

AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
June 2, 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 as adequate notice of this meeting has been provided by sending written advanced notice of at least 48 hours to the Star Ledger, Union County Hawk, Union County Local Source, and TAP into Clark, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements as well as the Official Website of the Township, and the proper filing of said Notice. Formal action may be taken at this meeting.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. 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**

INTRODUCTION OF PROPOSED ORDINANCES:

- 2. 25-20 CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$50,000 FOR THE ACQUISITION OF A NEW COMPACT EXCAVATOR IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

Public Hearing June 16

RESOLUTIONS:

- 3. Award of Contract for Recycling Collection to Grand Sanitation Service for a 3-year term; \$290,000.00 for the first year, \$298,000.00 for the second year, and \$307,000.00 for the third year**
- 4. Award of Contract for Recycling Marketing and Disposal to Waste Management of NJ, Inc. for a two-year term**

5. Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Raritan Road Sidewalk Connection Improvement Project
6. Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Westfield Avenue Improvement Project

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 – 19
Adopted _____

PH 1

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
Ordinance No. 25 - 20
Adopted _____

INTRO 2

Introduced: June 2, 2025 Public Hearing: June 16, 2025

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$50,000 FOR THE ACQUISITION OF A NEW COMPACT EXCAVATOR IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

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

Section 1. The Township of Clark, in the County of Union, New Jersey (the "Township") is hereby authorized to acquire a new compact excavator for the use of the Department of Public Works in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$50,000 is hereby appropriated to the payment of the cost of the improvement authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Township. The sum of \$50,000 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvement is a lawful capital improvement of the Township having a period of usefulness of at least five (5) years. Said improvement shall be made as a general improvement, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated

TOWNSHIP OF CLARK
 Resolution 25-113
 June 2, 2025

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

WHEREAS four (4) bids were received on May 20, 2025 at 11:00 a.m. in accordance with specifications prepared by the Business Administrator; and

WHEREAS Grand Sanitation Service, 1630 South Second Street, Plainfield, New Jersey 07063 submitted the lowest responsible bid in the amount of \$290,000.00 for the first year, \$298,000.00 for the second year, and \$307,000.00 for the third year, subject to the final adoption of subsequent year budgets; and

WHEREAS the Acting Chief Financial Officer has ascertained funds will be available in Recycling Account #5-01-26-307-223.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract for Recycling Collection to Grand Sanitation Service 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

 WILLIAM F. SMITH
 Council President

Res25/6-2 113AwardRecyclingCollection-GrandSanitationService

		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 25-114
June 2, 2025

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WHEREAS there exists a need for Marketing and Disposal of Recycled Materials 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 four (4) proposals were received for Marketing and Disposal of Recycled Materials and publicly opened at 11:00 am on May 20, 2025; and

WHEREAS the Business Administrator has reviewed all documents required by the Request for Proposals (RFP) and recommends award of contract to Waste Management of New Jersey, Inc., 150 St. Charles Street, Newark, New Jersey 07105 for a two-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 Marketing and Disposal of Recycled Materials 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

WILLIAM F. SMITH
Council President

Res25/6-2 114RFPAwardRecyclingMarketingandDisposal

		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
 COUNTY OF UNION
 STATE OF NEW JERSEY
 RESOLUTION No. 25-115

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APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RARITAN ROAD SIDEWALK CONNECTION IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Clark formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **SST-2026-RARITAN ROAD SIDEWALK CONNECTION-00011** to the New Jersey Department of Transportation on behalf of the Township of Clark; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Clark and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 2nd day of June, 2025

 Edith L. Merkel, Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/6-2 115SST-2026- RARITAN ROAD SIDEWALK CONNECTION-00011 - NJDOT Grant Resolution

		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
COUNTY OF UNION
STATE OF NEW JERSEY
RESOLUTION No. 25-116

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APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WESTFIELD AVENUE IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Clark formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2026-NJDOT 2026-Westfield Avenue Improvements - 00041** to the New Jersey Department of Transportation on behalf of the Township of Clark; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Clark and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 2nd day of June, 2025

Edith L. Merkel, Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/6-2 116MA-2026- NJDOT 2026- Westfield Avenue Improvements- 00041 - NJDOT 2025 Grant Resolution

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