

This Notice is being sent to you, 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
TUESDAY, JANUARY 2, 2018 - 7:00 PM

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

ROLL CALL

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

PLEASE STAND FOR THE PLEDGE OF ALLEGIANCE TO THE FLAG

Color Guard: Cub Pack 145 directed by Scott McCabe

INVOCATION Chaplain Stephen Bureczynski, American Legion Post 328

OPEN PUBLIC MEETING STATEMENT

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.

First Order of Business - Election of Council President

Election of the Council Vice-President

Mayor's Appointments (Confirmation of Council by Resolution required)

1. Library Board of Trustees

Karen DeMarco	Regular Member	5-year term	01/01/18 – 12/31/22
Angel Albanese	Mayor's Alternate	1-year term	01/01/18 – 12/31/18
Carla Celso - Superintendent's Alternate		1-year term	01/01/18 – 12/31/18

2. Municipal Alliance Committee – 1-year term (unless otherwise stated)

Ralph Bernardo	Coordinator
Detective Brian Soos	Chairperson/Police Dept. Youth
Officer Mark Detore	Dare Officer
Officer Dan Joy	Dare Officer
Sal Bonaccorso	Mayor
Chief Pedro Matos	Chief of Police-law enforcement agency
Victor DeMarzo	Teen Center Youth Representative
Joe Beltramba	Principal Valley Road School/Board of Ed Representative
Rick Delmonaco	Principal Kumpf School Representative
Jenn Feeley	Principal ALJ High School

Jaimie Wronski (4 years)	Student Assistant Coordinator
Jackie Caplette	Board of Education Representative
Nicole Campbell	PTA Representative
Anthony Caldiero	Student Representative
Lena Acosta	Student Representative
Heidi Facchini	Local Faith Representative
Lisa Cahill	Citizen Representative
Henry Varriano	Chamber of Commerce Representative

Mayor's Appointments (Without confirmation of Council)

Emergency Management Coordinator: Jerry Fewkes 3-year term

Local Emergency Planning Committee:

Michael Nenortas	Deputy EM Coordinator
Pedro Matos	Police Chief
Sal Bonaccorso	Mayor/Public Information Officer
John Laezza	Business Administrator
Frank Cerasa	Fire Chief
Laurie Sheldon	Emerg. Med. Coordinator (Clark Emerg. Squad)
Pat O'Connor	Council Liaison
John DeSimone	Director Public Safety
Nancy Raymond	Health Officer
Scott McCabe	Supervisor Public Works/Member CFD
Richard O'Connor	Township Engineer
Joseph Triarsi	Township Attorney
Dr. T. Kowalenko	Township Doctors
Jeff Regan	Communications Officer
Carol Lukac	News Media Officer
Ralph Bernardo	Director Senior Citizens
Ed Grande	Superintendent, Clark Public Schools
Robert Sarnecki	Dir. of Security, Clark Public Schools
Dr. B. Orange (Veterinarian)	Lexington Animal Hospital
Megan Kociolek	Library Director

Planning Board

Michael Triola	Class IV Member	4-year term	01/01/18 – 12/31/21
Mayor Sal Bonaccorso	Class I Member	1-year term	01/01/18 – 12/31/18
John Laezza	Class II Member	1-year term	01/01/18 – 12/31/18

Environmental Commission

Ellen Tiller Mulligan	Regular Member	3-year term	01/01/18 – 12/31/20
Joseph Seebode	Regular Member	3-year term	01/01/18 – 12/31/20
Dante Tignini	Regular Member	3-year term	01/01/18 – 12/31/20

Traffic Advisory Board 1-year term 01/01/18 – 12/31/18

Chief Pedro Matos, Chairman
 Sal Bonaccorso, Mayor
 John Laezza, Business Administrator
 Richard O'Connor, Engineer
 Det. Sgt. Chris Lott, Traffic Bureau
 Ed Grande, Superintendent of Schools

Union County Community Development Revenue Sharing Committee (Public Improvements)

Councilwoman Angel Albanese	Regular Member	1-year term	01/01/18 – 12/31/18
Councilman Frank Mazarella	Alternate	1-year term	01/01/18 – 12/31/18

Union County Transportation Advisory Board

Councilman Steve Hund 1-year term 01/01/18 – 12/31/18

Union County Utilities Authority Solid Waste Advisory Board

Councilman Brian Toal Regular Member 1-year term 01/01/18 – 12/31/18

Councilman Frank Mazzarella Alternate 1-year term 01/01/18 – 12/31/18

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.

Council's Appointments (Resolutions)

3. Appointing Jennifer Kobliska as Assistant Treasurer effective January 1, 2018
4. Insurance Fund Commissioners (JIF)
John Laezza Commissioner 1-year term 01/01/18 – 12/31/18
Councilman Alvin Barr Alternate 1-year term 01/01/18 – 12/31/18
5. Union County Community Development Revenue Sharing Committee (Social Services)
Councilman Alvin Barr Regular Member 1-year term 01/01/18 – 12/31/18
Councilman Brian Toal Alternate 1-year term 01/01/18 – 12/31/18
6. Planning Board
Councilman Frank Mazzarella Class III Member 1-year term 01/01/18 – 12/31/18
George Olear Alternate I Member 2-year term 01/01/18 – 12/31/19
7. Board of Adjustment
Thomas E. Meade Regular Member 4-year term 01/01/18 – 12/31/21
Carmen Brocato Alternate II Member 2-year term 01/01/18 – 12/31/19
8. Environmental Commission
Marc Hayden Alternate I Member 2-year term 01/01/18 – 12/31/19
9. Municipal Pool Utility - Council Liaisons
Councilman Bill Smith Chairman 1-year term 01/01/18 – 12/31/18
Councilman Pat O'Connor Vice Chairman 1-year term 01/01/18 – 12/31/18
10. Pool Advisory Board
Donna Borrelli Regular Member 1-year term 01/01/18 – 12/31/18
Eddie Mitjans Regular Member 1-year term 01/01/18 – 12/31/18
Karen DeMarco Regular Member 3-year term 01/01/18 – 12/31/20
Linda Marhold Regular Member 3-year term 01/01/18 – 12/31/20
Geraldine Peyre Alternate Member 1-year term 01-01-18 – 12/31/18

APPOINTMENTS BY THE DIRECTOR OF LAW

11. Robert J. Pansulla, Esq. Alternate Prosecutor 01/01/18 – 12/31/20
(of the firm, Finazzo, Cossolini, O'Leary, Meola & Hager, LLC)

CONSENT AGENDA RESOLUTIONS

12. Entering into a Cash Management Plan for the Township for 2018
13. Adopting the Temporary Municipal Budget
14. Adopting the Temporary Sewer Utility Budget
15. Adopting the Temporary Swim Pool Utility Budget
16. Authorizing Petty Cash Funds for Police Chief and Pool Director
17. Establishing the rate of interest to be charged on delinquent taxes
18. 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
19. Designating the Union County LocalSource, 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
20. 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 2018
21. Designating Business Administrator John Laezza as the Public Agency Compliance Officer (P.A.C.O.)
22. 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
23. Governing Body certification of compliance with the United States Equal Employment Opportunity Commission in accordance with Federal Civil Rights Law
24. 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
25. 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
26. Authorizing the Township to purchase materials, supplies and equipment under State Contract
27. Authorizing the Administration to submit grant applications for upcoming grant opportunities
28. Authorizing the Health Officer and Clerk to enter into an agreement with the City of Elizabeth Health Department for the STD Clinic for 2018
29. Authorizing the Business Administrator to execute an Agreement with Spire IT, LLC for Information Technology Services at the rate of \$1,885.00 per month

INTRODUCTION OF PROPOSED ORDINANCES:

(Public Hearings on the three ordinances will be held on January 16, 2018)

- 30. AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES
- 31. AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)
- 32. AN ORDINANCE TO SUPPLEMENT CHAPTER 347 SECTION 33 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED STOP INTERSECTIONS

COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2018

FINANCE COMMITTEE

Pat O'Connor, Chairman
Angel Albanese
Frank Mazzarella

LEGISLATIVE COMMITTEE

Brian Toal, Chairman
Pat O'Connor
Bill Smith

PARKS & RECREATION

Bill Smith, Chairman
Pat O'Connor
Angel Albanese

PUBLIC WORKS

Frank Mazzarella, Chairman
Bill Smith
Steve Hund

PUBLIC SAFETY

Al Barr, Chairman
Frank Mazzarella
Steve Hund

COUNCIL LIAISON

Police Department

Steve Hund

Emergency Squad

Pat O'Connor

Board of Education

Angel Albanese

Senior Citizens

Al Barr

Fire Department

Al Barr

Public Works

Frank Mazzarella

Public Library

Angel Albanese

Recreation

Bill Smith

Emergency Management

Pat O'Connor

Environmental Commission

Brian Toal

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'S STATE OF THE TOWNSHIP ADDRESS

COUNCIL AND PROFESSIONAL REMARKS

BENEDICTION Chaplain Stephen Burczynski, American Legion Post 328

ADJOURNMENT

TOWNSHIP OF CLARK
 Resolution 18-01
 January 2, 2018

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

Karen DeMarco	Regular Member	01/01/18 – 12/31/22
Angel Albanese	Mayor's Alternate	01/01/18 – 12/31/18
Carla Celso	Superintendent's Alternate	01/01/18 – 12/31/18

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.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res18/1-2AppointLibraryBdofTrustees

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK

Resolution 18-02

January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby confirms the Mayor's Appointments of the following Members of the Municipal Alliance Committee for 2018 in accordance with N.J.S.A. 26:2BB-9.

NAME

TITLE/SECTOR

Ralph Bernardo	Coordinator
Detective Brian Soos	Chairperson/Police Dept. Youth
Officer Mark Detore	Dare Officer
Officer Dan Joy	Dare Officer
Sal Bonaccorso	Mayor
Chief Pedro Matos	Chief of Police-law enforcement agency
Victor DeMarzo	Teen Center Youth Representative
Joe Beltramba	Principal Valley Road School/Board of Ed Representative
Rick Delmonaco	Principal Kumpf School Representative
Jenn Feeley	Principal ALJ High School
Jaimie Wronski (4 years)	Student Assistant Coordinator
Jackie Caplette	Board of Education Representative
Nicole Campbell	PTA Representative
Anthony Caldiero	Student Representative
Lena Acosta	Student Representative
Heidi Facchini	Local Faith Representative
Lisa Cahill	Citizen Representative
Henry Varriano	Chamber of Commerce Representative

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointMunicipalAllianceCommittee

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK

Resolution 18-03

January 2, 2018

WHEREAS it has become necessary to restructure the Finance Department for future efficiency of the department; and

WHEREAS it is the Administration's intention to hire an individual to hold the title of Assistant Treasurer, who will have the ability to transition to the position of Director of Finance; and

WHEREAS the candidate must have thorough knowledge of municipal accounts payable, encumbrance accounting, budgeting procedures, payroll accounting and the Federal and New Jersey laws applicable thereto as well as a working knowledge of the software packages developed by Edmunds Finance; and

WHEREAS Jennifer Kobliska has applied for the position; and

WHEREAS Jennifer Kobliska holds a Bachelor of Arts Degree and a Masters Degree in Public Administration, is a Qualified Purchasing Agent, Certified Municipal Registrar, Certified Recycling Professional and has Zoning Official Certification. She has 11 years of experience in local government in various positions wherein she has acquired the attributes for this position. Currently she has one course remaining to qualify for the position of Certified Financial Officer; and

WHEREAS the Mayor and Business Administrator have recommended to Council that Jennifer Kobliska be hired as the full time Assistant Treasurer for the Township of Clark.

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 Administration's recommendation and appoints Jennifer Kobliska as Assistant Treasurer effective January 1, 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointAsstTreasurer

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-04
January 2, 2018

WHEREAS the Township of Clark is a member of the Municipal Excess Liability Joint Insurance Fund and the New Jersey Municipal Self Insurers Joint Insurance Fund requires the appointment of Fund Commissioners to represent the Township.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following appointments are hereby effective January 1, 2018 and concluding December 31, 2018.

FUND COMMISSIONER

John Laezza

ALTERNATE

Councilman Alvin Barr

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointJIFComm-Alt

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-05
January 2, 2018

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BE IT RESOLVED by the Governing Body of the Township of Clark that the following individuals are hereby re-appointed to the Union County Community Development Revenue Sharing Committee effective January 1, 2018

Regular Member (Social Services)

Term

Councilman Alvin Barr
42 Malvern Drive
Clark, New Jersey 07066

01/01/18 – 12/31/18

Alternate Member

Councilman Brian Toal
116 Dorset Drive
Clark, New Jersey 07066

01/01/18 – 12/31/18

BE IT FURTHER RESOLVED that the Governing Body hereby acknowledges the following Mayoral Appointments

Regular Member (Public Improvements)

Term

Councilwoman Angel Albanese
33 Victoria Drive
Clark, New Jersey 07066

01/01/18 – 12/31/18

Alternate Member

Councilman Frank Mazzarella
1 Fairview Road
Clark, New Jersey 07066

01/01/18 – 12/31/18

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointUCCommunityDevRevShareComm

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

6

TOWNSHIP OF CLARK
Resolution 18-06
January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individuals are hereby appointed to the Planning Board effective January 1, 2018.

CLASS III MEMBER (Council's Representative to Board)

Councilman Frank Mazzarella 01/01/18– 12/31/18

ALTERNATE I

George Olear 01/01/18 – 12/31/19

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointPlanningBoard

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

7

TOWNSHIP OF CLARK
Resolution 18-07
January 2, 2018

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

Thomas E. Meade

01/01/18 – 12/31/21

Alternate II

Carmen Brocato

01/01/18 – 12/31/19

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointBdofAdjReg-AltII

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-08
January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby re-appointed as Alternate I Member of the Environmental Commission.

Alternate I Member

Marc Hayden

Term

01/01/18 – 12/31/19

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointEnvironmentalComm

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-09
January 2, 2018

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that it does hereby appoint the following Chairperson and Vice-Chairperson to serve a term of one year until the next ensuing organization meeting and election of successor(s).

CHAIRMAN: Councilman Bill Smith
VICE-CHAIRMAN: Councilman Pat O'Connor

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointChair/ViceChairPoolUtility

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-10
January 2, 2018

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that the following individuals are hereby re-appointed as Members of the Clark Community Pool Advisory Board effective January 1, 2018.

<u>Regular Members:</u>	<u>Term</u>	<u>Effective</u>
Donna Borrelli	1-year term	01/01/18 – 12/31/18
Eddie Mitjans	1-year term	01/01/18 – 12/31/18
Karen DeMarco	3-year term	01/01/18 – 12/31/20
Linda Marhold	3-year term	01/01/18 – 12/31/20

Alternate Member:

Geraldine Peyre	1-year term	01/01/18 – 12/31/18
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ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointPoolAdvisoryBoard

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
OTAL						

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TOWNSHIP OF CLARK
Resolution 18-11
January 2, 2018

WHEREAS the Director of Law has appointed Robert J. Pansulla, Esq. for the position of Alternate Prosecutor; 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 Robert J. Pansulla, Esq. as Alternate Prosecutor whose term, commencing the 1st day of January 2018, runs concurrent with the Mayor.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointAltProsecutor

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-12
January 2, 2018

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 2, 2018 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, 2018 to December 31, 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2CashManagementPlan

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK

IN THE COUNTY OF UNION, NEW JERSEY 2018

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 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	Investors
Wells Fargo	Provident Savings Bank
Bank of America	Santander 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-7 and 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. TERM OF PLAN

This Plan shall be in effect from January 1, 2018 to December 31, 2018. 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 18-13
January 2, 2018

WHEREAS the 2017 Municipal Budget totaled \$22,516,693.26; and

WHEREAS the Temporary Municipal Budget for 2018 cannot exceed 26.25% of the prior year's budget less Capital appropriations and Debt services; and

WHEREAS the total amount that may be introduced as a Temporary Budget for 2018 is \$5,154,460.00.

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 2018 in the total amount of \$5,154,000.00 exclusive of debt service.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2 TempBudget

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

CLARK TOWNSHIP				
TEMPORARY BUDGET - 2018				
Dept#	DEPARTMENT	SALARIES	OTHER	TOTAL
20-100	Administration	\$ 62,000.00	25,000.00	\$ 87,000.00
20-110	Mayor's Office	20,000.00	4,000.00	24,000.00
20-111	Municipal Council	13,000.00	8,000.00	21,000.00
20-120	Clerk	47,000.00	8,000.00	55,000.00
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	18,000.00	6,000.00	24,000.00
20-150	Tax Assessor	28,000.00	15,000.00	43,000.00
20-155	Legal Services	9,000.00	100,000.00	109,000.00
20-165	Engineering Services	-	50,000.00	50,000.00
21-180	Planning Board	2,000.00	8,000.00	10,000.00
21-185	Zoning Board of Adjustment	3,000.00	3,000.00	6,000.00
22-195	Code Enforcement	90,000.00	10,000.00	100,000.00
23-210	Ins & Bonding	-	400,000.00	400,000.00
23-220	Health Benefits	-	1,100,000.00	1,100,000.00
23-222	Life Insurance	-	12,000.00	12,000.00
23-223	Disability	-	30,000.00	30,000.00
25-240	Police	1,300,000.00	90,000.00	1,390,000.00
25-250	911	155,000.00	12,000.00	167,000.00
25-252	Emergency Management	3,000.00	1,000.00	4,000.00
25-265	Public Safety	1,000.00	-	1,000.00
25-266	Fire Bureau	24,000.00	40,000.00	64,000.00
25-267	Fire Hydrant	-	75,000.00	75,000.00
25-268	Fire Prevention	25,000.00	5,000.00	30,000.00
26-290	Streets and Roads	300,000.00	90,000.00	390,000.00
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	-	20,000.00	20,000.00
26-308	Cleanup	-	5,000.00	5,000.00
26-310	Building and Grounds	52,000.00	50,000.00	102,000.00
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	25,000.00	10,000.00	35,000.00
27-331	Senior Citizens	10,000.00	3,000.00	13,000.00
27-365	Visiting Nurse	-	1,000.00	1,000.00
28-370	Recreation	45,000.00	10,000.00	55,000.00
29-390	Municipal Library	-	100,000.00	100,000.00
30-420	Celebration of Public Events	-	5,000.00	5,000.00
31-430	Utilities	-	75,000.00	75,000.00
31-435	Street Lighting	-	50,000.00	50,000.00
31-440	Utilities - Telephone	-	20,000.00	20,000.00
31-460	Utilities - Gasoline	-	69,000.00	69,000.00
36-472	Social Security - FICA	-	150,000.00	150,000.00
36-476	Unemployment Comp.	-	-	-
36-477	DCRP	-	-	-
42-102	Interlocal Svc-Bd of Ed	-	15,000.00	15,000.00
43-490	Municipal Court	60,000.00	7,000.00	67,000.00
		\$ 2,367,000.00	\$ 2,787,000.00	\$ 5,154,000.00
44-901	Capital Improvements	-	100,000.00	100,000.00
45-920	Bond Principal	-	2,565,000.00	2,565,000.00
45-925	BAN Principal	-	-	-
45-930	Bond Interest	-	360,215.00	360,215.00
45-935	Note Interest	-	-	-
46-871	Deferred Charges	-	-	-
		\$ -	\$ 3,025,215.00	\$ 3,025,215.00
		\$ 2,367,000.00	\$ 5,812,215.00	\$ 8,179,215.00

TOWNSHIP OF CLARK
Resolution 18-14
January 2, 2018

WHEREAS the Municipal Sewer Budget for 2017 totaled \$3,317,106.00; and

WHEREAS the Temporary Sewer Budget for 2018 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Services; and

WHEREAS the total amount that may be introduced as a Temporary Budget for 2018 is \$754,197.00 exclusive of 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 2018 in the total amount of \$600,000.00 exclusive of debt service.

Salaries and Wages	\$300,000.00
Miscellaneous Other Expenses	<u>\$300,000.00</u>
	\$600,000.00
Bond Principal	\$100,000.00
Interest on Bonds	<u>\$ 11,084.00</u>
	<u>\$711,084.00</u>

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2TempBudgetSewerUtility

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-15
January 2, 2018

WHEREAS the Municipal Pool Budget for 2017 totaled \$390,000.00; and

WHEREAS the Temporary Pool Budget for 2018 cannot exceed 26.25% of the prior year's budget which is \$77,437.00.

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 item is hereby adopted as the Temporary Pool Budget for 2018 in the total amount of \$77,000.00.

Miscellaneous Other Expenses \$77,000.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2TempBudgetPoolUtility

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-16
January 2, 2018

WHEREAS the Petty Cash balances of the Police Chief and Pool Director were turned over as of 10:00 a.m., Friday, December 29, 2017 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 2018 and the Treasurer's Office is hereby authorized to issue checks to the following department heads:

Police Chief \$150.00
Pool Director \$300.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2PettyCash

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK

Resolution 18-17

January 2, 2018

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, 2018, 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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2DelinquentTaxes

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-18
January 2, 2018

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2SignChecks

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-19
January 2, 2018

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 and the Star Ledger be designated as the 2018 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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2Newspapers

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-20
January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark 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 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AdvertiseBids

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK

Resolution 18-21

January 2, 2018

21

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, John Laezza, Business Administrator as the Public Agency Compliance Officer, effective January 1, 2018 for a period of one year ending December 31, 2018; 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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AppointPACO

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-22
January 2, 2018

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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2CivilRights

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

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 18-23
January 2, 2018

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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2CivilRightsGrpAffwithResFedEEOCbudgetcompliance

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JANUARY 2, 2018.

Edith L. Merkel, Municipal Clerk

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 applications 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 2018 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>Hourly Rate</u>
Township Engineer	Richard O'Connor Grotto Engineering Associates, LLC	-0-	As needed	As follows:
Principal		-0-	As needed	\$155.00
Project Manager		-0-	As needed	\$145.00
Licensed Professional Engineer/Surveyor or Planner		-0-	As needed	\$140.00
Senior Staff Engineer		-0-	As needed	\$100.00
Staff Engineer		-0-	As needed	\$ 95.00
Senior Engineering Technician		-0-	As needed	\$ 90.00
Engineering Technician/Survey Technician		-0-	As needed	\$ 85.00
Field Inspector		-0-	As needed	\$ 75.00
Junior Engineering Technician		-0-	As needed	\$ 65.00
Clerical		-0-	As needed	\$ 60.00
Reimbursable Items		-0-	As needed	At Cost
Professional Planner	Kevin O'Brien Shamrock Enterprises, Ltd	-0-	As needed	\$130.00
Planning Board Attorney	Kelly Carey DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC	-0-	As needed	\$150.00
Board of Adjustment	Howard Spialter	-0-	As needed	\$150.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2MLUProfessionalFees

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-25
January 2, 2018

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.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2SewerConnectionsAuthEngineer

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-26
January 2, 2018

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 2018.

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, all Department Heads of the Township of Clark, Township Auditor, and any other party of interest.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2StateContracts

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-27
January 2, 2018

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 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2AuthGrantApplications

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-28
January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark that the Health Officer 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, 2018 and shall remain valid through December 31, 2018.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2 AuthSTDAgreement

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK
Resolution 18-29
January 2, 2018

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator to execute an Agreement with Spire IT, LLC, 100 Walnut Avenue, Suite 103, Clark, New Jersey 07066 for Information Technology Services at the rate of One Thousand, Eight Hundred Eighty-Five Dollars (\$1,885.00) per month.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res18/1-2Spire IT

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Barr						
Hund						
Mazzarella						
O'Connor						
Toal						
Smith						
TOTAL						

TOWNSHIP OF CLARK

Ordinance No. 18-01

Adopted _____

Introduced: January 2, 2018 Public Hearing: January 16, 2018

**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 2018 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, 2018 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	\$ 125,000.00
Township Attorney*		
Mayor's Confidential Secretary	\$ 30,000.00	\$ 80,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 80,000.00
Assessor P/T	\$ 20,000.00	\$ 55,000.00
Tax Collector	\$ 1,200.00	\$ 90,000.00
Assistant Treasurer	\$ 50,000.00	\$ 125,000.00
Certified Finance Officer/Treasurer	\$ 50,000.00	\$ 200,000.00
Construction Code Official	\$ 50,000.00	\$ 175,000.00
Municipal Court Administrator	\$ 50,000.00	\$ 80,000.00
Deputy Court Administrator	\$ 45,000.00	\$ 70,000.00
Health Officer	\$ 50,000.00	\$ 125,000.00
Prosecutor P/T	\$ 8,500.00	\$ 35,000.00
Judge	\$ 20,000.00	\$ 80,000.00
Public Defender P/T	\$ 4,000.00	\$ 15,000.00

	MINIMUM	MAXIMUM
Supervisor of Public Works	\$ 40,000.00	\$ 100,000.00
Public Works Assistant Supervisor	\$ 40,000.00	\$ 100,000.00
Mayor	\$ 6,000.00	\$ 25,000.00
Council President	\$ 6,000.00	\$ 15,000.00
Council Members	\$ 6,000.00	\$ 15,000.00
Board of Adjustment Secretary	\$ 5,000.00	\$ 10,000.00
Planning Board Secretary	\$ 5,000.00	\$ 10,000.00
Fire Prevention Official	\$ 10,000.00	\$ 100,000.00
Deputy Fire Prevention Official	\$ 5,000.00	\$ 25,000.00
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	\$ 5,000.00	\$ 20,000.00
Elevator Inspector P/T	\$ 5,000.00	\$ 20,000.00
Plumbing Sub Code Official P/T	\$ 10,000.00	\$ 20,000.00
Electrical Inspector P/T	\$ 10,000.00	\$ 35,000.00
Emergency Management Coordinator	\$ 2,000.00	\$ 10,000.00
Deputy Emergency Management	\$ 1,000.00	\$ 5,000.00
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	\$ 25,000.00
Director Teen Center	\$ 2,000.00	\$ 20,000.00
Assistant Teen Center	\$ 2,000.00	\$ 15,000.00
Recreation/Senior Fitness P/T Personnel	\$ 500.00	\$ 25,000.00
Manager – TV 36	\$ 5,000.00	\$ 60,000.00
Fire Training Officer	\$ 1,000.00	\$ 5,000.00
Bus Driver – Part Time	\$ 15,000.00	\$ 30,000.00
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	\$ 20,000.00
Pool Facilities Manager	\$ 5,000.00	\$ 20,000.00
Assistant Manager(s)	\$ 4,100.00	\$ 10,000.00
Water Safety Instructor(s)	\$ 3,300.00	\$ 10,000.00
Lifeguard(s) – Seasonal	\$ 2,700.00	\$ 10,000.00
Maintenance Worker(s) – Seasonal	\$ 2,000.00	\$ 10,000.00
Gate Control Person(s) – Seasonal	\$ 2,000.00	\$ 5,000.00
Activities Director – Seasonal	\$ 1,050.00	\$ 5,000.00

TOWNSHIP OF CLARK

Ordinance No. 18-02

Adopted _____

Introduced: January 2, 2018 Public Hearing: January 16, 2018

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 2018 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 1.0% increase in the budget for said year, amounting to \$169,222.00 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 2018 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 \$592,278.76 and that the CY 2018 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

