation's most dedicated public servants, often times damaging morale and potentially compromising the ability of police officers to effectively perform their duties; and

WHEREAS as a show of support for the work of the police, many municipalities have painted a "thin blue line" between the lines of the double-yellow centerline marking on certain roadways, typically adjacent to police stations and municipal buildings; and

WHEREAS The Federal Highway Administration (FHWA), however, has published on its website an interpretation letter that was sent to a New Jersey county determining that the painting of the "thin blue line" between the lines of the double-yellow centerline marking does not comply with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), thereby indicating that local government entities should refrain from painting roadways in such a manner; and

WHEREAS local governments have historically departed from the MUTCD for certain reasons without repercussions from the federal government, including the establishment of parade routes on public roadways, which undermines the FHWA's determination that the "thin blue line" may not be painted on the roadway in support of law enforcement officers; and

WHEREAS it appears that the FHWA determination is nothing more than federal overreach into a matter of exceptionally important local public concern; and

WHEREAS a municipality ought to have the ability to show appreciation and support for its law enforcement officers, including the ceremonial painting of a "thin blue line" on roadways under its jurisdiction, without involvement or interference from the federal government, and the Township of Clark will not sit idly by while the federal government threatens to encroach on that ability.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY:

1. The Township of Clark hereby disapproves of the determination made by the Federal Highway Administration that the painting of a "thin blue line" between the lines of a double-yellow centerline marking on a roadway does not comply with the Manual on Uniform Traffic Control Devices for Streets and Highways.

2. Copies of this resolution, shall be transmitted to the President of the United States, Senator Robert Menendez, Senator Cory Booker, Congressman Leonard Lance, the New Jersey State League of Municipalities and the Municipal Clerks Association of New Jersey.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17ThinBlueLine
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

TOWNSHIP OF CLARK

Resolution _____

January 17, 2017

6

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby accepts the Standard Operating Guideline developed by the Fire Chief, as attached, to determine the allowable credits necessary to distribute the Length of Service Award Program (LOSAP) funds to each of its qualified volunteers effective the first day of January 2017.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17FireDept SOG-LOSAP
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

Standard Operating Guideline

	Subject: LOSAP	Guideline #: 103-1-2
	Category: Administration	Subcategory: Benefits
	Author: SOG Committee	Origination Date: 5/18/2011 Revision Date: 1/1/2017
	By Direction of Fire Chief: _____	Effective Date: 6/8/2011
	Frank Cerasa	

PURPOSE

This guideline defines the requirements for a firefighter to receive the benefit of the Length of Service Award Program (LOSAP).

SCOPE

All department personnel

RESPONSIBILITY

All department firefighters and officers

REFERENCES

NJDCA
Clark Township Ordinance # 99-15, Length of Service Awards Program

DEFINITIONS

GUIDELINE

State Statute

On January 18, 1998, the "Emergency Services Volunteer Length of Service Award Program was signed into law. This program is more commonly known by the acronym "LOSAP." The statute defines a LOSAP as "a system established to provide tax-deferred income benefits to active volunteer members of an emergency service organization."

Local Program

1. The ordinance was adopted by the Township of Clark January 1, 2000
2. Total annual amount payable to each member is currently \$1,150
3. A member must be active and meet all the following minimum requirements.

Minimum Requirements:

- 40% of fire calls
- Of 12 Company trainings:
 - a. 2 monthly live burn trainings (2 required) if needed 1 make-up
 - b. 1 training will be hazmat, right to know and blood borne pathogen (required)
 - c. CPR/AED training every two years (required)
- Including the required trainings, you must make a total of 8 company trainings
- 13 out of 26 cleaning duties (semi-annual)
- All vehicle requalification annually
 - a. All engines
 - b. Special Ops Vehicle
 - c. Truck (exception for probationary members in year one)

The member also must receive 100 points from the point system below

The point system:

- Fire call percentage – 1 point per fire call percentage up to a maximum of 60 points
- Company Trainings
 - 5 points per live burn training up to a maximum of 15 points per year
 - 2 points for each additional training (10 trainings at 2 points each) 20 points
 - For a possible yearly total of 35 points
- Cleaning Duty – 1 point per cleaning duty up to a maximum of 15 points per half a year

- General cleaning duty – 2 points per session
 - Driver Re-qualification – 2 points per vehicle for a maximum total of 12 points
4. The plan is all or nothing, there are no pro-rated payouts
 5. A member that is suspended during any part of the calendar year will not receive any LOSAP credit for that year. However, if a suspension spans two calendar years the member will lose LOSAP in the calendar year that the majority of the suspension is served.

Vesting Requirements:

1. A member that meets the LOSAP criteria is considered qualified for that year.
2. A member must have a minimum of five qualified years to be considered vested and receive any financial compensation. The five qualified years do not need to be consecutive.

TOWNSHIP OF CLARK

7

Resolution _____

January 17, 2017

Motion _____ Second _____

WHEREAS the Governing Body of the Township of Clark advertised and received one (1) bid for the Collection and Disposal of Grass on October 12, 2016 at 10:00 a.m.; and

WHEREAS the Business Administrator recommended that the bid be rejected in the best interest of the Township and authorization was granted to re-bid the project; and

WHEREAS the Governing Body of the Township of Clark advertised and received one (1) bid for the Collection and Disposal of Grass on January 4, 2017 at 10:00 a.m.; and

WHEREAS the lowest bid substantially exceeds the cost estimates for the service (N.J.S.A. 40A:11-13.2(a)).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby rejects the bid for the Collection and Disposal of Grass.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17RejectGrass

Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

8

TOWNSHIP OF CLARK

Resolution _____

January 17, 2017

Motion _____ Second _____

BE IT RESOLVED by the Governing Body of the Township of Clark that the proper officer or officers are hereby authorized and directed to effect transfers of 2016 Appropriation Reserves according to the following schedule.

CLARK TOWNSHIP

RESERVE APPROPRIATION TRANSFER

		<u>TO</u>	<u>FROM</u>
6-01-31-460-223	Gas & Diesel Fuel		58,000.00
6-01-31-440-223	Telephones	10,000.00	
6-01-20-165-224	Engineering – Other Expenses	35,000.00	
6-01-25-266-203	Fire – Other Expenses	2,000.00	
6-01-31-435-223	Street Lighting	10,000.00	
6-01-20-155-200	Law – Other Expenses	1,000.00	
		<u>\$58,000.00</u>	<u>\$58,000.00</u>

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17TransferReserves

Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

TOWNSHIP OF CLARK

Resolution _____

January 17, 2017

9

Motion _____ Second _____

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2016 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 Chief Financial Officer is hereby authorized and directed to make refund(s) in accordance with the following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
9	1.01		Joseph & Jennifer Colamedici	18	Limoli Lane	\$437.61

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17TaxRefund
Aye Nay Abstain Absent

Barr _____
Hund _____
Mazzarella _____
O'Connor _____
Smith _____
Toal _____
Albanese _____

10

TOWNSHIP OF CLARK

Resolution _____

January 17, 2017

Motion _____ Second _____

BE IT RESOLVED, by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle Tax Appeals authorized by the Tax Court of New Jersey according to the attached schedule.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17TaxAppeals

Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

TOWNSHIP OF CLARK

Resolution _____

January 17, 2017

11

Motion _____ Second _____

WHEREAS P & A Construction Inc. has completed work on the Colonial Drive Sewer Improvement Program and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Twenty-Six Thousand, Six Hundred Thirteen Dollars and Ninety-Eight Cents (\$26,613.98) including final quantities change order which decreases the adjusted contract amount by Sixteen Thousand, Six Hundred Twenty-Four Dollars and Twenty-Nine Cents (\$16,624.29); and

WHEREAS the Chief Financial Officer has determined sufficient funds are available in Ordinances 16-04 and 16-07 as evidenced by the Certification of Availability of funds attached; and

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

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by P & A Construction Inc. to be Sixty-four Thousand, Five Hundred Thirty-Five Dollars and Twenty Cents (\$64,535.20); and

WHEREAS P & A Construction Inc. has submitted a Maintenance Bond in the amount of \$64,535.20.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to P & A Construction Inc., PO Box 28, Colonia, New Jersey 07067 in the amount of \$26,613.98 including final quantities change order and release of the Performance Guarantee.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/1-17FinalPymtColonialDrSewerImpr-P&A
Aye Nay Abstain Absent

Barr _____
Hund _____
Mazzarella _____
O'Connor _____
Smith _____
Toal _____
Albanese _____