

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
May 16, 2022
7:30 pm**

ROLL CALL:

Councilwoman Albanese _____	Councilman O'Connor _____
Councilman Hund _____	Councilman Smith _____
Councilman Mazzarella _____	Councilman Toal _____
	Council President Minniti _____

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 Hawk, 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.

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:

INTRODUCTION OF PROPOSED ORDINANCES:

- 1. 22-06 ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY ADOPTING THE RARITAN ROAD REDEVELOPMENT PLAN FOR THE PROPERTY DESIGNATED AS BLOCK 60, LOTS 60.01, 61, 62 & 63 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK**

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through May 12, 2021 in the amount of \$302,646.12

CITIZEN HEARING ON THE AGENDA:

Each person addressing the Council shall give their 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

RESOLUTIONS:

2. Award of Contract for HVAC Facilities On-Call Maintenance and Construction Services to Edison HVAC, Inc. in accordance with NJSA 19:44A-20.5 through a fair and open process
3. Award of Contract for Recycling Collection and Marketing to Waste Management of NJ, Inc. for a 3-year term; \$440,000.00 for the first year, \$475,000.00 for the second year, and \$513,000.00 for the third year
4. Award of Contract for Recycling Disposal to Waste Management of NJ, Inc. for a one-year term
5. Authorizing the purchase of equipment under State Contract for the Office of Emergency Management to support all Clark Emergency Service and Critical Infrastructure in the amount of \$7,456.80
6. Authorizing the Emergency Management Coordinator to award a contract to Leckner Consulting LLC for preparation of the Clark Emergency Operations Plan in compliance with FEMA and the NJOEM
7. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$65,000.00 for the Infrastructure and Municipal Aid Grant
8. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$3,646.00 for the 2022 Governor's Council on Alcoholism and Drug Abuse Youth Leadership Grant
9. Appointing Nicholas Pingor, Daniel Pingor, Nicholas Minch and Michael Basso as Members of the Clark Volunteer Fire Department

CONSENT AGENDA RESOLUTIONS:

10. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$600.00
11. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$4,410.60

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

Each person addressing the Council shall give their 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:

INTRO 1

TOWNSHIP OF CLARK
Ordinance No. 22-06
Adopted _____

Introduced: May 16, 2022 Public Hearing: June 6, 2022

ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY ADOPTING THE RARITAN ROAD REDEVELOPMENT PLAN FOR THE PROPERTY DESIGNATED AS BLOCK 60, LOTS 60.01, 61, 62 & 63 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the LRHL the Municipal Council ("Township Council") of the Township of Clark (the "Township") directed the Township Planning Board on December 20, 2021 to conduct a preliminary investigation to determine whether the property designated as Block 60, Lots 60.01, 61, 62 & 63 on the official tax map of the Township (the "Proposed Redevelopment Area") (i) meet the criteria set forth in N.J.S.A. 40A:12A-5, or (ii) pursuant to N.J.S.A. 40A:12A-3 are necessary, with or without change in their condition, for the effective redevelopment of the proposed redevelopment area; and

WHEREAS, the Township of Clark Planning Board (the "Planning Board") at a public Planning Board hearing on March 15, 2022 reviewed the Redevelopment Study and Preliminary Investigation Report, dated March 4, 2022 (the "Preliminary Investigation") and testimony of the Township's planning consultant pursuant to and in accordance with the procedural requirements of N.J.S.A. 40A:12A-6, to determine whether the Proposed Redevelopment Area property satisfies the criteria set forth in N.J.S.A. 40A:12A-5 (or, if and as applicable, N.J.S.A. 40A:12A-3) to be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Board gave due notice of the proposed boundaries of the Proposed Redevelopment Area and the date of the hearing in accordance with the LRHL to any persons who are interested in or would be affected by a determination that the Proposed Redevelopment Area delineated in the notice is a redevelopment area; and

WHEREAS, at the hearing, the Planning Board heard from all persons who were interested in or would be affected by a determination that the Proposed Redevelopment Area is a non-condemnation redevelopment area. There were no objections to a determination that the Proposed Redevelopment Area is an area in need of redevelopment and evidence in support of those objections were received and considered by the Planning Board and made part of the public record; and

WHEREAS, the Planning Board found that the property designated as Block 60, Lots 60.01, 61, 62 & 63 were investigated and meets the statutory criteria for an area in need of redevelopment as outlined in the Preliminary Investigation; and

WHEREAS, after conducting its investigation, preparing a map of the Proposed Redevelopment Area, and completing a public hearing at which no objections to the designation were received and considered, the Planning Board moved to recommend to the Township Council that it should designate the property designated as Block 60, Lots 60.01, 61, 62 & 63 as a non-condemnation area in need of redevelopment; and

WHEREAS, on March 15, 2022, the Planning Board adopted a Resolution memorializing its decision to recommend that the Township Council designate the Proposed Redevelopment Area a non-condemnation area in need of redevelopment, which resolution was duly forwarded to Council; and

WHEREAS, on March 21, 2022 the Township Council, having reviewed the Preliminary Investigation and in consideration of the information presented to Township Council, together with the Planning Board’s recommending Resolution, declared the Proposed Redevelopment Area as an area in need of redevelopment; and

WHEREAS, in order to stimulate redevelopment within on the Proposed Redevelopment Area the Township Council desires to adopt the redevelopment plan entitled “Raritan Road Redevelopment Plan,” prepared by Shamrock Enterprises, Ltd. (“Redevelopment Plan”); and

WHEREAS, the Township Council finds that the Redevelopment Plan will diversify the use and development on the Proposed Redevelopment Area, which will stimulate greater interest in the redevelopment there; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Clark, County of Union, State of New Jersey, being the governing body thereof, that pursuant to N.J.S.A. 40A:12A-7(e) the Township Council hereby accepts and approves the Redevelopment Plan; and

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, to the extent that any portion of the Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Township’s development regulations, the Redevelopment Plan shall supersede or amend or modify, as applicable, such development regulations and the zoning district map included in the Township’s zoning ordinance shall be deemed amended accordingly; and

TOWNSHIP OF CLARK
 Resolution 22-84
 May 16, 2022

2

WHEREAS there exists a need for annual HVAC facilities on-call maintenance and construction services in order to call upon the successful Contractor as needed for the Municipal Building, Library, Police Station – Municipal Court, Fire Department (both locations), DPW Facility, Township Pool, and First Aid Building as well as ancillary structures such as storage sheds, garages and sanitary sewer pumping stations that require ventilation and heating equipment; and

WHEREAS in accordance with NJSA 19:44A-20.5 qualifications/proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS one proposal was received from Edison HVAC, Inc., 191 Vineyard Road, Edison, New Jersey 08817 and was publicly opened at 10:00 am on April 27, 2022; and

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Qualifications/Proposals (RFQ/RFP) and recommend award of contract to Edison HVAC, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for HVAC facilities on-call maintenance and construction services to Edison HVAC, Inc.; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to issue work orders as needed to the approved contractor.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 JAMES MINNITI
 Council President

Res22/5-16AwardHVACFacilitiesOn-CallMaintenance

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

TOWNSHIP OF CLARK
Resolution 22-85
May 16, 2022

3

WHEREAS the Governing Body of the Township of Clark authorized the Business Administrator to solicit bids for Recycling Collection and Marketing of recycling materials within the Township; and

WHEREAS one (1) bid was received on March 30, 2022 at 10:00 a.m. in accordance with specifications prepared by the Business Administrator; and

WHEREAS Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, New Jersey 08628 submitted the lowest responsible bid in the amount of \$440,000.00 for the first year, \$475,000.00 for the second year, and \$513,000.00 for the third year, subject to the final adoption of subsequent year budgets; and

WHEREAS the Chief Financial Officer has ascertained funds will be available in Recycling Account #2-01-26-307-223.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract for Recycling Collection and Marketing to Waste Management of New Jersey, Inc. for a period of three years subject to review of the bid by the Township Attorney who will draw up the contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16 Award Recycling Collection-Waste Management 3yr

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

TOWNSHIP OF CLARK
Resolution 22-86
May 16, 2022

4

WHEREAS there exists a need for Recycling Disposal Services for the Township of Clark; and

WHEREAS in accordance with N.J.S.A.19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS two (2) proposals were received for Recycling Disposal Services and publicly opened at 10:00 am on March 30, 2022; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommend award of contract to Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, New Jersey 08628 for a one-year term.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Recycling Disposal Services to Waste Management of New Jersey, Inc. in accordance with N.J.S.A.19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to sign a contract with said organization.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16AwardRecyclingDisposal-WasteManagement

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

TOWNSHIP OF CLARK

Resolution 22-87

May 16, 2022

5

WHEREAS 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 as authorized by Township Resolution 22-25; and

WHEREAS the Clark Office of Emergency Management (OEM) wishes to purchase and install equipment Radios; upgrade compatibility to support all Clark emergency services from an authorized vendor as follows:

NJ State Contracts: #83900
PMC Associates Wireless Communications
8 Crown Plaza, Unit 106
Hazlet, NJ 07730

Equipment List:

- 1. Mobile radio into Ford Explorer: \$1,680.80
- 2. UHF portable radios to support PD, FD, BOE and County: \$3,300.80
- 3. VHF portable radios to support all critical departments; DPW and SPEN: \$2,475.20

WHEREAS the Business Administrator recommends the utilization of these contracts on the grounds that they meet all industry standards; and

WHEREAS the Chief Financial Officer has certified the availability of funds for these purchases from Emergency Management Account #2-01-25-252-232 in the total amount of \$7,456.80

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Township of Clark that it hereby authorizes the purchase and installation of equipment as described above.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16OEMEquipment-StateContract

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

TOWNSHIP OF CLARK
Resolution 22-88
May 16, 2022

6

WHEREAS it is necessary to update the Clark Emergency Operations Plan in compliance with FEMA’s Comprehensive Preparedness Guide (CPG) 101: Developing and Maintaining Emergency Operations Plans, September 2021 and NJOEM Emergency Response Bureau Emergency Operation Plan Checklists; and

WHEREAS the Emergency Management Coordinator solicited quotes from qualified consulting firms as follows:

<u>Vendor</u>	<u>Response</u>
1. ESF Consulting	Based outside the USA and have no local representation
2. Constant Associates Washington, D.C.	No response
3. Telgian, Phoenix, AZ	No response
4. Leckner Consulting LLC, Southampton, PA	Submitted a proposal; \$11,000.00

WHEREAS Leckner Consulting LLC, 952 Woodbourne Drive, Southampton, PA 18966 submitted a proposal at a flat rate of Eleven Thousand Dollars (\$11,000.00) which meets the needs of the Township; and

WHEREAS the Chief Financial Officer has certified the availability of funds for this service from Storm Recovery Account #T-16-56-900-113 in the total amount of \$11,000.00; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes the Emergency Management Coordinator to award a contract to Leckner Consulting LLC for preparation of the Clark Emergency Operations Plan as hereinabove described.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16OEM Emergency Operations Plan

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

TOWNSHIP OF CLARK
Resolution 22-89
May 16, 2022

7

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$65,000.00 which is now available from the County of Union in the amount of \$65,000.00; and

BE IT FURTHER RESOLVED that the like sum of \$65,000.00 is hereby appropriated under the caption 2022 Infrastructure and Municipal Aid Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the County of Union in the amount of \$65,000.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16Ch159Infrastructure&MunAidGrant

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

TOWNSHIP OF CLARK
Resolution 22-90
May 16, 2022

8

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county and municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Clark, in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$3,646.00 which is now available from the County of Union in the amount of \$3,646.00; and

BE IT FURTHER RESOLVED that the like sum of \$3,646.00 is hereby appropriated under the caption 2022 Governor’s Council on Alcoholism and Drug Abuse DMHAS Youth Leadership Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the County of Union in the amount of \$3,646.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16Ch159MunAllianceYouthLeadershipGrantFY2023

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

TOWNSHIP OF CLARK
 Resolution 22-91
 May 16, 2022

9

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Nicholas J. Pingor, Daniel J. Pingor, Nicholas M. Minch and Michael J. Basso are hereby appointed as Members of the Clark Volunteer Fire Department effective this 16th day of May 2022.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 JAMES MINNITI
 Council President

Res22/5-16AppointFireFightersPingorPingorMinchBasso

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

TOWNSHIP OF CLARK
Resolution 22-92
May 16, 2022

CA 10

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2022 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 Tax Collector is hereby authorized and directed to make the refund(s) as per the following schedule.

Sewer Refund 2022							
REF	Acct #	Name	#	Address	Reason	Refund	
22	9R	2862-0 Sinoradzki, Jeffrey & Grace	910	Madison Avenue	refund overpayment	\$	460.00
22	10R	4164-0 Candon, Bernard & Victoria	12	Blake Drive	refund overpayment	\$	140.00
Total Refunds						\$	600.00

ATTEST:

APPROVED:

Edith L. Merkel
Township Clerk

JAMES MINNITI
Council President

Res22/5-16SewerRefund(s)

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

TOWNSHIP OF CLARK
Resolution 22-93
May 16, 2022

CA 11

WHEREAS the Tax Collector has certified that sewer utility account(s) require balance adjustments; and

WHEREAS the Business Administrator has reviewed and approved the sewer fee adjustment(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Tax Collector be authorized to apply the sewer account balance adjustments according to the attached schedule.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

JAMES MINNITI
Council President

Res22/5-16SewerAdj

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

