

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

**AGENDA
COUNCIL REORGANIZATION MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
MONDAY, JANUARY 6, 2020- 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

INVOCATION Rev. William P. Sheridan, Pastor of Saint Agnes Roman Catholic Church

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. Appoint Director of Law – Mark Dugan unexpired term of Joseph J. Triarsi ending December 31, 2020
2. Library Board of Trustees

Lisa Dunn	Regular Member	01/06/20 – 12/31/24
Angel Albanese	Mayor's Alternate	01/06/20 – 12/31/20
Carla Celso	Superintendent's Alternate	01/06/20 – 12/31/20

Mayor's Appointments (Without confirmation of Council)

Planning Board

George Olear	Class IV Member	4-year term	01/06/20 – 12/31/23
Mayor Sal Bonaccorso	Class I Member	1-year term	01/06/20 – 12/31/20
John Laezza	Class II Member	1-year term	01/06/20 – 12/31/20

Environmental Commission

Edward Dubroski Regular Member 3-year term 01/06/20 – 12/31/22
Martha Kamichoff Regular Member 3-year term 01/06/20 – 12/31/22

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
Mark Dugan Township Attorney
Dr. T. Kowalenko Township Doctor
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

Traffic Advisory Board 1-year term 01/06/20 – 12/31/20

Police 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 01/06/20 – 12/31/20
Councilman Frank Mazarella Alternate 1-year term 01/06/20 – 12/31/20

Union County Transportation Advisory Board

Councilman Steve Hund 1-year term 01/06/20 – 12/31/20

Union County Utilities Authority Solid Waste Advisory Board

Councilman Brian Toal Regular Member 1-year term 01/06/20 – 12/31/20
Councilman Frank Mazarella Alternate 1-year term 01/06/20 – 12/31/20

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. 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 Representative
Jaimie Wronski (4 years)	Student Assistant Coordinator
Steve Kalblein	Student Assistant Coordinator
Jackie Caplette	Board of Education Representative
Nicole Campbell	PTA Representative
Patrick Grady	Student Representative
Lena Acosta	Student Representative
Heidi Facchini	Local Faith Representative
Lisa Cahill	Citizen Representative
Henry Varriano	Chamber of Commerce Representative
John Reider	Individuals that have been affected by drug and alcohol abuse

4. Insurance Fund Commissioners (JIF)

John Laezza	Commissioner	1-year term	01/06/20 – 12/31/20
Councilman Alvin Barr	Alternate	1-year term	01/06/20 – 12/31/20

5. Union County Community Development Revenue Sharing Committee (Social Services)

Councilman Alvin Barr	Regular Member	1-year term	01/06/20 – 12/31/20
Councilman Brian Toal	Alternate	1-year term	01/06/20 – 12/31/20

6. Planning Board

Councilman Frank Mazzarella	Class III Member	1-year term	01/06/20 – 12/31/20
Michael Bonaccorso	Alternate I Member	1-year term	01/06/20 – 12/31/21

7. Board of Adjustment

Marc Hayden	Alternate II Member	2-year term	01/06/20 – 12/31/21
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8. Environmental Commission

Kenneth Brennan	Alternate I Member	2-year term	01/06/20 – 12/31/21
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9. Re-appointing Councilman Frank Mazzarella as the Township's Representative to the Rahway Valley Sewerage Authority, term ending February 1, 2025

CONSENT AGENDA RESOLUTIONS

10. Entering into a Cash Management Plan for the Township for 2020

11. Adopting the Temporary Municipal Budget

12. Adopting the Temporary Sewer Utility Budget

13. Adopting the Temporary Swim Pool Utility Budget
14. Authorizing Petty Cash Funds for Business Administrator, Police Chief and Pool Director
15. Establishing the rate of interest to be charged on delinquent taxes
16. 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
17. 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
18. Appointing John Laezza as Acting Clerk and Donna Mazzucco as Alternate Acting Clerk in the absence of the Township Clerk
19. Designating Business Administrator John Laezza as the Public Agency Compliance Officer (P.A.C.O.)
20. 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
21. Governing Body certification of compliance with the United States Equal Employment Opportunity Commission in accordance with Federal Civil Rights Law
22. 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
23. 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
24. 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 2020
25. Authorizing the Township to purchase materials, supplies and equipment under State Contract
26. Authorizing the Administration to submit grant applications for upcoming grant opportunities
27. Authorizing the Township to purchase materials, supplies and equipment through various local and national Cooperative Pricing Systems
28. Approving the revised Council Meeting Calendar to cancel the January 6, 2020 Workshop meeting

INTRODUCTION OF PROPOSED ORDINANCES:

The Public Hearing on each of the Proposed Ordinances will be held on January 21, 2020

29. **20-01 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**
30. **20-02 AN ORDINANCE TO FIX THE SALARIES OF THE WHITE COLLAR EMPLOYEES FOR THE PERIOD 2020 THROUGH 2023**
31. **20-03 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF POLICE PERSONNEL FOR THE YEARS 2020 THROUGH 2023**

32. 20-04 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)
33. 20-05 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 333 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "TOWING"
34. 20-06 AN ORDINANCE TO SUPPLEMENT CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF CLARK
35. 20-07 AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3-29 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DEPARTMENT OF POLICE"
36. 20-08 AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 302 OF THE CODE OF THE TOWNSHIP OF CLARK
37. 20-09 AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CLARK CHAPTER 3 THEREOF, ENTITLED "ADMINISTRATION OF GOVERNMENT" TO ADD ARTICLE X ENTITLED "SWIM POOL UTILITY"

COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2020

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/Pool

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 Rev. William P. Sheridan, Pastor of Saint Agnes Roman Catholic Church

ADJOURNMENT

TOWNSHIP OF CLARK
Resolution 20-01
January 6, 2020

WHEREAS Mayor Sal Bonaccorso has appointed Mark P. Dugan, Esq., a partner of the firm Triarsi, Betancourt, Wukovits & Dugan as Director of Law to fill the unexpired term of Joseph Triarsi until December 31, 2020; 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, County of Union, State of New Jersey that it hereby confirms the appointment of Mark P. Dugan, Esq., as the Director of Law.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-02
January 6, 2020

2

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

Lisa Dunn	Regular Member	01/06/20 – 12/31/24
Angel Albanese	Mayor's Alternate	01/06/20 – 12/31/20
Carla Celso	Superintendent's Alternate	01/06/20 – 12/31/20

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

Council President

TOWNSHIP OF CLARK
Resolution 20-03
January 6, 2020

3

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby appoints the following Members of the Municipal Alliance Committee for 2020 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 Representative
Jaimie Wronski (4 years)	Student Assistant Coordinator
Steve Kalblein	Student Assistant Coordinator
Jackie Caplette	Board of Education Representative
Nicole Campbell	PTA Representative
Patrick Grady	Student Representative
Lena Acosta	Student Representative
Heidi Facchini	Local Faith Representative
Lisa Cahill	Citizen Representative
Henry Varriano	Chamber of Commerce Representative
John Reider	Individuals that have been affected by drug and alcohol abuse

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-04
January 6, 2020

4

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 6, 2020 and concluding December 31, 2020.

FUND COMMISSIONER

John Laezza

ALTERNATE

Councilman Alvin Barr

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-05
January 6, 2020

5

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 6, 2020

Regular Member (Social Services)

Term

Councilman Alvin Barr
42 Malvern Drive
Clark, New Jersey 07066

01/06/20 – 12/31/20

Alternate Member

Councilman Brian Toal
116 Dorset Drive
Clark, New Jersey 07066

01/06/20 – 12/31/20

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

01/06/20 – 12/31/20

Alternate Member

Councilman Frank Mazarella
1 Fairview Road
Clark, New Jersey 07066

01/06/20 – 12/31/20

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-07
January 6, 2020

7

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby re-appointed as Alternate II Member of the Board of Adjustment.

Alternate I

Mark Hayden

01/06/20 – 12/31/21

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-08
January 6, 2020

8

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

Alternate I

Kenneth Brennan

Term

01/06/20 – 12/31/21

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-09
January 6, 2020

9

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

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

Term: February 1, 2020 - February 1, 2025

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-10
January 6, 2020

CA 10

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 6, 2020 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 6, 2020 to December 31, 2020.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK

IN THE COUNTY OF UNION, NEW JERSEY 2020

I. 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 American 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 purposes 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 6, 2020 to December 31, 2020. 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 20-11
January 6, 2020

CA 11

WHEREAS the 2019 Municipal Budget totaled \$23,953,164.00; and

WHEREAS the Temporary Municipal Budget for 2020 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service; and

WHEREAS the total amount that may be introduced as a Temporary Budget for 2020 is \$5,384,649.00.

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 2020 in the total amount of \$5,384,649.00 exclusive of Capital Appropriations and Debt Service.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-12
January 6, 2020

CA 12

WHEREAS the 2019 Municipal Sewer Budget totaled \$3,450,011.00; and

WHEREAS the Temporary Municipal Sewer Budget for 2020 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 Sewer Budget for 2020 is \$785,818.00 exclusive of Capital Appropriations and Debt Service.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following line items are hereby adopted as the Temporary Sewer Budget for 2020 in the total amount of \$700,000.00 exclusive of Capital Appropriations and Debt Service.

Salaries and Wages	\$300,000.00
Miscellaneous Other Expenses	<u>\$400,000.00</u>
	\$700,000.00
Capital Outlay	\$350,000.00
Bond Principal	\$100,000.00
Interest on Bonds	<u>\$ 5,000.00</u>
	<u>\$1,155,000.00</u>

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-13
January 6, 2020

CA 13

WHEREAS the 2019 Municipal Pool Budget totaled \$357,000.00; and

WHEREAS the Temporary Municipal Pool Budget for 2020 cannot exceed 26.25% of the prior year's budget less Capital Appropriations and Debt Service, and

WHEREAS the total amount that may be introduced as a Temporary Pool Budget for 2020 is \$83,212.00 exclusive of Capital Appropriations and Debt Service.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following line items are hereby adopted as the Temporary Pool Budget for 2020 in the total amount of \$83,000.00 exclusive of Capital Appropriations and Debt Service.

Salaries and Wages	\$10,000.00
Miscellaneous Other Expenses	<u>\$73,000.00</u>
	\$83,000.00
Capital Outlay	<u>\$50,000.00</u>
	<u>\$133,000.00</u>
	=====

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-14
January 6, 2020

CA 14

WHEREAS the Petty Cash balances of the Business Administrator, Police Chief and Pool Director were turned over as of 10:00 a.m., Tuesday, December 31, 2019 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 2020 and the Treasurer's Office is hereby authorized to issue checks to the following department heads:

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK

Resolution 20-15

January 6, 2020

CA 15

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 6, 2020, 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

Council President

TOWNSHIP OF CLARK
Resolution 20-16
January 6, 2020

CA 16

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

Council President

TOWNSHIP OF CLARK
Resolution 20-17
January 6, 2020

CA 17

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 2020 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

Council President

TOWNSHIP OF CLARK
Resolution 20-18
January 6, 2020

CA18

BE IT RESOLVED by the Governing Body of the Township of Clark that John Laezza is hereby appointed as Acting Township Clerk in the absence of Township Clerk Edith Merkel as the need may arise from time to time until December 31, 2020; and

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that Donna Mazzucco is hereby appointed as Alternate Acting Township Clerk in the absence of both the Township Clerk, Edith Merkel and the Acting Township Clerk, John Laezza as the need may arise from time to time until December 31, 2020.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-19
January 6, 2020

CA 19

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 6, 2020 for a period of one year ending December 31, 2020; 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

Council President

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

Council President

**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 20-21
January 6, 2020

CA 21

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

Council President

TOWNSHIP OF CLARK
Resolution 20-22
January 6, 2020

CA 22

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 2020 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

Council President

TOWNSHIP OF CLARK
Resolution 20-23
January 6, 2020

CA 23

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

Council President

TOWNSHIP OF CLARK
Resolution 20-24
January 6, 2020

CA 24

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 2020.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-25
January 6, 2020

CA 25

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 2020.

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

Council President

TOWNSHIP OF CLARK
Resolution 20-26
January 6, 2020

CA 26

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 2020.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK

Resolution 20-27

January 6, 2020

CA 27

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

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

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

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby reaffirms its commitment to participate in the aforementioned Cooperative Pricing Systems for the period January 6, 2020 through December 31, 2020; and

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Resolution 20-28
January 6, 2020

CA 28

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey and in accordance with the Open Public Meetings Act, N.J.S.A. 10:4 et. seq. that the following Revised Meeting Calendar is hereby approved for the year 2020:

CLARK MUNICIPAL COUNCIL 2020 MEETING DATES
Reorganization Meeting Monday, January 6, 2020
315 Westfield Ave. – 7:00 PM

WORKSHOP MEETINGS 7:30 PM

430 Westfield Avenue
Room 30

February 3
March 2
April 6
May 4
June 1
July 6
August 3
September 8 (Tuesday)
October 5
November 4 (Wednesday)
December 7

PUBLIC MEETINGS 7:30 PM

315 Westfield Avenue
Council Chambers

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

TOWNSHIP OF CLARK
Ordinance No. 20-01
Adopted _____

INTRO
29

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**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 2020 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, 2020 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	\$ 150,000.00
Township Attorney*		
Mayor's Confidential Secretary	\$ 30,000.00	\$ 80,000.00
Confidential Assistant/H.R./Affirmative Action	\$ 30,000.00	\$ 90,000.00
Assessor P/T	\$ 20,000.00	\$ 60,000.00
Tax Collector	\$ 50,000.00	\$ 100,000.00
Assistant Treasurer	\$ 50,000.00	\$ 125,000.00
Certified Finance Officer/Treasurer	\$ 50,000.00	\$ 200,000.00
Construction Code Official	\$ 50,000.00	\$ 175,000.00
Technical Assistant to the Construction Official	\$ 45,800.00	\$ 77,000.00
Municipal Court Administrator	\$ 60,000.00	\$ 100,000.00
Deputy Court Administrator	\$ 50,000.00	\$ 70,000.00
Health Officer	\$ 50,000.00	\$ 125,000.00
Prosecutor P/T	\$ 8,500.00	\$ 35,000.00
Judge	\$ 20,000.00	\$ 90,000.00
Public Defender P/T	\$ 4,000.00	\$ 15,000.00
Supervisor of Public Works	\$ 40,000.00	\$ 125,000.00
Public Works Assistant Supervisor	\$ 40,000.00	\$ 110,000.00
Mayor	\$ 6,000.00	\$ 30,000.00
Council President	\$ 6,000.00	\$ 15,000.00
Council Members	\$ 6,000.00	\$ 15,000.00

	MINIMUM	MAXIMUM
Board of Adjustment Secretary	\$ 5,000.00	\$ 10,000.00
Planning Board Secretary	\$ 5,000.00	\$ 10,000.00
Fire Prevention Official	\$ 10,000.00	\$ 125,000.00
Deputy Fire Prevention Official	\$ 5,000.00	\$ 25,000.00
Fire Prevention – IT P/T	\$ 2,500.00	\$ 10,000.00
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	\$ 30,000.00
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	\$ 7,000.00
Fire Chief	\$ 3,800.00	\$ 20,000.00
Battalion Chief	\$ 2,500.00	\$ 6,000.00
Deputy Chief #1	\$ 1,100.00	\$ 6,000.00
Deputy Chief #2	\$ 1,100.00	\$ 5,500.00
Deputy Chief #3	\$ 1,100.00	\$ 5,500.00
1 st Fire Captain	\$ 1,900.00	\$ 4,500.00
2 nd Fire Captain	\$ 1,900.00	\$ 4,500.00
3 rd Fire Captain	\$ 1,000.00	\$ 4,500.00
4 th Fire Captain	\$ 1,000.00	\$ 4,500.00
Public Information Officer	\$ 1,000.00	\$ 5,500.00
Fire Lieutenants	\$ 1,000.00	\$ 3,000.00
Director of Recreation/Facilities Mgr.	\$ 50,000.00	\$ 150,000.00
Assistant Recreation Supervisor	\$ 9,200.00	\$ 40,000.00
Director Teen Center	\$ 2,000.00	\$ 20,000.00
Assistant Teen Center	\$ 2,000.00	\$ 15,000.00
Recreation/Senior Fitness P/T Personnel	\$ 500.00	\$ 25,000.00
Manager – TV 36	\$ 5,000.00	\$ 60,000.00
Fire Training Officer	\$ 1,000.00	\$ 5,000.00
Bus Driver – Part Time	\$ 15,000.00	\$ 30,000.00
Property Maintenance P/T	\$ 5,000.00	\$ 40,000.00
Sr. Building Maintenance	\$ 50,000.00	\$ 100,000.00
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

TOWNSHIP OF CLARK
Ordinance No. 20-02
Adopted _____

INTRO
30

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO FIX THE SALARIES OF THE WHITE COLLAR EMPLOYEES
FOR THE PERIOD 2020 THROUGH 2023**

WHEREAS Union Council No. 8, I.F.P.T.E. AFL-CIO and the Township of Clark completed contract negotiations for the years 2020 through 2023.

NOW THEREFORE BE IT ORDAINED that there shall be general wage increases for employees covered hereunder as follows:

Effective January 1, 2020 - 2.25%
Effective January 1, 2021 - 2.25%
Effective January 1, 2022 - 2.25%
Effective January 1, 2023 - 2.50%

Increases of \$350.00 shall be paid to employees on their anniversary date of hire until they reach the maximum salary.

Any employee hired after January 1, 1991, shall not be eligible for the longevity program.

Each employee hired prior to January 1, 1991 who completes five (5) years of continuous uninterrupted service shall become eligible for longevity payment computed as follows:

For each five (5) year period of service as outlined above, each employee of the Township shall receive the following in addition to the current annual salary:

After 5 continuous years	\$ 500.00
After 10 continuous years	\$1,000.00
After 15 continuous years	\$1,500.00
After 20 continuous years	\$2,000.00
After 25 continuous years	\$2,500.00

The effective date as to eligibility for longevity shall be the anniversary date of the individual's employment by the Township of Clark and the amount shall be as set forth above.

BE IT FURTHER ORDAINED the new pay scale for all white collar personal will be as set forth in the following wage and hour scale:

Salary Range-White Collar 2020-2023

**Salary Range
Schedule A**

	Annual	
	Minimum	Maximum
Administrative Clerk	\$45,000	\$77,000
Accounting Clerk	\$39,000	\$49,000
Sr. Accounting Clerk	\$45,800	\$59,000
Principal Accounting Clerk	\$50,000	\$77,000
Clerk 1	\$39,000	\$49,000
Clerk 2	\$45,800	\$59,000
Clerk 3	\$50,000	\$77,000
Keyboarding Clerk 1	\$39,000	\$49,000
Keyboarding Clerk 2	\$45,800	\$59,000
Keyboarding Clerk 3	\$50,000	\$77,000
Records Support Technician 1	\$39,000	\$49,000
Records Support Technician 2	\$45,800	\$59,000
Records Support Technician 3	\$50,000	\$77,000
Technical Assistant	\$45,800	\$59,000
Sr. Technical Assistant	\$50,000	\$77,000
Building Maintenance Worker	\$39,000	\$59,000
Sr. Building Maintenance Worker	\$59,000	\$100,000

Part Time Hourly Rates:

	Hourly	
	Minimum	Maximum
Building Maintenance	\$15.00	\$25.00
Clerk Typist	\$15.00	\$25.00
Inspectors	\$15.00	\$40.00
Bus Driver	\$15.00	\$25.00
General Part Time Help	\$15.00	\$25.00

Hourly

Matron on duty	\$40.00	Flat Rate
Matron call-in	\$40.00	2 hr. minimum

Note: Salary range does not include longevity.

TOWNSHIP OF CLARK
Ordinance No. 20-03
Adopted _____

INTRO
31

Introduced: January 6, 2020 Public Hearing: January 21, 2020

AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF POLICE PERSONNEL FOR THE YEARS 2020 THROUGH 2023

BE IT ORDAINED said ordinance reflects the changes in salaries paid to certain police personnel in accordance with Union Contracts adopted for the years 2020 through 2023; and

BE IT FURTHER ORDAINED all police personnel hired prior to January 1, 2006 are at Step 8 on the following wage scale.

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Detectives *	\$2,000	\$2,000	\$2,000	\$2,000

* To be paid to all Police Officers regardless of rank while assigned Detective Duties, in addition to their Annual Salary.

The wage scale for all Police Officers shall be as follows:

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Academy	\$40,000	\$40,000	\$40,000	\$40,000
First year	\$56,233	\$57,357	\$58,504	\$59,674
Step 1	\$60,019	\$61,219	\$62,444	\$63,692
Step 2	\$63,810	\$65,086	\$66,388	\$67,716
Step 3	\$67,597	\$68,949	\$70,328	\$71,735
Step 4	\$71,386	\$72,813	\$74,270	\$75,755
Step 5	\$75,175	\$76,679	\$78,212	\$79,776
Step 6	\$78,963	\$80,543	\$82,153	\$83,796
Step 7	\$82,753	\$84,408	\$86,096	\$87,818
Step 8	\$93,636	\$95,509	\$97,419	\$99,367
Step 9	\$112,877	\$115,417	\$118,013	\$120,964

TOWNSHIP OF CLARK

Ordinance No. 20-04

Adopted _____

INTRO
32

Introduced: January 6, 2020 Public Hearing: January 21, 2020

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 2020 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 \$177,850.89 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 2020 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 \$622,478.12 and that the CY 2020 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: February 12, 2020

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

Council President

SALVATORE BONACCORSO
Mayor

Ord20/1-6 20-04ExceedBudget-CapBank

TOWNSHIP OF CLARK
Ordinance No. 20-05
Adopted _____

INTRO
33

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF
CHAPTER 333 OF THE CODE OF THE TOWNSHIP OF CLARK
ENTITLED "TOWING"**

BE IT ORDAINED by the Governing Body of the Township of Clark that the following Sections of Chapter 333 of the Code of the Township of Clark entitled "Towing" are hereby amended and supplemented, as follows:

SECTION 1: Definitions:

Car shall mean a passenger motor vehicle including station wagons, hearses, funeral flower and service vehicles, vehicles for which issuance of passenger car plates are authorized, taxi cabs, motorcycles, panel vans, pick-up trucks and similar vehicles having a gross weight not exceeding 6,999 pounds.

Heavy duty wrecker shall mean any wrecker used exclusively for the removal of trucks, trailers, tractors, busses, and/or other oversized vehicles (Ord. No. 92-04, §8; Ord. No. 99-05, §7).

Yard charge shall mean any motor vehicle towed and/or stored under the authority of this Ordinance may be assessed an additional \$50.00 if the vehicle remains in storage more than two (2) business days.

SECTION 2: Section 333-8 entitled "Schedule of Services and Fees" is amended so as to set forth the following:

a. Authority – N.J.S.A. 40:48-2.49
Operators Engaged in Removal of Motor Vehicles:
Regulations by Municipalities

1. Towing (vehicles other than commercial vehicles):

Days: 8:00 a.m. to 5:00 p.m. Monday through Friday
(except New Jersey State holidays)

	First mile or less:	\$120.00
	Each additional mile:	\$ 6.00
	Nights, weekends and holidays:	
	First mile or less	\$130.00
	Each additional mile	\$ 6.00
	Flatbed truck, all hours	
	First mile or less	\$130.00
	Each additional mile	\$ 6.00
	Fee for towing of Police Department Vehicles shall not exceed	\$ 50.00
	Motorcycle, street bike, quad (plus \$5.00/mile or fraction thereof)	\$175.00
	Towing charge (commercial vehicles) Class I vehicle, up to 6,999 lbs. (plus \$6.00/mile or fraction thereof)	\$130.00
	Class II vehicle, from 7,000 lbs up to 14,999 lbs. (plus \$8.00/mile or fraction thereof)	\$200.00
	Class III vehicle, 15,000 lbs and up Trucks	\$350.00/hr
	Trucks with trailers (no mile charge)	\$450.00/hr
2.	Road Service	<u>All hours</u>
	Out of fuel	\$75.00
	Battery jump	\$75.00
	Flat tire	\$75.00
	Drop drive shaft	\$75.00
	Release air brake	\$75.00
	Tarping of vehicle	\$50.00
	(tarping is covering vehicle from weather)	
	Additional tow vehicle needed	\$ 85.00/hr
3.	Separation Charge	\$ 75.00
4.	Waiting time at scene (per minute)	\$ 2.00

5.	Winching service, up to 50 feet	\$ 75.00
	In excess of 50 feet (per foot)	\$ 2.50
6.	Rollover charges	\$150.00
7.	Application, collection and disposal of absorbent material "Speedy Dry" for fuel, oil and anti-freeze spills	\$ 35.00
	Speedy Dry per bag	\$ 15.00
8.	Collection, clean up and disposal of debris on or off of roadway at scene of call	\$ 35.00

Where the use of special equipment, such as dolly, tilt-bed truck, front wheel lift snatch blocks, or other special hook-up is required, the above towing charges may be increased by \$35.00

Winching and wrecking charges that are not included in any of the fee schedules above shall be based on the hourly rate determined from the current edition of the Chilton's Labor Guide and Parts Manual.

SECTION 3:

1.	Storage	
	Class I and II vehicles	\$ 40.00/day
	Class III vehicles	\$100.00/day

1(a) All vehicles towed by the Twp of Clark must be stored within the city limits at the designated facility, J&E Auto Body. Impound yard must be fenced in and secured. Twp of Clark will have full access to impound yard at all times.

SECTION 4:

Administrative Fee.
Any motor vehicle towed and/or stored under the authority of this Ordinance may be assessed an additional \$50.00 if the vehicle remains in storage more than two (2) business days.

SECTION 5:

Special Circumstances.
In a case where special circumstances arise due to the recovery of a vehicle beyond that which is required to perform a basic tow that requires additional labor, a charge of \$75.00 per half hour will be permitted.

SECTION 6:

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

SECTION 7: Effective Date: This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 12, 2020

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

SALVATORE BONACCORSO
Mayor

Ord20/1-6 20-05Ch333Towing

TOWNSHIP OF CLARK

Ordinance No. 20-06

Adopted _____

INTRO
34

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO SUPPLEMENT CHAPTER 347
ENTITLED "VEHICLES AND TRAFFIC"
OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 347 is hereby supplemented as follows:

SECTION 1: Chapter 347-25 is supplemented so as to include the following street:

Name of Street	Side	Location
Valley Road	North	420 ft. east from the easterly curbline at the intersection of Union County Parkway

SECTION 2: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: **Effective date:** This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 12, 2020

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

SALVATORE BONACCORSO
Mayor

TOWNSHIP OF CLARK

Ordinance No. 20-07

Adopted _____

INTRO
35

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3-29
OF THE CODE OF THE TOWNSHIP OF CLARK
ENTITLED "DEPARTMENT OF POLICE"**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 3, Section 29 of the Code of the Township of Clark is hereby amended follows:

SECTION 1: § 3-29.2. Department Composition.

The last sentence of sub-section 3-29.2 is amended to read as follows: "In addition, the Police Department may employ School Traffic Guards and Traffic Control Officers, clerical personnel and other employees to assist its officers in preserving the peace and good order in the Township."

SECTION 2: Inconsistent Ordinances: Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: Effective date: This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 12, 2020

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

SALVATORE BONACCORSO
Mayor

INTRO
36

TOWNSHIP OF CLARK
Ordinance No. 20-08
Adopted _____

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF
CHAPTER 302 OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 302, Article II, of the Code of the Township of Clark entitled "Solid Waste" is hereby amended and supplemented, as follows:

SECTION 1: Definitions:

The following definitions are hereby adopted:

1. "Container" shall mean 96-gallon containers to be purchased by the Township and suitable for the placement of Recyclable Materials by the citizens of Clark and the provision of Collection Services by the Authority at Designated Locations throughout the Township.
2. "Corrugated Cardboard" shall mean boxes and packaging generally made from wood pulp and consisting of two smooth sides with a corrugated inner layer.
3. "Glass Containers" shall mean all glass containers used for packaging food or beverages. The same may be transparent or translucent and/or tinted brown or green.
4. "Mixed Paper" shall mean glossy inserts, magazines, junk mail, colored paper, computer paper, office paper, and fine paper.
5. "Newspapers" shall be deemed to include papers of the type commonly referred to as newsprint, with colored inserts such as comics or advertisements. Newspapers do not include magazines, periodicals, books, and such other paper and cardboard.
6. "Paper" shall mean all paper grades, including but not limited to, newspapers, magazines, office paper, computer ledger, mixed paper, and cardboard.
7. "Plastic Containers" shall mean:
 - a. Polyethylene Terephthalate – PETE or PET (SPI Code #1)
 - b. High-density Polyethylene – HDPE (SPI Code #2)
 - c. Polyvinyl Chloride – PVC or V (SPI Code #3)
 - d. Low-density Polyethylene – LDPE (SPI Code #4)
 - e. Polypropylene – PP (SPI Code #5)
 - f. Polystyrene – PS (SPI Code #6)
 - g. Other Plastics – Other or O (SPI Code #7)

8. "Recyclable Materials" shall mean those materials used and discarded by residents of Clark, which would otherwise become Solid Waste, that may be collected, separated or processed, and returned to the economic mainstream for recovery and for the purpose of reclamation of all or a significant portion of the materials or products.

9. "Recycling" means any process by which materials that would otherwise be disposed of as Solid Waste are separated, collected, processed, and returned to the economic mainstream or converted into economically valuable materials or products.

10. "Waste Paper Products" shall mean all uncontaminated paper material such as used newspaper, magazines, books, paper, food cartons, cardboard boxes, wrapping paper, bags and discarded letters and envelopes.

11. "Unacceptable Waste" shall mean Solid Waste, Hazardous Waste, Industrial Waste, Construction and Demolition Waste, and Regulated Medical Waste, as such terms are defined in regulation promulgated by the New Jersey Department of Environmental Protection in Title 7 of the New Jersey Administrative Code.

SECTION 2: Section 302-11 entitled "Residential Collection and Disposal":

This section is hereby deleted in its entirety and replaced as follows:

There is hereby established a program for the following recyclable materials from residential solid waste by the occupants of the premises within the Township and the separate disposal of same:

1. Corrugated Cardboard
2. Glass Containers
3. Mixed Paper
4. Newspapers
5. Paper
6. Plastic Containers and Waste Paper Products

For the purpose of collection, the Township has divided into two zones. The authority shall perform collection services for each zone twice per month on the designated day in contract. Each household shall be responsible for ensuring that recyclable materials are placed security in the container. Larger amounts of cardboard should be flattened and tied into bundles no more than twenty-five (25) pounds.

There shall be a fee of sixty (\$60.00) dollars charged for the rental of one (1) additional Township issued ninety-six (96) gallon cart. The cart shall at all times remain on the property of the Township and shall stay with the property in the event the owner/lessee of that property moves and/or sells their home. In the event the owner of the property sells their home, it is the responsibility of the seller to ensure that the cart remains with that property.

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

SECTION 4: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 12, 2020

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

Council President

SALVATORE BONACCORSO
Mayor

Ord20/1-620-08Ch302Recycling

TOWNSHIP OF CLARK

Ordinance No. 20-09

Adopted _____

INTRO
37

Introduced: January 6, 2020 Public Hearing: January 21, 2020

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CLARK
CHAPTER 3 THEREOF, ENTITLED "ADMINISTRATION OF GOVERNMENT"
TO ADD ARTICLE X ENTITLED "SWIM POOL UTILITY"**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 3 is hereby amended and supplemented to add Article X as follows:

SECTION 1: Article X. Swim Pool Utility

§3-44 Creation.

The public swimming pool is hereby created and established as a municipal public utility for all of the purposes of the Local Bond Law of New Jersey and of Chapter 166 of the Pamphlet Laws of 1957 of said state, and it is hereby found and determined to be a utility, enterprise or purpose authorized to be undertaken by the Township, from which it may receive fees, rents or other charges, and all fees, rents or other charges received by the Township for or in connection with the use or services of such municipal public utility shall be held, used and applied in accordance with the provision of said Local Bond Law and any other laws applicable.

§3-45 Municipal Public Utility.

The public swimming pool constitutes a municipal public utility which is deemed to be self-liquidating during the period of construction and until it shall have been in operation for at least one fiscal year. The Division of Local Government in the Department of Community Affairs of the State of New Jersey, has heretofore determined by order on the basis of a project report that said municipal public utility will have an income sufficient to make it a self-liquidating purpose as referred to in said N.J.S.A. 40A:2-46.

SECTION 2: **Inconsistent Ordinances:** Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: **Effective date:** This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: February 12, 2020

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk

APPROVED:

Council President

SALVATORE BONACCORSO
Mayor

Ord20/1-6 20-09 Ch 3ArtXPoolUtility-Creation