

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

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
January 21, 2020
7:30 pm**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

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

Regular Order of Business Suspended

Volunteer of the Year Award presented by Director of Recreation Ralph Bernardo

Regular Order of Business Resumes

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

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

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

1. **20-01 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**
2. **20-02 AN ORDINANCE TO FIX THE SALARIES OF THE WHITE COLLAR EMPLOYEES FOR THE PERIOD 2020 THROUGH 2023**
3. **20-03 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF POLICE PERSONNEL FOR THE YEARS 2020 THROUGH 2023**

4. **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)**
5. **20-05 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 333 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "TOWING"**
6. **20-06 AN ORDINANCE TO SUPPLEMENT CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF CLARK**
7. **20-07 AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3-29 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DEPARTMENT OF POLICE"**
8. **20-08 AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 302 OF THE CODE OF THE TOWNSHIP OF CLARK**
9. **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"**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through January 14, 2020 in the amount of \$222,180.46

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.

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

CONSENT AGENDA RESOLUTIONS:

10. Authorizing the Tax Collector to make the proper adjustments for 100% property tax exemption of Block 175 Lot 16 in accordance with a directive of the U.S. Department of Veterans Affairs
11. Authorizing the Tax Collector to refund overpayment of 2019 taxes in the amount of \$11,520.26
12. Authorizing the Chief Financial Officer to refund overpayment of 2019 sewer fees in the amount of \$140.00
13. Authorizing the Tax Collector to accept and process electronic tax payments and sewer utility payments through utilization of Automatic Clearing House Credits

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

PH 1

TOWNSHIP OF CLARK

Ordinance No. 20-01

Adopted _____

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 |

PH 2

TOWNSHIP OF CLARK
Ordinance No. 20-02
Adopted _____

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 _____

PH 3

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 |

PH 4

TOWNSHIP OF CLARK
Ordinance No. 20-04
Adopted _____

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

TOWNSHIP OF CLARK
Ordinance No. 20-05
Adopted _____

PH 5

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

PATRICK J. O'CONNOR
 Council President

SALVATORE BONACCORSO
 Mayor

Ord20/1-6 20-05Ch333Towing

| | Motion to Introduce | Second | Motion to Adopt | Second | Aye | Nay | Abstain | Absent |
|----------------|---------------------|--------|-----------------|--------|-----|-----|---------|--------|
| Albanese | | | | | | | | |
| Barr | | ✓ | | | | | | |
| Hund | | | | | | | | |
| Mazzarella | ✓ | | | | | | | |
| Smith | | | | | | | | |
| Toal | | | | | | | | |
| O'Connor | | | | | | | | |
| Entire Council | | | | | | | | |
| TOTAL | | | | | | | | |

PH 8

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

PATRICK J. O'CONNOR
 Council President

SALVATORE BONACCORSO
 Mayor

Ord20/1-620-08Ch302Recycling

| | Motion to | Second | Motion to | Second | | | | |
|----------------|-----------|--------|-----------|--------|-----|-----|---------|--------|
| | Introduce | | Adopt | | Aye | Nay | Abstain | Absent |
| Albanese | | | | | | | | |
| Barr | ✓ | | | | | | | |
| Hund | | | | | | | | |
| Mazzarella | | | | | | | | |
| Smith | | | | | | | | |
| Toal | | ✓ | | | | | | |
| O'Connor | | | | | | | | |
| Entire Council | | | | | | | | |
| TOTAL | | | | | | | | |

TOWNSHIP OF CLARK
Ordinance No. 20-09
Adopted _____

PH 9

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

TOWNSHIP OF CLARK
Resolution 20-29
January 21, 2020

CA 10

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

WHEREAS, Michael Anthony Mascaro owns the property listed in the tax duplicate as 41 Autumn Avenue, Clark, NJ, Block 175 Lot 16, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, Michael Anthony Mascaro, has been billed \$2,822.19 for the 1st Quarter of 2020 and \$2,822.18 for the 2nd quarter of 2020, total amount of \$5,644.37, will be cancelled; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as Michael Anthony Mascaro is an owner of the property.

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

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Res20/1-21DisabledVeteranTaxExemption-Mascaro

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

TOWNSHIP OF CLARK
Resolution 20-30
January 21, 2020

CA 11

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2019 taxes; the Mayor has recommended to Council that such authorization be granted.

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

| CLARK TOWNSHIP | | | | | | |
|-------------------|-------|-------|---------------------------|-----|----------------|--------------|
| TAX REFUNDS- 2020 | | | | | | |
| BLOCK | LOT | QUAL. | NAME | # | ADDRESS | REFUND |
| 180 | 1 | | Birnbaum, Douglas | 106 | Ross Street | \$ 2,041.00 |
| 181 | 10 | | Citera, Peter | 57 | Colonial Drive | \$ 2,024.88 |
| 146 | 17 | | Bridgeview Abstract | 30 | Florence Drive | \$ 2,318.30 |
| 43 | 17 | | Ballard, Brett & Blake | 13 | Wendell Place | \$ 1,281.24 |
| 52 | 20.02 | | Colicchio, Philip & Lalia | 10 | Elisa Lane | \$ 3,854.84 |
| | | | | | | |
| | | | | | | \$ 11,520.26 |

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Res20/1-21TaxRefunds

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

CA 12

TOWNSHIP OF CLARK
 Resolution 20-31
 January 21, 2020

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2019 sewer fees; the Mayor has recommended to Council that such authorization be granted.

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

| CLARK TOWNSHIP | | Sewer Refund 2020 | | | | | |
|----------------|---|-------------------|---------------|---|---------------|-------------------|-----------|
| REF | | Acct # | Name | # | Address | Reason | Refund |
| 20 | 1 | 1210-0 | Ronald Meslow | 4 | Sevell Circle | duplicate payment | \$ 140.00 |

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 PATRICK J. O'CONNOR
 Council President

Res20/1-21SewerRefund(s)

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

TOWNSHIP OF CLARK
 Resolution 20-32
 January 21, 2020

CA 13

WHEREAS, N.J.S.A. 40A:5-43 and N.J.S.A. 2B:10-5 permits municipalities to establish systems to accept electronic payments for the collection of certain municipal taxes and fees when authorized by resolution of a Governing Body; and

WHEREAS, Resolution 19-34, adopted January 22, 2019, authorized the establishment of such a system through utilization of Automatic Clearing House Credits (“ACH”) for the payment of municipal taxes.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector’s Office is hereby authorized to provide processing of electronic receipts of property tax payments and sewer utility payments beginning with the first quarter of 2020 tax payments.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 PATRICK J. O’CONNOR
 Council President

Res20/1-21ACH ElectronicPaymentsTax-Sewer

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------------|--------|--------|-----|-----|---------|--------|
| Albanese | | | | | | |
| Barr | | | | | | |
| Hund | | | | | | |
| Mazzarella | | | | | | |
| Smith | | | | | | |
| Toal | | | | | | |
| O’Connor | | | | | | |
| Entire Council | | | | | | |
| TOTAL | | | | | | |