

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
May 19, 2025
7:30 pm**

ROLL CALL:

Council Member Hoff _____	Council Member Minniti _____
Council Member Hund _____	Council Member O'Connor _____
Council Member Mazzarella _____	Council Member Toal _____
	Council President Smith _____

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.

Regular order of business suspended:

1. Police Department Awards Ceremony and Oath of Office for new Police Officer, Amateo Bido
2. Special Law Enforcement Officer, Edward Feins
3. Travel Basketball recognition: 4th Grade Boys, 5th and 8th Grade Boys and Girls

Brief recess. Regular order of business resumes.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

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

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

1. **25-13 AN ORDINANCE TO AMEND SECTION 33 OF CHAPTER 347 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "VEHICLES AND TRAFFIC"**
2. **25-14 AN ORDINANCE TO AMEND CHAPTER 240 ENTITLED "PARKS AND RECREATION AREAS" ARTICLE II ENTITLED "USE OF FACILITIES" SECTION 6 ENTITLED "FEES" OF THE CODE OF THE TOWNSHIP OF CLARK**

3. 25-15 AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 358 ENTITLED "MOTION PICTURES" OF THE CODE OF THE TOWNSHIP OF CLARK
4. 25-17 AN ORDINANCE REGULATING THE USE OF THE TENNIS COURTS AND PICKLEBALL COURTS ON PUBLIC PROPERTY
5. 25-18 AN ORDINANCE TO SUPPLEMENT ORDINANCE 25-09 ENTITLED AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 347 ENTITLED VEHICLES AND TRAFFIC, ADDING ARTICLE XI ENTITLED "MOTORIZED BICYCLES AND SCOOTERS" AND SECTION 347-65 THEREOF ENTITLED "MOTORIZED BICYCLES AND SCOOTERS" OF THE CODE OF THE TOWNSHIP OF CLARK

INTRODUCTION OF PROPOSED ORDINANCES:

6. 25-19 AN ORDINANCE OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A TAX EXEMPTION PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW FOR 27-29 WESTFIELD AVENUE URBAN RENEWAL LLC FOR THE CONSTRUCTION OF A RESIDENTIAL PROJECT LOCATED AT BLOCK 91, LOTS 8.01, 10.01 AND 36 ON WESTFIELD AVENUE AND WASHINGTON STREET

Public Hearing June 2, Town Hall, room 30

PAYMENT OF CLAIMS:

Councilman O'Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through May 12, 2025 in the amount of \$443,831.04

CITIZEN HEARING ON THE AGENDA:

The public comment portion of the meeting is to allow the public to bring to the Council's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Code of the Township of Clark, each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in duration. At the conclusion of the statements or questions from a member of the public, the Council President, at his discretion, may choose to respond or not respond.

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

RESOLUTIONS:

7. Budget Compliance Resolution allowing the Budget to be read by title
8. Authorizing the Township of Clark to assume the responsibility of conducting the Annual Budget examination pursuant to N.J.S.A. 40A:4-78b
9. **Public Hearing on the Municipal Budget for Calendar Year 2025**
10. Designating Block 105, Lots 1.01, 2.01 and 26.01 located on Westfield Ave., Broadway and Joseph Street as an Area in Need of Condemnation Redevelopment

11. Authorizing the Mayor or Business Administrator and Township Clerk to execute a Redevelopment Agreement with 27-29 Westfield Avenue Urban Renewal LLC for the tract of land situated at Block 91, Lots 8.01, 10.01 and 36 on Westfield Avenue and Washington Street
12. Authorizing renewal of a contract with GovPilot for cloud-based government management software and maintenance in the amount of \$92,106.38
13. Authorizing the use of Competitive Contracting for Information Technology Services and Exploring Cooperative Service Delivery
14. Award of contract to Schaefer Fireworks through a Non-Fair and Open process for the July 4th Display in the amount of \$18,725.00

CONSENT AGENDA RESOLUTIONS:

The following items are considered routine and non-controversial items by the Township Council and will be enacted upon by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda to be discussed and voted on, following the approval of the remaining items listed on the Consent Agenda.

15. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$13,150.00
16. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$4,040.00
17. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$4,783.39
18. Authorizing the Business Administrator's execution and delivery of a Memorandum of Agreement between the Township of Clark and the County of Union, for the removal of the berm on the property which abuts the Robinson's Branch Reservoir
19. Amending Resolution 25-94 to approve the use of the additional funding source authorized by Bond Ordinance 25-12 for the 2024 – 2025 NJDOT Road Project for Valley Road Sections 1 & 2
20. Authorizing the Police Officer in Charge to issue additional Clothing Bin Permits
21. Opposing the Department of Environmental Protection's NJPACT rules due to their significant adverse impacts

NEW BUSINESS ON THE CALENDAR:

PUBLIC COMMENTS:

The public comment portion of the meeting is to allow the public to bring to the Council's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Code of the Township of Clark, each person addressing the Council shall give their name and the town in which they reside, to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 5 minutes in duration. At the conclusion of the statements or questions from a member of the public, the Council President, at his discretion, may choose to respond or not respond.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK
Ordinance No. 25 - 13
Adopted _____

PH 1

Introduced: April 21, 2025 Public Hearing: May 19, 2025

**AN ORDINANCE TO AMEND SECTION 33 OF CHAPTER 347
OF THE CODE OF THE TOWNSHIP OF CLARK
ENTITLED "VEHICLES AND TRAFFIC"**

WHEREAS the Township of Clark Police Department recommends the installation of a "STOP" sign on King Street at its intersection with Bartell Place; and

WHEREAS the Governing Body of the Township of Clark desires, pursuant to N.J.S.A. 39:4-140, to follow the recommendations of the Township of Clark Police Department to promote the health, safety, and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark that the following Section of Chapter 347 of the Code of the Township of Clark entitled "Vehicles and Traffic" is hereby amended in the following particulars:

SECTION 1: Article V entitled "Traffic Regulations" Section 347-33 entitled "Stop Intersections" is amended and supplemented so as to include the following:

<u>Intersection</u>	<u>"STOP" Sign on:</u>
Bartell Place and King Street	King Street

SECTION 2: All other provisions of Section 347-33 remain in effect.

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

SECTION 4: **Severability:** If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 5: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

PH 2

TOWNSHIP OF CLARK
Ordinance No. 25 - 14
Adopted _____

Introduced: April 21, 2025 Public Hearing: May 19, 2025

**AN ORDINANCE TO AMEND CHAPTER 240 ENTITLED
“PARKS AND RECREATION AREAS” ARTICLE II ENTITLED “USE OF FACILITIES”
SECTION 6 ENTITLED “FEES” OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 240 Parks and Recreation Areas, Section 6 Fees, is hereby amended as follows:

SECTION 1: §240-6B The following fees shall apply to the uses specified:

- (1) Gym: \$700 per day (4 or more hours)
- (2) Cafeteria: \$400 per day (4 or more hours)
- (3) Tennis courts: \$200 per day (4 or more hours)
- (4) Fields: \$300 per day (3 or more hours)
- (5) Room 2: \$100 per day
- (6) Pool: \$750 (4 or more hours)

SECTION 2: **Inconsistent Ordinance**

Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: **Effective Date**

This Ordinance shall take effect upon adoption and upon publication according to law.

Effective Date: June 11, 2025

PH 3

TOWNSHIP OF CLARK
Ordinance No. 25 - 15
Adopted _____

Introduced: April 21, 2025 Public Hearing: May 19, 2025

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 358 ENTITLED
“MOTION PICTURES” OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark, County of Union, New Jersey that Chapter 358 entitled Motion Pictures, is hereby amended to comply with the “film ready” requirements of the New Jersey Economic Development Authority as follows with all other text remaining unchanged:

SECTION 1: §358-1 entitled Major Motion Picture is hereby amended as follows:
A. (10) delete \$5,000,000 and replace with \$20,000,000

SECTION 2: §358-3 entitled Issuance of permits is hereby amended as follows:
A. delete 15 days and replace with 4 days

SECTION 3: §358-4 entitled Interference with public activity; notice of filming is hereby amended as follows:
B. delete 14 days and replace with 3 days

SECTION 4: §358-10 entitled Fees is hereby amended as follows:
A. delete 15 days and replace with 4 days
B. delete \$1,000 and replace with \$150
C. delete \$4,000 and replace with \$500
D. delete \$500 and replace with \$150
E. delete \$2,000 and replace with \$500

SECTION 5: **Inconsistent Ordinance**

Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6: **Effective Date**

This Ordinance shall take effect upon adoption and upon publication according to law.

TOWNSHIP OF CLARK

Ordinance No. 25 - 17

Adopted _____

PH 4

Introduced: May 5, 2025 Public Hearing: May 19, 2025

AN ORDINANCE REGULATING THE USE OF THE TENNIS COURTS AND PICKLEBALL COURTS ON PUBLIC PROPERTY

WHEREAS, the Township offers on several of its public properties, tennis courts and pickleball courts available for use by the general public; and

WHEREAS, it has been reported to Township Officials that certain persons have been using such courts in a manner that is, and have been bringing onto such courts materials that are, deleterious to such courts or those using them for their intended purpose; and

WHEREAS, The Township desires, and it is in the best interest and general welfare of the Township and its residents, that a regulation or regulations be promulgated restricting the activities and the materials permitted on such courts.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Clark as follows:

SECTION 1. Tennis and Pickleball Courts. All tennis courts and pickleball courts on the Township's public properties are the subject of this Ordinance, including without limitation, those located as follows:

- Tennis Courts at - 430 Westfield Avenue
- Pickleball Courts – 430 Westfield Avenue
- Pickleball Courts – Lupine Way – Veterans Park

SECTION 2. Restrictions. Only the sports of tennis and pickleball may be played upon the tennis courts and pickleball courts on the Township's public properties, including without limitation, those set forth in Section 1 of this Ordinance. The sports of tennis and pickleball may be played on any and all of such courts. No other sports may be played on such courts. Glass, bicycles, other bikes, such as but not limited to motorized bikes (electric or gas), scooters (motorized (electric or gas) or otherwise), skateboards, rollerblades and skates, including without limitation, roller skates, are prohibited and shall not be brought onto or upon, or used on, such courts. Sneakers or tennis or pickleball shoes shall be worn at all times when upon or using the tennis courts and pickleball courts. Bare feet and sandals are not permitted. The Township shall be entitled to install signs at each such location advising the general public of the restrictions contained herein, but the failure of the Township to install, or the absence of, such signs shall not excuse any person from a violation of this Ordinance.

SECTION 3. Enforcement; Penalty. The enforcement and the penalties for violations of this Ordinance shall be as set forth in Article III, General Penalty, of the Township's Ordinances.

SECTION 4. Inconsistent Ordinances. Any ordinances of the Township of Clark which are inconsistent with the provisions of this Ordinance be and hereby are repealed to the extent of such inconsistency.

SECTION 5. Severability. If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: June 11, 2025

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

WILLIAM F. SMITH
 Council President

ANGEL ALBANESE
 Mayor

Ord25/5-5 25-17Tennis-PickleballCourts

		Motion to Introduce	Second	Motion to Adopt	Second	Aye	Nay	Abstain	Absent
	Hoff	✓							
	Hund								
Adopted	Mazzarella								
Adopted as Amended	Minniti		✓						
Defeated	O'Connor								
Tabled	Toal								
Withdrawn	Smith								
	Entire Council								
	TOTAL								

TOWNSHIP OF CLARK
Ordinance No. 25 - 18
Adopted _____

PH 5

Introduced: May 5, 2025 Public Hearing: May 19, 2025

**AN ORDINANCE TO SUPPLEMENT ORDINANCE 25-09
ENTITLED AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 347
ENTITLED VEHICLES AND TRAFFIC, ADDING ARTICLE XI ENTITLED
“MOTORIZED BICYCLES AND SCOOTERS” AND SECTION 347-65 THEREOF
ENTITLED “MOTORIZED BICYCLES AND SCOOTERS”
OF THE CODE OF THE TOWNSHIP OF CLARK**

BE IT ORDAINED by the Governing Body of the Township of Clark that the following Sub-section of Chapter 347-65 of the Code of the Township of Clark entitled “Motorized Bicycles and Scooters” is hereby supplemented to include a list of private properties where the riding of motorized bicycles and scooter has been prohibited:

SECTION 1. Section E. Riding of Motorized Bicycles and Scooters Prohibited On Certain Properties.

- i. List of private properties where the riding of motorized bicycles and scooters has been prohibited:

Clark Commons Shopping Center	1255 Raritan Road
Starbucks	1085 Central Avenue
Target Shopping Center	45, 46, and 77 Central Avenue

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

SECTION 3: Severability: If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

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

Effective Date: June 11, 2025

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

ANGEL ALBANESE
Mayor

Ord25/5-5 25-18SupplOrd25-09Ch347-47MotorizedBicyclesandScooters

		Motion to	Second	Motion to	Second				
		Introduce		Adopt		Aye	Nay	Abstain	Absent
	Hoff	✓							
	Hund								
Adopted	Mazzarella								
Adopted as Amended	Minniti		✓						
Defeated	O'Connor								
Tabled	Toal								
Withdrawn	Smith								
	Entire Council								
	TOTAL								

TOWNSHIP OF CLARK

Ordinance No. 25 - 19

Adopted _____

INTRO
6

Introduced: May 19, 2025 Public Hearing: June 2, 2025

AN ORDINANCE OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A TAX EXEMPTION PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW FOR 27-29 WESTFIELD AVENUE URBAN RENEWAL LLC FOR THE CONSTRUCTION OF A RESIDENTIAL PROJECT LOCATED AT BLOCK 91, LOTS 8.01, 10.01 AND 36 ON WESTFIELD AVENUE AND WASHINGTON STREET

WHEREAS, by Resolution No. 22-143 adopted on October 17, 2022, the Township Council of the Township of Clark (the “Council”) designated property (the “Property”) located at Block 91, Lots 8.01, 10.01 and 36, as shown on the Tax Map of the Township of Clark as “an area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, pursuant to Ordinance No. 23-10 dated March 20, 2023, the Township Council adopted a redevelopment plan (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, 27-29 Westfield Avenue Urban Renewal LLC is the conditionally designated redeveloper of the Redevelopment Area, and shall enter into a redevelopment agreement (the “Redevelopment Agreement”) with the Township; and

WHEREAS, 27-29 Westfield Avenue Urban Renewal LLC intends to redevelop the Property by (i) a four-story mixed residential and retail/restaurant space along with a covered parking structure totaling approximately 25,726 square feet of gross building area and associated site improvements, which Project Improvements are to be constructed by the Redeveloper and leased to unrelated third-party users pursuant to Occupancy Agreements, the residential component of which shall include, but not be limited to, very low (13%), low (37%) and moderate (50%) income distribution requirements, pricing requirements, integration of affordable units, affirmative marketing requirements, candidate qualification and screening requirements and deed restriction requirements and (ii) other amenities and related site improvements in the Redevelopment Area (collectively, the “Project”); and

WHEREAS, the Council has determined that the Project will qualify for a tax exemption under the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “LTTEL”); and

WHEREAS, in accordance with the LTTEL, 27-29 Westfield Avenue Urban Renewal LLC filed with the previous Mayor of the Township an application for approval of a long-term tax exemption (the “Long Term Tax Exemption”) for the Project, which is incorporated herein by reference (the “Application”) to be executed by and between 27-29 Westfield Avenue Urban Renewal LLC and the Township; and

WHEREAS, the Mayor submitted the Application to the Council with the recommendation for approval; and

WHEREAS, 27-29 Westfield Avenue Urban Renewal LLC also submitted to the Mayor (as part of the Application) a form of financial agreement (the “Financial Agreement”), to be executed by the Township and 27-29 Westfield Avenue Urban Renewal LLC establishing the rights, responsibilities and obligations of 27-29 Westfield Avenue Urban Renewal LLC in accordance with the LTTEL; and

WHEREAS, the Council makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the tax abatement for the Project, and the importance of the tax abatement in realizing the development of the Project:

The Township finds that the Long-Term Tax Exemption granted pursuant to the Financial Agreement will benefit the Township and the community by assuring the success of the redevelopment of the Property, which has exhibited the statutorily recognized redevelopment criteria for years. The benefits of granting the Long-Term Tax Exemption will substantially outweigh the costs, if any, associated with the Long-Term Tax Exemption. The Long-Term Tax Exemption is important to the Township, 27-29 Westfield Avenue Urban Renewal LLC and the proposed tenants because without the incentive of the Long-Term Tax Exemption, it is unlikely that the Project, which will address a portion of the Township’s affordable housing obligation, would be undertaken. The high costs associated with the development and construction of the Project and the real estate taxes that would otherwise be levied upon the Project would operate as a disincentive to the redevelopment of the Property, and would therefore frustrate the goals and objectives of the Redevelopment Plan and would make the Project materially less competitive in the marketplace.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, State of New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement with 27-29 Westfield Avenue Urban Renewal LLC subject to minor modification or revision, as deemed necessary and appropriate after consultation with Counsel.
2. An executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk.
3. Within ten (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Township Council approving the tax exemption or (ii) the execution of the Financial Agreement by 27-29 Westfield Avenue Urban Renewal LLC the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township and the Chief Financial Officer of Union County and to Union County Counsel, in accordance with N.J.S.A. 40A:20-12.
4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents on behalf of the Township as is necessary to effectuate the terms of the Financial Agreement, as deemed advisable by the Township Attorney or Redevelopment Counsel.
5. This Ordinance shall take effect upon adoption and publication according to law.

Effective Date: June 25, 2025

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

ANGEL ALBANESE
Mayor

Ord25/5-19 25-19AuthFinancialAgrmt-27-29WestfieldAvenueUrbanRenewalLLC

		Motion to Introduce	Second	Motion to Adopt	Second	Aye	Nay	Abstain	Absent
	Hoff								
	Hund								
Adopted	Mazzarella								
Adopted as Amended	Minniti								
Defeated	O'Connor								
Tabled	Toal								
Withdrawn	Smith								
	Entire Council								
	TOTAL								

TOWNSHIP OF CLARK
Resolution 25-98
May 19, 2025

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WHEREAS at least one (1) week prior to the date of the hearing a complete copy of the approved budget was delivered to the free public library and made available for public inspection; and

WHEREAS an Affidavit of Receipt of the Budget as attached hereto and made a part hereof has been obtained from the library pursuant to N.J.S.A. 40A:4-8; and

WHEREAS copies of the budget have been made available to each person requesting one at no charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that upon passage of this resolution by a majority of the full membership that the law has been met allowing the budget to be read by title.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 98BudgetCompliance-Library

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						



TOWNSHIP OF

Clark

NEW JERSEY

EDITH L. MERKEL
TOWNSHIP CLERK

430 Westfield Avenue
Clark, New Jersey 07066-1704
Tel: (732) 388-3669
Email: clerk@ourclark.com

MEMORANDUM

TO: Megan Kociolek, Library Director
FROM: Edith L. Merkel, Township Clerk
DATE: April 23, 2025
RE: 2025 Municipal Budget

Attached please find a copy of the 2025 Municipal Budget of the Township of Clark as Introduced and Approved by the Governing Body at a Regular Council meeting held April 21, 2025, 315 Westfield Avenue, Clark, New Jersey at 7:30 p.m.

Additional copies may be requested by email to the office of the Township Clerk, clerk@ourclark.com and will also be available on the Township website at www.ourclark.com

Upon receipt of the Budget please sign and date as indicated below. Return this memo as attestation that the delivery was made.

ATTEST:

RECEIVED:

Edith L. Merkel 4/23/25
Edith L. Merkel
Township Clerk

Megan Kociolek 4/23/25
Megan Kociolek
Library Director

TOWNSHIP OF CLARK
Resolution 25-99
May 19, 2025

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WHEREAS N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Clark has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2025 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that in accordance with N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 99BudgetSelfExam

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 25 - 100
May 19, 2025

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Adoption of the Municipal Budget of the Township of Clark for Calendar Year 2025

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$20,868,495.47 for municipal purposes, and
\$ 1,301,124.00 Minimum Library Levy

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	\$ 3,300,000.00
Miscellaneous Revenues Anticipated	\$ 7,756,152.75
Receipts from Delinquent Taxes	\$ 400,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	\$ <u>20,868,495.47</u>
AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	\$ <u>1,301,124.00</u>
 Total Revenues	 \$ 33,625,772.22

SUMMARY OF APPROPRIATIONS

General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$ 20,248,724.22
Deferred Charges and Statutory Expenditures – Municipal	\$ 3,265,025.00
Excluded from "CAPS"	
Operations – Total Operations Excluded from "CAPS"	\$ 4,803,677.00
Capital Improvements	\$ 275,000.00
Municipal Debt Service	\$ 3,832,786.00
Deferred Charges – Municipal	\$ 100,560.00
Reserve for Uncollected Taxes (Include Other Reserves, if Any)	\$ 1,100,000.00
 Total Appropriations	 \$ 33,625,772.22

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 19th day of May, 2025. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2025 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 100BudgetAdoption

			Motion	Second	Aye	Nay	Abstain	Absent
		Hoff						
		Hund						
Adopted		Mazzarella						
Adopted as Amended		Minniti						
Defeated		O'Connor						
Tabled		Toal						
Withdrawn		Smith						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
Resolution 25-101
May 19, 2025

10

WHEREAS, the Governing Body of the Township of Clark, on July 15, 2024, by Resolution 24-112, authorized the Planning Board to undertake a preliminary investigation of a Study Area including property known as Lots 1.01, 2.01 and 26.01 in Block 105 on the Tax Map of the Township of Clark to determine if said property qualifies as an Area in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1, *et seq.*, and

WHEREAS, the Clark Township Planning Board in its Resolution dated September 5, 2024 directed Paul N. Ricci, P.P., A.I.C.P., Township Planner, to prepare a report in order to determine if the properties within the Study Area qualify as an Area in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, Township Planner Paul N. Ricci, P.P., A.I.C.P., prepared a report titled: "Redevelopment Study and Preliminary Investigation Report, Block 105, Lots 1.01, 2.01 and 26.01" dated March 22, 2025; and

WHEREAS, at its May 1, 2025 meeting the Planning Board held a public hearing on notice as provided for in N.J.S.A. 40A:12A-6, where the Planner presented his Study and the Board accepted testimony from the public and its members as to the criteria set forth in the statute; and

WHEREAS, the Board reviewed the Study, heard testimony and considered all the relevant facts and determined that Block 105, Lots 1.01, 2.01 and 26.01, meet the statutory criteria to be "in need of redevelopment"; and

WHEREAS, the Planning Board finds Planner Paul N. Ricci, P.P., A.I.C.P., to be highly credible and his report to be accurate; and

WHEREAS, the governing body of the Township of Clark desires to adopt on behalf of the Township of Clark all of the findings and determinations of the Clark Township Planning Board as its own, and the Township of Clark declares that Lots 1.01, 2.01 and 26.01 in Block 105 are areas deemed to be in need of redevelopment in accord with the provisions of N.J.S.A. 40A:12A-1, *et seq.*

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Clark on this 19th of May 2025, that (1) the property identified as Lots 1.01, 2.01 and 26.01 in Block 105 on the Tax Map of the Township of Clark, be and hereby are designated Areas in Need of Redevelopment as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-1, *et seq.*, (2) the Township Planner Paul N. Ricci, P.P., A.I.C.P., be and hereby is authorized and directed to prepare the Redevelopment Plan therefor, and (3) the Clerk and all

other appropriate Township officials be and hereby are authorized and directed to undertake all steps necessary to comply with all applicable law, including without limitation, N.J.S.A. 40A:12A-6, such as, but not limited to, transmitting a copy hereof to the New Jersey Commissioner of Community Affairs pursuant to N.J.S.A. 40A:12A-6 (b) (5) (c), and ten days after Council determination providing the appropriate notices to the owner of the subject real property or all record owners of property within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent, in accordance with N.J.S.A. 40A:12A-6 (b) (5) (d).

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 101 Designating Area in Need of Condemnation Redevelopment-B105,L1.01,2.01,26.01 Westfield-Joseph-Broadway

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

State of New Jersey)
 County of Union) ss.

I, Edith L. Merkel, Township Clerk of the Township of Clark, County of Union, State of New Jersey, DO HEREBY certify that the foregoing is a true and correct copy of Resolution 25-101, as approved at a Regular Meeting of the Township Council held on May 19, 2025.

 Edith L. Merkel, Township Clerk
 Date: May 19, 2025

TOWNSHIP OF CLARK PLANNING BOARD

RESOLUTION

**RESOLUTION OF THE TOWNSHIP OF CLARK PLANNING BOARD
RECOMMENDING THE PROPERTIES IDENTIFIED AS BLOCK 105,
LOTS 1.01 (A/K/A 56 WESTFIELD AVENUE), 2.01 (A/K/A 52 WESTFIELD
AVENUE) AND 26.01 (A/K/A BROADWAY NEAR THE INTERSECTION
OF JOSEPH STREET) AS SHOWN ON THE TAX MAP OF THE
TOWNSHIP OF CLARK BE DESIGNATED AS AN AREA IN NEED OF
CONDEMNATION REDEVELOPMENT.**

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

WHEREAS, pursuant to the LRHL, no parcel of land shall be declared an area in need of redevelopment without the municipality having first authorized its Planning Board by Resolution to undertake a preliminary investigation to determine whether the subject parcels meet the statutory criteria for an area in need of redevelopment as defined in the LRHL; and

WHEREAS, on July 15, 2024, the Township Council of the Township of Clark ("Council") adopted Resolution 24-112 authorizing the Township of Clark Planning Board ("Board") to undertake a preliminary investigation of the area consisting of Block 105, Lots 1.01, 2.01 and 26.01 as shown on the Tax Map of the Township of Clark ("Study Area") to determine if the Study Area, or any portion thereof, meet the statutory criteria for an area in need of condemnation redevelopment in the LRHL and should be designated as an area in need of condemnation redevelopment; and

WHEREAS, on September 5, 2024, the Board authorized the Township Planner to prepare a map of and a preliminary investigation of the Study Area to determine whether the Study Area is an area in need of condemnation redevelopment pursuant to the LRHL; and

WHEREAS, Paul N. Ricci, P.P., A.I.C.P., Township Planner, prepared a preliminary investigation titled "Redevelopment Study and Preliminary Investigation Report, Block 105, Lots 1.01, 2.01 and 26.01", dated March 22, 2025, detailing his investigation, findings and recommendations pertaining to whether the Study Area should be designated as an area in need of condemnation redevelopment; and

WHEREAS, in accordance with N.J.S.A. 40A:12A-6, public notice was published in the Union County Hawk, on April 10, 2025 and April 17, 2025, being once each week for two (2) consecutive weeks, the last publication being not less than ten (10) days prior to the date set for the hearing, and a copy of the public notice was mailed at least ten (10) days prior to the date set for the hearing to the owners of the properties within the Study Area regarding the scheduled hearing before the Board to determine whether the designated Study Area should be recommended as an area in need of condemnation redevelopment; and

WHEREAS, a public hearing was scheduled for and held on May 1, 2025; and

WHEREAS, on May 1, 2025, Mr. Ricci was duly sworn, qualified as an expert in land use planning and redevelopment, and provided testimony to the Board regarding his investigation, findings and recommendations regarding whether the Study Area should be recommended to the Council to be an area in need of condemnation redevelopment; and

WHEREAS, the Board did not receive any written comments prior to the hearing and no oral comments or testimony were provided during the hearing in support of or opposition to the recommendation in the Preliminary Investigation Report regarding whether the Study Area should be recommended to the Township Council as an area in need of condemnation redevelopment; and

WHEREAS, the Board having considered the evidence and testimony presented, hereby finds, and concludes as follows:

1. The public hearing before the Board was advertised and noticed in accordance with the LRHL and took place on May 1, 2025.

2. Paul N. Ricci, P.P., A.I.C.P., was duly sworn, qualified as an expert in land use planning and redevelopment and his credentials and expertise as a Licensed Professional Planner in the State of New Jersey were accepted by the Board.

3. The following document was presented and relied upon by the Board:

- “Redevelopment Study and Preliminary Investigation Report Block 105, Lots 1.01, 2.01 and 26.01”, including Maps and pictures of the Study Area, dated March 22, 2025 (“Preliminary Investigation Report”).

4. The Study Area consists of three (3) parcels, which are identified as Block 105, Lots 1.01, 2.01 and 26.01 on the Tax Map of the Township of Clark. The Study Area is approximately 2.23+/- acres located in the DTV (Downtown Village) Zone District.

5. On July 15, 2024, the Township Council adopted a Resolution authorizing the Board to undertake a Preliminary Investigation to determine whether the Study Area should be declared an area in need of condemnation redevelopment pursuant to the LRHL. On September 5, 2025, the Board authorized the Township Planner to prepare a Preliminary Investigation Report, including Maps of the Study Area, to determine whether the Study Area is in need of condemnation redevelopment pursuant to the LRHL.

6. The Study Area is located along Westfield Avenue, Broadway and Joseph Streett in the eastern portion of the Township. The Study Area consists of three (3) properties, one (1) property is shown as Class 1 (Vacant)-Block 105, Lot 26.01, and two (2) are shown as Class 4A (Commercial)-Block 105, Lot 1.01 and 2.01 with associated parking on the MOD-IV property tax assessment records.

7. The Preliminary Investigation Report concluded that the Study Area investigated is in need of redevelopment for various reasons, including that Block 105, Lot 1.01 meets criteria “b” because Lot 1.01 has been vacant since at least February 17, 2023, meets criteria “h” because its redevelopment would promote smart growth and is also needed for effective redevelopment; Block 105, Lot 2.01 meets criteria “a” because it presents a substandard, unsafe, unsanitary, dilapidated, or obsolete building, meets criteria “b” because it has been vacant since at least August 2007, meets criteria “d” because it is dilapidated, has faulty arrangement or design, obsolete layout and deleterious land use and meets criteria “h” because its redevelopment would promote smart growth; Block 105, Lot 26.01 meets criteria “h” because its redevelopment would promote smart growth and is also needed for effective redevelopment. These conditions were described by Mr. Ricci in detail during the hearing, which testimony is incorporated into this Resolution and which the Board finds credible. In making this finding and conclusion, the Board finds particularly persuasive “Appendix D: Property Analysis Sheets” of the Report because of the detailed evidence included in the Appendix regarding the Study Area. Additionally, the existing development pattern for the three (3) parcels do not support smart growth planning principles within and State Planning Area 1 and that the existing conditions do not support the development goals of the Township of Clark Master Plan and the Zone Plan.

8. The Preliminary Investigation Report concluded that the Study Area satisfies the statutory criteria for being declared a condemnation area in need of redevelopment in accordance with the criteria of the Local Redevelopment and Housing Laws, N.J.S.A. 40A:12A-5:

- a. Block 105, Lot 1.01 within the Study Area qualifies under criteria “b” and “h” for designation as an area in need of condemnation redevelopment and because it is necessary for the effective redevelopment of the Study Area .
- b. Block 105, Lot 2.01 within the Study Area qualifies under criteria “a”, “b”, “d” and “h” for designation as an area in need of condemnation redevelopment.
- c. Block 105, Lot 26.01 within the Study Area qualifies as part of a redevelopment area because it is necessary for the effective redevelopment of the Study Area and under criteria “h” for designation as an area in need of condemnation redevelopment.

9. N.J.S.A. 40A:12A-3 provides that a redevelopment area “may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.” As stated above, the properties identified as Block 105, Lots 1.01 and 26.01 are a necessary and integral part of the Study Area and therefore meet the criteria of N.J.S.A. 40A:12A-3 and should be included as an area in need of condemnation redevelopment.

10. The Board finds the Preliminary Investigation Report and testimony of Mr. Ricci to be credible in all particulars. The Board recognized Mr. Ricci’s extensive experience as a Professional Planner. The Board specifically adopts the findings and recommendations in the

Preliminary Investigation Report and testimony of Mr. Ricci that the entire Study Area meets the criteria of the LRHL to be an area in need of condemnation redevelopment.

11. The Board is aware that it previously recommended to the Township Council that Block 105, Lots 2.01 and 26.01 be declared an area in need of condemnation redevelopment. However, the Board based the recommendation in this Resolution upon the substantial evidence present in the Preliminary Investigation Report and at the May 1, 2025 hearing and is not relying on its prior recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township of Clark Planning Board, County of Union, State of New Jersey, as follows:

1. Investigation and planning analysis indicate the Study Area should be recommended to the Council to be an area in need of condemnation redevelopment meeting the criteria of the LRHL.

2. The findings and recommendations set forth in the Preliminary Investigation Report, including Appendix D, and testimony of Paul N. Ricci, P.P., A.I.C.P., are hereby accepted by the Board and incorporated into this Resolution.

3. The Board recommends that the Council of the Township of Clark declare the entire Study Area to be an area in need of condemnation redevelopment pursuant to the provisions of the LRHL as set forth in this Resolution and exercise all powers the Council may have under the LRHL to acquire the properties within the Study Area for redevelopment.

4. The Board Secretary is directed to transmit a copy of the Preliminary Investigation Study and this Resolution to the Council of the Township of Clark for consideration of the Board's recommendation.

5. This Resolution shall take effect immediately.

BE AND THE SAME IS HEREBY APPROVED

I hereby certify that the above is a true copy of the Resolution adopted by the Planning Board of the Township of Clark on May 1, 2025.


Donna Mazzucco, Board Secretary

Resolution to Recommend Block 105, Lots 1.01, 2.01 and 26.01 as an Area of Condemnation Redevelopment

Township of Clark Planning Board DATE: May 1, 2025						
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Albanese			X			
Ulrich			X			
Minniti			X			
Köch	X		X			
Triola		X	X			
Altmann			X			
Steinberg			X			
Brocato			X			
Arancio			X			
Grzyb						X

TOWNSHIP OF CLARK
 Resolution 25-102
 May 19, 2025

//

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 or Business Administrator and Township Clerk to execute a Redevelopment Agreement with 27-29 Westfield Avenue Urban Renewal LLC, having its principal office located at 148 Mc Farlane Road, Colonia, New Jersey 07067, for the tract of land identified as Block 91, Lots 8.01, 10.01 and 36, situated on Westfield Avenue and Washington Street, Clark, New Jersey 07066, subject to minor modification or revision, as deemed necessary and appropriate after consultation with Counsel.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 102AuthRedevAgrmt-27-29WestfieldAvenueUrbanRenewalLLC

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 25-103
May 19, 2025

12

WHEREAS, the Township of Clark has historically operated with limited module subscriptions, resulting in constraints on various operational aspects such as construction, finance, and health services; and

WHEREAS, utilization of the 2024 Gov-Pilot contract, as revised by Resolution 24-57 offered the opportunity for unlimited modules, thereby providing a more comprehensive and cost-effective solution for our organization; and

WHEREAS, the adoption of an unlimited modules subscription has enabled the organization to leverage additional resources effectively, enhancing operational efficiency in critical areas such as construction, finance, and health services; and

WHEREAS, the implementation of unlimited modules facilitated the provision of improved and flexible resident services, ensuring accessibility and support 24 hours a day, 7 days a week, thereby enhancing overall resident satisfaction and service delivery; and

WHEREAS, the utilization of unlimited modules significantly reduced the occurrence of manual errors, streamlined processes, and minimized the need for manual intervention, thereby enhancing the accuracy and reliability of organizational operations; and

WHEREAS, the adoption of unlimited modules led to a reduction in incoming phone calls to various departments, as residents and stakeholders have enhanced self-service capabilities and access to information, thereby alleviating the burden on staff and optimizing resource allocation; and

WHEREAS, the implementation of unlimited modules eliminated the necessity for residents to physically come in during traditional business hours for tasks that can be efficiently handled through digital platforms; and

WHEREAS, the Administration recommends the use of a Cooperative Purchasing Contract for the Gov-Pilot cloud-based government management platform through SHI International Corp., which meets the needs of the Township; and

WHEREAS, SHI International Corp., 300 Davidson Avenue, Somerset, New Jersey 08873 is an authorized vendor under the Bergen County Cooperative Contract Purchasing System:

Gov-Pilot Part #NPN-GOVPI-ANNUA-A
Contract Name: New Jersey Cooperative Purchasing Alliance
Contract # CK04
Subcontract # 24-38
SHI Quotation # 26111233
Coverage Term 4/1/2025 – 3/31/2026
Amount: \$92,106.38

WHEREAS, the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount not to exceed \$92,106.38 funded by Code Enforcement Account 5-01-22-195-201 attached hereto as a "Certification of Availability of Funds."

NOW, THEREFORE BE IT RESOLVED, that the Governing body of the Township of Clark County of Union, State of New Jersey hereby concurs with the continuation of the unlimited modules subscription as per Quote 26111233, priced at \$92,106.38 and authorizes the contract, to capitalize on the benefits outlined above and enhance overall operational efficiency, service delivery, and resident satisfaction; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be provided to SHI in evidence of the adoption of Quote 26111233.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 103AuthGovPilotcontract4-1-25to3-31-25

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

13

TOWNSHIP OF CLARK
Resolution 25-104
May 19, 2025

**RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING
FOR INFORMATION TECHNOLOGY SERVICES AND EXPLORING
COOPERATIVE SERVICE DELIVERY**

WHEREAS, cyber threats such as ransomware, phishing, and data breaches continue to grow in frequency and complexity, posing serious risks to local government operations, infrastructure, and data security; and

WHEREAS, the Township of Clark recognizes that staying ahead of these evolving threats requires a proactive and strategic investment in secure, modern, and reliable information technology systems; and

WHEREAS, Clark is committed to safeguarding municipal data, maintaining continuity of services, and implementing best practices in cybersecurity, infrastructure planning, and IT operations; and

WHEREAS, in order to meet the demands of rapidly evolving technologies and ensure the Township's systems remain resilient and secure, the Township seeks to implement preventative and forward-thinking IT solutions; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 et seq., a municipality may utilize the competitive contracting process in lieu of public bidding for the procurement of specialized services such as information technology; and

WHEREAS, the Township seeks to develop a Request for Proposals (RFP) for IT services that may include proprietary software, managed support, and strategic advisory services that require evaluation beyond cost alone; and

WHEREAS, the Governing Body also wishes to explore the feasibility of establishing or participating in a cooperative purchasing system for IT services with other municipalities, in accordance with N.J.S.A. 40A:11-10 and other applicable regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that:

- The Business Administrator and Qualified Purchasing Agent are hereby authorized to prepare a Request for Proposals (RFP) for the procurement of information technology services through the competitive contracting process pursuant to N.J.S.A. 40A:11-4.1 et seq.

- The Business Administrator and Qualified Purchasing Agent are further authorized to contact the Division of Local Government Services to evaluate the viability of establishing or joining a cooperative purchasing system for IT services in collaboration with other public entities.
- This resolution shall take effect immediately upon adoption.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 104AuthBA-QPACompetitiveContractingforITServices

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

CERTIFICATION

I, Edith L. Merkel, Clerk of the Township of Clark, County of Union, State of New Jersey, do hereby certify that the foregoing is a true and exact copy of a Resolution duly adopted by the Governing Body of the Township of Clark at a regular meeting held on May 19, 2025.

 Edith L. Merkel, May 19, 2025

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR THE 2025 FIREWORKS DISPLAYS**

WHEREAS, the Township of Clark wishes to hold a fireworks display in 2025; and

WHEREAS the anticipated cost is in excess of \$17,500.00 but less than the bid threshold and as such qualifies for utilization of the non-fair and open contract process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Qualified Purchase Agent solicited three vendors as follows:

Schaefer Fireworks	\$18,725.00
Bay Fireworks	Did Not Respond
Garden State Fireworks	Not Available for July 4 th

WHEREAS, Schaefer Fireworks, PO Box 100, Strasburg, PA 17579 has submitted a proposal dated March 26, 2025, indicating they will provide a Fireworks Display July 4th with a rain date of July 5th; and ,

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the fireworks displays will not exceed \$18,725.00; and,

WHEREAS, Schaefer Fireworks has completed and submitted a Business Entity Disclosure Certification which certifies that Schaefer Fireworks has not made any reportable contributions to any political or candidate committee for any members of the Governing Body for the Township of Clark, in the previous one (1) year and that the contract will prohibit Schaefer Fireworks from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer certifies, pursuant to N.J.A.C. 5:30-5.4 that there are adequate funds for this contract in the Celebration and Public Events Account.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby commits to fireworks displays presented by Schaefer Fireworks, to be held on Friday, July 4, 2025 with a rain date of Saturday, July 5, 2025, and authorizes the Mayor and/or Business Administrator to enter into a contract for Fireworks displays celebrating the Fourth of July; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 105AwardJuly4FireworksSchaefer

			Motion	Second	Aye	Nay	Abstain	Absent
		Hoff						
		Hund						
Adopted		Mazzarella						
Adopted as Amended		Minniti						
Defeated		O'Connor						
Tabled		Toal						
Withdrawn		Smith						
		Entire Council						
		TOTAL						

TOWNSHIP OF CLARK
 Resolution 25-106
 May 19, 2025

CA 15

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

 WILLIAM F. SMITH
 Council President

Res25/5-19 106SewerAdj

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

SEWER BILLING ADJUSTMENT 2025											
CLARK TOWNSHIP											
REF	#	Acct #	Name	#	Address	Reason	Original	Revised	Credit	ADDL	Comments
25	33	789-0	Gerbino, Nicola & Maryann	53	Sweet Briar Drive	leaks	\$ 930.00	\$ 705.00	\$ 225.00		
25	34	4703-0	Ferreira, Denny & Dubiel	69	Colonial Drive	error in reading imported	\$ 2,330.00	\$ 1,880.00	\$ 450.00		
25	35	5256-0	Reider, Donald & Nicole	9	Benish Court	new owner	\$ 1,330.00	\$ 280.00	\$ 1,050.00		
25	36	323-0	Herd, Stephen	82	Brianwood Lane	error in reading imported	\$ 1,730.00	\$ 1,380.00	\$ 350.00		
25	37	1247-0	Quaicoe, Alfred	101	Thomas Drive	error in reading imported	\$ 3,930.00	\$ 3,130.00	\$ 800.00		
25	38	4267-0	Montego Group LLC	331	West Lane	error in reading imported	\$ 2,330.00	\$ 1,880.00	\$ 450.00		
25	39	4703-0	Ferreira, Denny & Dubiel	69	Colonial Drive	error in reading imported	\$ 2,330.00	\$ 1,880.00	\$ 450.00		
25	40	4662-0	DeMaio, Keara	30	Douglas Drive	error in reading imported	\$ 2,680.00	\$ 1,880.00	\$ 800.00		
25	41	1046-0	Majuri, Maria	40	Tudor Drive	error in reading imported	\$ 2,230.00	\$ 1,930.00	\$ 300.00		
25	42	1870-0	Lettini, Feliz	31	Doris Way	error in reading imported	\$ 6,180.00	\$ 4,930.00	\$ 1,250.00		
25	43	4836-0	Rodriguez, Maura & Jose	1723	Westover Road	error in reading imported	\$ 3,680.00	\$ 2,780.00	\$ 900.00		
25	44	3742-0	Purdy, Arthur & Thelma	27	Grand Street	error in reading imported	\$ 2,830.00	\$ 605.00	\$ 2,225.00		
25	45	1264-0	Murray, John & Marissa	5	Sandalwood Drive	make up bill november 23	\$ 5,980.00	\$ 2,780.00	\$ 3,200.00		
25	46	345-0	Pudlik, Jaroslow	23	Orchard Terrace	error in reading imported	\$ 3,480.00	\$ 2,780.00	\$ 700.00		
						Total Credit	\$ 41,970.00		\$ 13,150.00		

TOWNSHIP OF CLARK
Resolution 25-107
May 19, 2025

CA 16

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2025 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 2025							
REF	Acct #	Name	#	Address	Reason	Refund	
25	9R	2325-0	Zaveri, Bakul	1065	Raritan Road	Adjustment created overpayment	\$ 2,440.00
25	10R	1264-0	Murray, John & Marissa	5	Sandalwood Drive	overpayment due to adjustment	\$ 1,600.00
Total Refunds						\$ 4,040.00	

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 107SewerRefund(s)

	Motion	Second	Aye	Nay	Abstain	Absent
Hoff						
Hund						
Adopted						
Adopted as Amended						
Defeated						
Tabled						
Withdrawn						
Entire Council						
TOTAL						

TOWNSHIP OF CLARK
Resolution 25-108
May 19, 2025

CA 17

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2024 taxes; the Mayor has recommended to Council that such authorization be granted.

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

CLARK TOWNSHIP						
TAX REFUNDS- 2025						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
65	7		Corelogic Refunds Dept	8	Wilshire	\$ 1,990.43
119	21		Negri, Antoinette	36	Cook Street	\$ 2,792.96
			Total Refunds			\$ 4,783.39

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 108TaxRefund(s)

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
 Resolution 25-109
 May 19, 2025

CA 18

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 Business Administrator's execution and delivery of a Memorandum of Agreement between the Township of Clark and the County of Union, regarding removal of the berm on the property which abuts the Robinson's Branch Reservoir Block 52 Lot 13 within the Township at Block 198, Lot 1.0101 in such form and substance as the Governing Body already has reviewed and as is available in the office of the Township Clerk.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/5-19 109MOAwithUnionCountybermnearreservoir

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 25-110
May 19, 2025

CA 19

WHEREAS the Governing Body of the Township of Clark awarded a contract to A.J.M. Contractors, Inc. in the amount of \$658,063.40 on May 5, 2025, by Resolution 25-94 for the 2024 - 2025 NJDOT Road Improvement Program – Valley Road, Section 1 and Section 2; and

WHEREAS additional funding has been appropriated in Bond Ordinance 25-12 for Section 2 of the Valley Road project effective May 15, 2025; and

WHEREAS the Acting Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Capital Accounts C-04-25-012-001 and C-04-24-006-002 as attached hereto as a “Certification of Availability of Funds”.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby amends Resolution 25-94 and approves the use of Capital Accounts C-04-25-012-001 and C-04-24-006-002 as the funding source for the abovementioned project.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 110AmendRes25-94NJDOTRoads-ValleyRdSec1&2

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

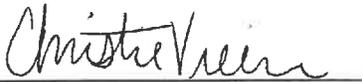
**CERTIFYING FUNDS FOR THE FULL AMOUNT OF A CONTRACT IN THE
CURRENT FISCAL YEAR CERTIFICATION OF AVAILABILITY OF FUNDS**

DATE: May 12, 2025

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14-5, and any other applicable requirement, I Christie Vieira, Acting Chief Financial Officer of the Township of Clark, New Jersey have ascertained that there are available sufficient uncommitted appropriations to award a payment/contract to A.J.M. Contractors, Inc. in the amount not to exceed \$ 658,063.40 for 2024-2025 NJDOT Road Improvement Program - Valley Road
Valley Road, Section 1 and Section 2

Funds for certification are therefore being made available and certified against the appropriations for the Departments of _____

Account No C 04-25-012-001 or Ordinance No. _____
C 04-24-006-002



Christie Vieira
Acting Chief Financial Officer

TOWNSHIP OF CLARK
Resolution 25-111
May 19, 2025

CA 20

WHEREAS it is necessary and desirable in order to ensure the general health and welfare of the residents of the Township of Clark to provide uniform procedures for administering the issuance, renewal and revocation of licenses for the placement of clothing bins within the Township; and

WHEREAS Chapter 117, Section 10 of the Code of the Township of Clark provides for enforcement by the Police Department and the Construction Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following clothing bin operators having met all the requirements of Chapter 117 of the Code of the Township of Clark as amended by Ordinance 25-10 on April 21, 2025, and are hereby approved in accordance with the law; and

BE IT FURTHER RESOLVED that the Police Officer in Charge is hereby authorized and directed to issue permits to the vendors listed as follows to be displayed according to law effective retroactively to January 1, 2025, through December 31, 2025.

Clothing Bin Operators

Location of Bins

American Recycling
98 Cutter Mill Road, S-290N
Great Neck, NY 11021-3010

78 Westfield Avenue (2 bins)
American Legion

American Recycling
98 Cutter Mill Road, S-290N
Great Neck, NY 11021-3010

140 Central Avenue (2 bins)
Atlantic Urgent Care

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 111AdditionalClothingBinpermits

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

TOWNSHIP OF CLARK
Resolution 25-112
May 19, 2025

CA 21

OPPOSING NEW JERSEY PROTECTING AGAINST CLIMATE THREATS/RESILIENT ENVIRONMENTS AND LANDSCAPE RULES (NJPACT)

WHEREAS, the Clark Township Council opposes the New Jersey Department of Environmental Protection's (NJDEP) 1,057-page NJPACT rules due to their significant adverse impacts, the Township Council sets forth the following objections:

A. NJPACT'S CREATION, IMPACT, AND CONSEQUENCES

1. NJPACT, stemming from Governor Murphy's Executive Order 100, imposes excessive building regulations, including raising homes and roads 5 feet above base flood elevation, far exceeding federal and local standards, effective around August 2026.
2. NJPACT rules will devastate coastal economies, reducing property values, tourism, and housing affordability, impacting the entire state's economic vitality and exacerbating housing shortages.
3. NJPACT relies on a sea level rise study with only a 17% likelihood 75 years from now
4. Homes along the Jersey Shore, typically replaced every 25-30 years, would be overbuilt under NJPACT, imposing unnecessary costs when risks could be reassessed in 2050 or 2075.
5. NJPACT's costs make compliance unaffordable for current and future homeowners, forcing middle-class retreat and favoring the ultra-wealthy.
6. NJPACT aligns with National Flood Insurance Program (NFIP) minimum standards but offers no premium discounts for exceeding them, creating financial burdens without benefits.
7. Without funding, NJPACT's enforcement strains municipalities, risking economic disaster for tourism-dependent seasonal economies.
8. Unfunded mandates may lead to inconsistent regional protection, disproportionately harming smaller communities.

B. REALITIES AND PRUDENT COURSE

9. With an 83% probability that NJPACT's mandates will be unnecessary in 76 years, a more gradual, legislatively supported approach is warranted.
10. Coastal communities contribute \$16 billion annually to New Jersey's economy, and beach replenishment is not a burden but a driver of tourism and jobs.
11. Clark Township proactively addresses climate risks through resilient action plans, meeting stringent FEMA standards and designing infrastructure for 500-year floods.
12. NJPACT's extreme approach, based on unlikely scenarios, defies science and burdens residents and municipalities unnecessarily.
13. The Township of Clark supports reasonable climate policies but requests NJPACT's withdrawal or amendment to a fact-based, gradual approach.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Township of Clark, County of Union, New Jersey vigorously opposes NJPACT due to its threat to public health, welfare, and economic stability.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/5-19 112Opposing NJPACT Rules

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
Adopted	Mazzarella						
Adopted as Amended	Minniti						
Defeated	O'Connor						
Tabled	Toal						
Withdrawn	Smith						
	Entire Council						
	TOTAL						

CERTIFICATION

I, Edith L. Merkel, Municipal Clerk, certify that Resolution 25-112 was adopted by the Township Council on May 19, 2025

Edith L. Merkel, RMC
Municipal Clerk