

**AGENDA**  
**SPECIAL COUNCIL MEETING**  
**430 WESTFIELD AVE., CLARK, NJ 07066**  
**September 2, 2014**  
**Municipal Building, Room 30**  
**7:30 PM**

**ROLL CALL:**

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

**PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE**

This meeting is in compliance with the Open Public Meetings Act as adequate notice of this meeting has been provided by sending written advanced notice of at least 48 hours to the Union County Local Source, NJTODAY.NET and Star Ledger, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

**RESOLUTIONS:**

1. Rejecting the bid for the Collection and Disposal of Leaves and authorizing the Business Administrator to re-bid the project
2. Authorizing a reduction in the Performance Guarantee posted for work completed at the Clark Commons site

**PUBLIC COMMENTS:**

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

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

**ADJOURNMENT:**

TOWNSHIP OF CLARK

Resolution \_\_\_\_\_

September 2, 2014

Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** the Governing Body of the Township of Clark advertised and received one (1) bid for the Collection and Disposal of Leaves on August 20, 2014 at 10:00 a.m.; and

**WHEREAS** the Business Administrator recommends that the bid be rejected in the best interest of the Township and seeks authorization to re-bid the project; and

**WHEREAS** Resolution 14-22 authorizes the Administration/Township Clerk to advertise for Bids for all necessary government operations.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby rejects the bid for the Collection and Disposal of Leaves and grants authorization to re-bid said project.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
BRIAN P. TOAL  
Council President

Res14/9-2RejectRebidLeaves

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Soyka	_____	_____	_____	_____
Toal	_____	_____	_____	_____

TOWNSHIP OF CLARK  
Resolution \_\_\_\_\_  
September 2, 2014

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Motion \_\_\_\_\_ Second \_\_\_\_\_

**WHEREAS** William Krame, of Krame Development Company, Inc. (the Developer) has requested partial release of the Performance Guarantee originally posted for site work in the amount of Seven Million Five Hundred Seventy Five Thousand Dollars (\$7,575,000.00) to guarantee site work at the Clark Commons site on Raritan Road; and

**WHEREAS** through negotiations with the Developer, the Township Engineer and the Business Administrator are agreeable to reducing the Performance Guarantee to Four Million, Six Hundred Twenty Eight Thousand, Seven Hundred Fifty Dollars (\$4,628,750.00) based on inspections of all work completed to date and acknowledge that the work has been completed according to the approved plan; and

**WHEREAS** the reduced performance guarantee has been accepted as follows:  
\$4,250,000.00 in additional cash and \$378,750.00 as previously posted in cash; and

**WHEREAS** there has been no previous reduction of the Performance Guarantee for this project; and

**WHEREAS** the Township has determined this amount to be sufficient to guarantee full performance and installation of all requisite improvements; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the acceptance of the reduced performance guarantee as set forth herein and said performance guarantee to be further reduced only upon reductions authorized by the Township Engineer.

ATTEST:

APPROVED:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

\_\_\_\_\_  
BRIAN P. TOAL  
Council President

Res14/9-2ReducePerfGuaranteeClark Commons

	Aye	Nay	Abstain	Absent
Albanese	_____	_____	_____	_____
Barr	_____	_____	_____	_____
Mazzarella	_____	_____	_____	_____
O'Connor	_____	_____	_____	_____
Smith	_____	_____	_____	_____
Soyka	_____	_____	_____	_____
Toal	_____	_____	_____	_____