

**AGENDA  
COUNCIL REORGANIZATION MEETING  
315 WESTFIELD AVE., CLARK, NJ 07066  
JANUARY 1, 2021 - 12:00 PM**

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**INVOCATION** Fr. Andrew DeSilva, Saint Agnes Roman Catholic Church

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, the Official Website of the Township and the proper filing of said Notice. Formal action may be taken at this meeting.

**SWEARING IN OF THE MAYOR AND COUNCIL MEMBERS AT-LARGE**

- |                       |   |                      |
|-----------------------|---|----------------------|
| Mayor                 | - | Salvatore Bonaccorso |
| Councilwoman-at-Large | - | Angel Albanese       |
| Councilman-at-Large   | - | James Minniti        |
| Councilman-at-Large   | - | William Smith        |

Presentation of the "Certificate of Election" to the Mayor and Council-at-Large  
Presentation by Republican Chairman John DeSimone

**Reorganization meeting of the Township Council 2021 will commence**

**ROLL CALL:**

- |                             |                           |
|-----------------------------|---------------------------|
| Councilwoman Albanese _____ | Councilman Minniti _____  |
| Councilman Hund _____       | Councilman O'Connor _____ |
| Councilman Mazzarella _____ | Councilman Smith _____    |
|                             | Councilman Toal _____     |

**First Order of Business - Election of Council President**

**Election of Council Vice-President**

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**Mayor's Appointments** (Confirmation of Council Required)

Terms run concurrent with the Mayor unless otherwise stated

- 1 Business Administrator - John Laezza
- 2 Director of Revenue & Finance - Terance O'Neill
- 3 Tax Collector – Loretta Caliguire
- 4 Director of Law/Township Attorney – Mark Dugan
- 5 Municipal Judge – Antonio Inacio 3-year term 01/01/21 – 12/31/23
- 6 Acting Director of Public Works – John Laezza
- 7 Director of Public Safety - John DeSimone
- 8 Director of Recreation - Ralph Bernardo

- 9 Director of Teen Center & Teen Activities – Victor DeMarzo
- 10 Municipal Historian - Brian Toal

11 Library Board of Trustees:

Cynthia Seng - Regular Member	5-year term	01/01/21 – 12/31/25
Angel Albanese - Mayor's Alternate	1-year term	01/01/21 – 12/31/21
Carla Celso - Superintendent's Alternate	1-year term	01/01/21 – 12/31/21

12 Union County Community Development Revenue Sharing Committee 1-year term

Social Services Subcommittee:	Councilman Frank Mazzarella	Representative
	Councilman Brian Toal	Alternate
Public Improvements Subcommittee:	Councilwoman Angel Albanese	Representative
	Councilman Jimmy Minniti	Alternate

**Mayor's Appointments** (Without confirmation of Council)

Affirmative Action Officer

Donna Mazzucco 2-year term 01/01/21 – 12/31/22

Union County Cultural & Heritage Affairs

Councilman Brian Toal 4-year term 01/01/21 – 12/31/24

Union County Transportation Advisory Board

Councilman Steve Hund 1-year term 01/01/21 – 12/31/21

Union County Utilities Authority Solid Waste Advisory Board

Councilman Brian Toal 1-year term 01/01/21 – 12/31/21

Councilman Frank Mazzarella, Alternate 1-year term 01/01/21 – 12/31/21

Planning Board

Mayor Sal Bonaccorso	Class I member	1-year term	01/01/21 – 12/31/21
John Laezza	Class II member	1-year term	01/01/21 – 12/31/21
Erik Jacobsen	Class IV member	4-year term	01/01/21 – 12/31/24

Environmental Commission

Dante Tignini	Regular Member	3-year term	01/01/21 – 12/31/23
Ellen Tiller Mulligan	Regular Member	3-year term	01/01/21 – 12/31/23
Joseph Seebode	Regular Member	3-year term	01/01/21 – 12/31/23

Emergency Management Coordinator: Michael Nenortas 3-year term 01/01/21 – 12/31/23

Local Emergency Planning Committee:

Adam Nenortas	Deputy EM Coordinator (3-year term)
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
Richard O'Connor	Township Engineer
Mark Dugan	Township Attorney

Dr. Kamran Tasharofi	Township Doctor
Jeff Regan	Communications Officer
Ralph Bernardo	Director Senior Citizens
Ed Grande	Superintendent, Clark Public Schools
Michael Pollock	Dir. of Security, Clark Public Schools
Dr. B. Orange (Veterinarian)	Lexington Animal Hospital
Megan Kociolek	Library Director

**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)**

- 13 Appointment of Adam Nenortas as Deputy Emergency Management Coordinator for a 3-year term
- 14 Insurance Fund Commissioners (JIF) 1-year term  
 John Laezza Fund Commissioner 1-year term 01/01/21 – 12/31/21  
 Councilman Jimmy Minniti Alternate 1-year term 01/01/21 – 12/31/21
- 15 Planning Board  
 Councilman Frank Mazzarella Class III Member 1-year term 01/01/21 – 12/31/21  
 Lance Steinberg Alternate I Member Filling an unexpired term ending 12/31/21
- 16 Board of Adjustment  
 John Caliguire Regular Member 4-year term 01/01/21 – 12/31/24  
 Steven Kaminsky Regular Member 4-year term 01/01/21 – 12/31/24  
 John Tierney Regular Member 4-year term 01/01/21 – 12/31/24  
 Christopher Tierney Alternate I Member 2-year term 01/01/21 – 12/31/22
- 17 Environmental Commission  
 Fernando Fraga Alternate II Member 2-year term 01/01/21 – 12/31/22
- 18 Municipal Alliance Committee – 1-year term:  
 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  
 Henry Varriano Board of Education 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 Teacher Representative  
 Kim Baglieri PTA Representative  
 Heidi Facchini Local Faith Representative  
 Lisa Cahill Citizen Representative

## CONSENT AGENDA RESOLUTIONS:

- 19 Entering into a Cash Management Plan
- 20 Adopting the Temporary Municipal Budget
- 21 Adopting the Temporary Sewer Utility Budget
- 22 Adopting the Temporary Swim Pool Utility Budget
- 23 Authorizing Petty Cash Funds for Business Administrator, Police Chief and Pool Director
- 24 Establishing the rate of interest to be charged on delinquent taxes
- 25 Authorizing the Tax Collector to Cancel Delinquent Payments and Overpayments of \$10.00 or less
- 26 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
- 27 Designating the Union County Local Source, 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
- 28 Authorizing the Administration/Township Clerk to advertise for upcoming Bids for all necessary government operations including capital projects and swim pool requirements for the year
- 29 Authorizing the Township to purchase materials, supplies and equipment under State Contract
- 30 Authorizing the Township to purchase materials, supplies and equipment through various local and national Cooperative Pricing Systems
- 31 Authorizing the Administration to submit grant applications for upcoming grant opportunities
- 32 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
- 33 Governing Body certification of compliance with the United States Equal Employment Opportunity Commission in accordance with Federal Civil Rights Law
- 34 Designating Business Administrator John Laezza as the Public Agency Compliance Officer (P.A.C.O.)
- 35 Appointing John Laezza as Acting Clerk and Donna Mazzucco as Alternate Acting Clerk in the absence of the Township Clerk
- 36 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
- 37 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
- 38 Authorizing the Mayor to execute a Developer's Agreement with Brookside Manor LLC for the property located at 1019 to 1037 Raritan Road and 468 Westfield Avenue

**INTRODUCTION OF PROPOSED ORDINANCES:**

The Public Hearing on each of the Proposed Ordinances will be held on January 19, 2021

- 39     **21-01 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES**
  
- 40     **21-02 AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF COMMUNICATIONS OPERATORS FOR THE YEARS 2021 THROUGH 2024**
  
- 41.    **21-03 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 145, FEES, SECTION 145-3 ENTITLED POLICE DEPARTMENT OF THE CODE OF THE TOWNSHIP OF CLARK**

**APPOINTMENTS BY THE DIRECTOR OF LAW**

Jon-Henry Barr, Esq. – Chief Municipal Prosecutor  
Robert J. Pansulla, Esq. – Alternate Prosecutor  
Jared B. Weiss, Esq. – Public Defender

**COUNCIL PRESIDENT ANNOUNCES THE COUNCIL COMMITTEES FOR 2021**

**FINANCE COMMITTEE**

Pat O’Connor, Chairman  
Angel Albanese  
Jimmy Minniti

**LEGISLATIVE COMMITTEE**

Brian Toal, Chairman  
Pat O’Connor  
Bill Smith

**PUBLIC SAFETY**

Jimmy Minniti, Chairman  
Frank Mazzarella  
Steve Hund

**PARKS AND RECREATION**

Bill Smith, Chairman  
Pat O’Connor  
Angel Albanese

**PUBLIC WORKS**

Frank Mazzarella, Chairman  
Bill Smith  
Steve Hund

**COUNCIL LIAISONS**

**Board of Education**

Angel Albanese

**Emergency Squad**

Pat O’Connor

**Recreation**

Bill Smith

**Fire Department**

Jimmy Minniti

**Police Department**

Steve Hund

**Public Works**

Frank Mazzarella

**Emergency Management**

Pat O’Connor

**Public Library**

Angel Albanese

**Senior Citizens**

Frank Mazzarella

**Environmental Commission**

Brian Toal

**PUBLIC COMMENTS**

Each person addressing the Council shall first give his 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**

**ADJOURNMENT**

TOWNSHIP OF CLARK  
Resolution 21-01  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed John Laezza for the position of Business Administrator; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of John Laezza as Business Administrator whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-02  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed Terance O'Neill for the position of Director of Revenue & Finance; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Terance O'Neill as Director of Revenue & Finance whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK

Resolution 21-03

January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed Loretta Caliguire for the position of Tax Collector; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Loretta Caliguire as Tax Collector whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-04  
January 1, 2021

**WHEREAS**, the Mayor of the Township of Clark has appointed Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 North Avenue, East, Centennial Plaza, Cranford, New Jersey, 07016 as Township Attorney and Director of the Department of Law; and

**WHEREAS**, in order for such appointment to take effect, the advice and consent of the Township Council of the Township of Clark is necessary; and

**WHEREAS**, the Township Council of the Township of Clark wishes to consent to the appointment of Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Clark hereby consents to the appointment of Mark P. Dugan, Esq. of Triarsi, Betancourt, Wukovits & Dugan, LLC as Township Attorney and Director of the Department of Law.

TOWNSHIP OF CLARK

Resolution 21-05

January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has appointed Antonio Inacio for the position of Municipal Judge in accordance with N.J.S.A. 2B:12-4 and Chapter 3 Section 39 of the Code of the Township of Clark; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the appointment of Antonio Inacio as Municipal Judge whose term, commencing this 1<sup>st</sup> day of January 2021 runs for a 3-year term ending December 31, 2023.

TOWNSHIP OF CLARK  
Resolution 21-06  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed John Laezza for the position of Acting Director of Public Works; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of John Laezza as Acting Director of Public Works whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-07  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed John DeSimone for the position of Director of Public Safety; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of John DeSimone as Director of Public Safety whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-08  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed Ralph Bernardo for the position of Director of Recreation; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Ralph Bernardo as Director of Recreation whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-09  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed Victor DeMarzo for the position of Director of Teen Center & Teen Activities; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Victor DeMarzo as Director of Teen Center & Teen Activities whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-10  
January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has re-appointed Brian Toal for the position of Municipal Historian; and

**WHEREAS** this appointment requires the advice and consent of the Council.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby confirms the re-appointment of Brian Toal as Municipal Historian whose term, commencing this 1<sup>st</sup> day of January 2021 runs concurrent with the Mayor.

TOWNSHIP OF CLARK  
Resolution 21-11  
January 1, 2021

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

Cynthia Seng	Regular Member	01/01/21 – 12/31/25
Angel Albanese	Mayor's Alternate	01/01/21 – 12/31/21
Carla Celso	Superintendent's Alternate	01/01/21 – 12/31/21

**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.

TOWNSHIP OF CLARK

Resolution 21-12

January 1, 2021

**WHEREAS** Mayor Sal Bonaccorso has appointed the following individuals to the Union County Community Development Revenue Sharing Committee effective January 1, 2021.

**Regular Representative (Social Services)**

**Term**

Councilman Frank Mazzarella  
1 Fairview Road  
Clark, New Jersey 07066

01/01/21 – 12/31/21

**Alternate Representative**

Councilman Brian Toal  
116 Dorset Drive  
Clark, New Jersey 07066

01/01/21 – 12/31/21

**Regular Representative (Public Improvements)**

**Term**

Councilwoman Angel Albanese  
33 Victoria Drive  
Clark, New Jersey 07066

01/01/21 – 12/31/21

**Alternate Representative**

Councilman James Minniti  
94 Jupitor Street  
Clark, New Jersey 07066

01/01/21 – 12/31/21

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby confirms the above stated appointments.

TOWNSHIP OF CLARK  
Resolution 21-13  
January 1, 2021

**WHEREAS** Michael Nenortas was appointed as the Emergency Management Coordinator for the Township of Clark by Resolution 20-155 on December 21, 2020 effective January 1, 2021; and

**WHEREAS** the New Jersey Office of Emergency Management requires the Emergency Management Coordinator to appoint a Deputy Emergency Management Coordinator; and

**WHEREAS** Adam Nenortas is currently a Battalion Chief with the Clark Volunteer Fire Department, is up to date on all required training and meets the criteria set forth by the New Jersey Office of Emergency Management to hold the position of Deputy Emergency Management Coordinator; and

**WHEREAS** the Governing Body of the Township of Clark concurs with the decision of the Emergency Management Coordinator to appoint Adam Nenortas as Deputy Emergency Management Coordinator.

**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 Adam Nenortas as Deputy Coordinator of Emergency Management effective January 1, 2021 for a three-year term ending December 31, 2023.

TOWNSHIP OF CLARK  
Resolution 21-14  
January 1, 2021

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

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following appointments are hereby effective January 1, 2021 and concluding December 31, 2021.

**FUND COMMISSIONER**

**John Laezza**

**ALTERNATE**

**Councilman James Minniti**

TOWNSHIP OF CLARK  
Resolution 21-15  
January 1, 2021

**BE IT RESOLVED** by the Governing Body of the Township of Clark that the following individuals are hereby appointed to the Planning Board effective January 1, 2021.

**ALTERNATE I MEMBER**

Lance Steinberg

**TERM**

Filling the unexpired term of  
Michael Bonaccorso ending 12/31/21

**CLASS III MEMBER**

Councilman Frank Mazzarella

(Council's Representative to Board)

01/01/21– 12/31/21

TOWNSHIP OF CLARK  
Resolution 21-16  
January 1, 2021

**BE IT RESOLVED** by the Governing Body of the Township of Clark that the following individuals are hereby re-appointed as Members of the Board of Adjustment.

**Regular Member**

**Term**

John Caliguire	01/01/21 – 12/31/24
Steven Kaminsky	01/01/21 – 12/31/24
John Tierney	01/01/21 – 12/31/24

**Alternate I**

Christopher Tierney	01/01/21 – 12/31/22
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TOWNSHIP OF CLARK  
Resolution 21-17  
January 1, 2021

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

**Alternate II**

Fernando Fraga

**Term**

01/01/21 – 12/31/22

TOWNSHIP OF CLARK  
Resolution 21-18  
January 1, 2021

**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 2021 in accordance with N.J.S.A. 26:2BB-9.

<u>NAME</u>	<u>TITLE/SECTOR</u>
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
Henry Varriano	Board of Education 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	Teacher Representative
Kim Baglieri	PTA Representative
Heidi Facchini	Local Faith Representative
Lisa Cahill	Citizen Representative

TOWNSHIP OF CLARK  
Resolution 21-19  
January 1, 2021

**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 1, 2021 that the Chief Financial Officer be and hereby is authorized to utilize as depositories any banking institution which can provide a Government Unit Deposit Protection Act (GUDPA) Certificate issued by the State of New Jersey, Department of Banking.

**THEREFORE, BE IT RESOLVED** the designated officials authorized to make deposits and investments under the plan, are the Township Administrator, and the Township Chief Financial Officer.

**THEREFORE, BE IT FURTHER RESOLVED** the Township Council authorizes and directs the Chief Financial Officer and other officials to follow the Cash Management Plan as may be modified from time-to-time effective January 1, 2021 to December 31, 2021.

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF CLARK**  
**IN THE COUNTY OF UNION, NEW JERSEY 2021**

**1. STATEMENT OF PURPOSE.**

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest or dividend bearing accounts or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the Maximum within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. CASH MANAGEMENT POLICY.**

- A. Objectives: The priority of investing policies shall be, in order of Descending Importance, security, liquidity, and yield.
1. Security: The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.
  2. Credit Risk: Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
    - (a) Limiting investments to the safest types of securities.
    - (b) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
    - (c) Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

3. Interest Rate Risk: Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates.  
Interest rate risk may be mitigated by:
  - (a) Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
  - (b) By investing operating funds primarily in shorter-term securities.
4. Liquidity: The investment portfolio must remain sufficiently liquid to meet all structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
5. Yield: The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions.
  - (a) A declining credit security could be sold early to minimize the loss of principal.
  - (b) A security swap would improve the quality, yield, or target duration in the portfolio.
  - (c) Liquidity needs of the local unit require that the security be sold.

B. Standard of Care

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with the State Law and this policy. The Chief Financial Officer, acting in accordance with written procedures and this cash management plan and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviation from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the cash management plan and policy.

Investments shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

2. Ethics and Conflicts of Interest

The designated officials involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of individuals involved in administering the cash management plan shall be governed by the Local Government Ethics Law. They shall disclose any personal financial/ investments positions that could be related to the performance of the investment portfolio. The designated officials shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.

3. Delegation of Authority

Authority to manage the cash management plan is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A:5-14. Responsibility for the operations of the cash management plan is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

**III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN**

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township (and any other that may be needed during the plan period).

Current Fund	Dog License Fund
Capital Fund	Housing Development Fund
Insurance Trust Fund	Unemployment Insurance Trust Fund
Pool Utility Fund	Other Trust Fund
Sewer Utility Fund	

And the following interest accounts:

Payroll Agency Account

**IV. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN**

The Township Administrator and the Chief Financial Officer are hereby jointly or severally authorized and directed to deposit and/or invest the funds referred to in the

Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

**V. DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan. The Chief Financial Officer may designate other institutions, during the period of this plan, as deemed necessary for successful accomplishment of the plan objectives:

TD Bank	Columbia Bank
Community Bank	Investors
Wells Fargo	Provident Savings Bank
Bank of America	Santander Bank

Also, for purposes of investing, all institutions presenting a GUDPA certificate may be used. All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

**VI. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Officials of the Township referred

to in this Plan may deal for purposes of buying and selling securities identified in the Plan as Permitted Investments or otherwise providing for Deposits. The Designated Officials of the Township referred to Section IV above may designate additional brokerage firms and/or dealers. All such brokerage firms and/or dealers shall acknowledge in writing receipts of this Plan by sending a copy of such acknowledgment to the Designated Officials referred to in Section IV above.

Columbia Savings Bank

**VII. AUTHORIZED INVESTMENTS**

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
  - (2) Government money market mutual funds;
  - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
  - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
  - (5) Bonds or other obligations, having a maturity date not more than 397 days

from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.

- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (c.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and of this subsection a;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c236 (C.17:9-4 1); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposed of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940”, 15U.S.C. sec.80a-1 et seq., and operated in accordance with 17 C.F.R. sec270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
  - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment

Advisor Act of 1940”, 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government management in excess of \$500 million.

### Local Government Investment Pool

An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act”, P.L. 1968, c410 (c.51:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56 and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities

**VIII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is not unauthorized use of the funds or the Permitted Investments or Deposits.

**IX. TERM OF PLAN**

This Plan shall be in effect from January 1, 2021 to December 31, 2021. 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 21-20

January 1, 2021

**WHEREAS** the 2020 Municipal Budget totaled \$23,941,913.28; and

**WHEREAS** the Temporary Municipal Budget for 2021 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 2021 is \$5,644,449.00.

**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 2021 in the total amount of \$5,644,449.00 exclusive of Capital Appropriations and Debt Service.

TOWNSHIP OF CLARK  
Resolution 21-21  
January 1, 2021

**WHEREAS** the 2020 Municipal Sewer Budget totaled \$3,268,441.00; and

**WHEREAS** the Temporary Municipal Sewer Budget for 2021 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 2021 is \$738,681.00 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 2021 in the total amount of \$700,000.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$452,416.00 for 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>\$ 2,416.00</u>
	\$452,416.00
	<u>\$1,152,416.00</u>

TOWNSHIP OF CLARK  
Resolution 21-22  
January 1, 2021

**WHEREAS** the 2020 Municipal Pool Budget totaled \$378,500.00; and

**WHEREAS** the Temporary Municipal Pool Budget for 2021 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 2021 is \$88,200.00 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 2021 in the total amount of \$88,200.00 exclusive of Capital Appropriations and Debt Service, and the amount of \$70,000.00 for Capital Appropriations.

Salaries and Wages	\$34,200.00
Miscellaneous Other Expenses	<u>\$54,000.00</u>
	\$88,200.00
Capital Outlay	<u>\$70,000.00</u>
	<u>\$158,200.00</u>

TOWNSHIP OF CLARK  
Resolution 21-23  
January 1, 2021

**WHEREAS** the Petty Cash balances of the Business Administrator, Police Chief and Pool Director were turned over as of 10:00 a.m., Thursday, December 31, 2020 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 2021 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

TOWNSHIP OF CLARK

Resolution 21-24

January 1, 2021

**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 31<sup>st</sup>, an additional penalty of 6% shall be charged against the delinquency subject to any abatement or discount for the late payment of taxes and/or municipal fees as provided by law.

2. Authorize Tax Collector to sell prior years' delinquent taxes and/or municipal fees.

3. Effective January 1, 2021, 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.

TOWNSHIP OF CLARK  
Resolution 21-25  
January 1, 2021

**AUTHORIZING THE TAX COLLECTOR TO CANCEL  
DELINQUENT PAYMENTS AND OVERPAYMENTS**

**WHEREAS** N.J.S.A. 40A:5-17.1 authorizes the designation of an official to cancel, without further action on the part of the Governing Body, all delinquent tax, tax overpayments, delinquent sewer and sewer overpayments of \$10.00 or less.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Loretta Caliguire, Tax Collector, is hereby designated as the official authorized to cancel delinquent payments and overpayments of \$10.00 or less as per N.J.S.A. 40A:5-17.1; and

**BE IT FURTHER RESOLVED** that a list of these cancellations be included in the Tax Collector's Annual Report.

TOWNSHIP OF CLARK  
Resolution 21-26  
January 1, 2021

**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

TOWNSHIP OF CLARK  
Resolution 21-27  
January 1, 2021

**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 2021 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.

TOWNSHIP OF CLARK  
Resolution 21-28  
January 1, 2021

**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 2021.

TOWNSHIP OF CLARK

Resolution 21-29

January 1, 2021

**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 2021.

**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.

TOWNSHIP OF CLARK  
Resolution 21-30  
January 1, 2021

**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 Hunterdon County Educational Services Commission, Middlesex Regional Educational Services Commission, Educational Services Commission of New Jersey (ESCNJ), 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 1, 2021 through December 31, 2021; 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.

TOWNSHIP OF CLARK  
Resolution 21-31  
January 1, 2021

**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 2021.

TOWNSHIP OF CLARK  
Resolution 21-32  
January 1, 2021

**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.

**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 21-33

January 1, 2021

**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.

TOWNSHIP OF CLARK

Resolution 21-34

January 1, 2021

**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 10<sup>th</sup> of each year; and

**WHEREAS** it is the responsibility of the Public Agency to update the **P.A.C.O.** designation at any time during the year if any changes are made.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby designates, John Laezza, Business Administrator as the Public Agency Compliance Officer, effective January 1, 2021 for a period of one year ending December 31, 2021; 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.

TOWNSHIP OF CLARK

Resolution 21-35

January 1, 2021

**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, 2021; 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

**BE IT FURTHER 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, 2021.

TOWNSHIP OF CLARK

Resolution 21-36

January 1, 2021

**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 2021 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	\$160.00
Project Manager		-0-	As needed	\$150.00
Licensed Professional Engineer/Surveyor or Planner		-0-	As needed	\$145.00
Licensed Professional Engineer/Surveyor or Planner - Retired		-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	Joseph Sordillo DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC	-0-	As needed	\$150.00
Board of Adjustment Attorney	Kelly Carey Ansell, Grimm & Aaron Counselors at Law	-0-	As needed	\$175.00

<u>Title Category</u>	<u>Name</u>	<u>Salary</u>	<u>Work Hours</u>	<u>Hourly Rate</u>
Traffic and Transportation Design	McDonough & Rea Associates	-0-	As needed	As follows:
Senior Principal (Partner)		-0-	As needed	\$190.00
Principal (Partner)		-0-	As needed	\$180.00
Senior Associate (Partner)		-0-	As needed	\$170.00
Project Engineer		-0-	As needed	\$130.00
Traffic Analyst		-0-	As needed	\$100.00
Administrative Assistant		-0-	As needed	\$ 65.00
Draftsman		-0-	As needed	\$ 45.00
Traffic Enumerator		-0-	As needed	\$ 45.00

A multiplier of 1.5 will be applied to the McDonough & Rea Associates hourly rates listed above for legal proceedings such as depositions and court appearances.

### **Reproduction and Miscellaneous Charges**

Charges such as out of pocket reproductions, long distance communications, air travel, car rentals, lodging, expedited mail service, application fees and permit fees will be invoiced at cost.

Delivery by McDonough & Rea Associates personnel will be invoiced at \$45.00/hour in addition to a mileage rate of \$0.575 per mile.

### **In-Office Printing and Reproductions**

Black and White Copies	\$0.10/each
Color copies	\$0.20/each
Report Cover and Binding	\$1.00/each

TOWNSHIP OF CLARK  
Resolution 21-37  
January 1, 2021

**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.

TOWNSHIP OF CLARK

Resolution 21-38

January 1, 2021

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that it hereby authorizes the Mayor and Township Clerk to execute a Developer's Agreement with Brookside Manor, LLC., having its principal office located at 138 Westfield Avenue, Clark, New Jersey 07066 for the tract of land identified as Block 63, Lots 46, 47, 49 and 51, situated at 1019 to 1037 Raritan Road and 468 Westfield Avenue, Clark, New Jersey 07066.

**TOWNSHIP OF CLARK**  
**Ordinance No. 21-01**  
**Adopted \_\_\_\_\_**

Introduced: January 1, 2021 Public Hearing: January 19, 2021

**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 2021 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, 2021 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
Assistant to Health Officer	\$ 50,000.00	\$ 100,000.00
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	\$ 20,000.00
Deputy Emergency Management	\$ 1,000.00	\$ 10,000.00
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 <sup>st</sup> Fire Captain	\$ 1,900.00	\$ 4,500.00
2 <sup>nd</sup> Fire Captain	\$ 1,900.00	\$ 4,500.00
3 <sup>rd</sup> Fire Captain	\$ 1,000.00	\$ 4,500.00
4 <sup>th</sup> 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
<b>HOURLY</b>		
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
<b>POLICE – Base Pay</b>		
**Chief (plus longevity and education)	\$ 115,000.00	\$ 200,000.00
**Captains (plus longevity and education)	\$ 100,000.00	\$ 180,000.00

MUNICIPAL POOL	MINIMUM	MAXIMUM
Pool Director	\$ 8,450.00	\$ 20,000.00
Pool Facilities Manager	\$ 5,000.00	\$ 20,000.00
Assistant Manager(s)	\$ 4,100.00	\$ 10,000.00
Water Safety Instructor(s)	\$ 3,300.00	\$ 10,000.00
Lifeguard(s) – Seasonal	\$ 2,700.00	\$ 10,000.00
Maintenance Worker(s) – Seasonal	\$ 2,000.00	\$ 10,000.00
Gate Control Person(s) – Seasonal	\$ 2,000.00	\$ 5,000.00
Activities Director – Seasonal	\$ 1,050.00	\$ 5,000.00

\*Annual Professional Services Contract

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

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

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

Effective Date: February 10, 2021

**TOWNSHIP OF CLARK**

**Ordinance No. 21-02**

**Adopted \_\_\_\_\_**

Introduced: January 1, 2021 Public Hearing: January 19, 2021

**AN ORDINANCE ENTITLED AN ORDINANCE TO FIX THE SALARIES OF COMMUNICATIONS OPERATORS FOR THE YEARS 2021 THROUGH 2024**

**BE IT ORDAINED** said ordinance reflects the changes in salaries paid to certain communications operators in accordance with Union Contracts adopted for the years 2021 through 2024;

**BE IT FURTHER ORDAINED** the new pay scale for all communications operators will be on the following wage scale:

<b>Step/Year</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Start</b>	<b>38,774</b>	<b>39,646</b>	<b>40,538</b>	<b>41,551</b>
<b>Step 2</b>	<b>41,738</b>	<b>42,677</b>	<b>43,637</b>	<b>44,728</b>
<b>Step 3</b>	<b>44,043</b>	<b>45,034</b>	<b>46,047</b>	<b>47,198</b>
<b>Step 4</b>	<b>50,376</b>	<b>51,509</b>	<b>52,668</b>	<b>53,985</b>
<b>Step 5</b>	<b>53,254</b>	<b>54,452</b>	<b>55,677</b>	<b>57,069</b>
<b>Step 6</b>	<b>56,708</b>	<b>57,984</b>	<b>59,289</b>	<b>60,771</b>
<b>Step 7</b>	<b>62,541</b>	<b>63,948</b>	<b>65,387</b>	<b>67,022</b>
<b>Step 8</b>	<b>69,376</b>	<b>70,937</b>	<b>72,533</b>	<b>74,346</b>
<b>Sr. Communications Operator</b>	<b>75,552</b>	<b>77,252</b>	<b>78,990</b>	<b>80,965</b>

The salary ranges designated above shall be effective as of the 1<sup>st</sup> of January for the years 2021 through 2024.

The pay plan established for employees covered by this agreement shall be 24 pays per year on the 15<sup>th</sup> and 30<sup>th</sup> of each month.

All Ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

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

Effective Date: February 10, 2021

**TOWNSHIP OF CLARK**  
**Ordinance No. 21-03**  
**Adopted \_\_\_\_\_**

Introduced: January 1, 2021 Public Hearing: January 19, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 145, FEES,  
SECTION 145-3 ENTITLED POLICE DEPARTMENT,  
OF THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that Chapter 145, Section 145-3E of the Code of the Township of Clark entitled “Charges for outside police details undertaken by police” is hereby amended and supplemented, as follows:

**SECTION 1:** Sub-Section 145-3E(1)(a) is hereby amended to increase the initial rate to be charged per hour from \$60.00 to \$80.00 with all other rates and text remaining the same.

**SECTION 2:** Sub-Section 145-3E(1)(b) is hereby amended to increase the initial rate to be charged per hour from \$60.00 to \$80.00 with all other rates and text remaining the same.

**SECTION 3:** Sub-Section 145-3E(1)(c) is hereby amended as follows:

- (c) Use of a police vehicle (local use only) shall be fixed at \$100 for each assignment at the rate of \$25 per hour, with a three hour minimum. All time after three hours will be rounded to the next half hour. These fees shall be placed in a separate account dedicated for police vehicle maintenance and repair.

**SECTION 4:** Sub-Section 145-3E(2)(a) is hereby amended to increase the rate to be charged per hour from \$40.00 to \$60.00 with all other text remaining the same.

**SECTION 5:** Sub-Section 145-3E(2)(d) is hereby added as follows:

- (d) One (1) hour notice considered an emergency requiring a \$90.00 fee with a four (4) hour minimum.

**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 10, 2021