

**AGENDA  
COUNCIL MEETING  
315 WESTFIELD AVE., CLARK, NJ 07066  
August 18, 2025  
7:30 pm**

**ROLL CALL:**

<b>Council Member Hoff</b> _____	<b>Council Member Minniti</b> _____
<b>Council Member Hund</b> _____	<b>Council Member O'Connor</b> _____
<b>Council Member Mazzarella</b> _____	<b>Council Member Toal</b> _____
	<b>Council President Smith</b> _____

**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, The Leader (former 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 is suspended

Announcing the winners of the Clark Through the Lens Photo Contest

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](http://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 Ordinance)

- 1. 25-25 ORDINANCE OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY ADOPTING THE AMENDED AND RESTATED WESTFIELD AVENUE REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 91, LOT 21 (A/K/A 81 WESTFIELD AVENUE, CLARK, NEW JERSEY), AND BLOCK 105, LOTS 1.01 (A/K/A 56 WESTFIELD AVENUE, CLARK, NEW JERSEY), 2.01 (A/K/A 52 WESTFIELD AVENUE, CLARK, NEW JERSEY) AND 26.01 (A/K/A BROADWAY NEAR THE INTERSECTION OF JOSEPH STREET, CLARK, NEW JERSEY) AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK HAVING BEEN DESIGNATED AS AN AREA IN NEED OF CONDMENATION REDEVELOPMENT**

## **INTRODUCTION OF PROPOSED ORDINANCES:**

(The Public Hearing for each of the following ordinances will be held on September 15)

2. **25-26 AN ORDINANCE TO AMEND CHAPTER 248 ENTITLED "PEDDLING AND SOLICITING" SECTION 248-4B(13) OF THE CODE OF THE TOWNSHIP OF CLARK**
3. **25-27 AN ORDINANCE TO AMEND CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" SECTION 36A ENTITLED "LEFT TURNS" OF THE CODE OF THE TOWNSHIP OF CLARK**
4. **25-28 AN ORDINANCE AMENDING CHAPTER 3 ENTITLED ADMINISTRATION OF GOVERNMENT, ARTICLE VI, ENTITLED TOWNSHIP CLERK, SECTION 3-14 OF THE CODE OF THE TOWNSHIP OF CLARK**

## **PAYMENT OF CLAIMS:**

Councilman O'Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through August 13, 2025 in the amount of \$449,346.25

## **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:**

5. Accepting a bid for township owned real property located on Block 94 Lot 11 on Lionel St., no longer needed for public use pursuant to N.J.S.A. 40A:12-13 (a) and authorizing the Township Attorney to prepare a deed of conveyance
6. Award of Contract to Frank Galbraith & Son Excavation and Demolition for the Collection and Disposal of Leaves in the amount of \$51,000.00
7. Accepting the Renewal Service Agreement with Trane U.S. Inc. for HVAC equipment services at the Clark Police Department in the amount of \$20,260.00 and authorizing the Business Administrator to execute the agreement effective September 1, 2025, to December 31, 2026
8. Authorizing the execution of a Right-of-Way Agreement between the Township of Clark and GoNetspeed to permit the installation, use and maintenance of poles within the Public Right-of-Way to provide local exchange and interexchange services
9. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$39,507.17 for the Clean Communities Grant
10. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$16,720.86 for the National Opioid Settlement

11. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$250,000.00 for the Capital Project Grant Program
12. Authorizing the purchase and installation of equipment by Pumping Services, Inc. for the rehabilitation of the Sexton Village Sewage Pumping Station through the North Jersey Wastewater Cooperative Pricing System in the amount of \$249,181.90
13. Authorizing the Mayor and Township Clerk to execute a Developer's Agreement with 1180 Raritan, LLC; Chase Bank
14. Authorizing submission of an application for the Union County Kids Recreation Trust Fund Grant in the amount of \$32,600.00
15. Authorizing submission of an application for the Greening Union County Grant
16. Authorizing an Emergency Appropriation to finance the remediation of the damage to the storm sewer pipe near the Robinson's Branch reservoir exacerbated by the July 14, 2025 storm, to be provided for in full by the adoption of a bond ordinance by December 2025 and to certify that the expenditures to be financed through this resolution are related to the emergency
17. Authorizing the Pumpkin Patch Brook Stream Cleaning and Wall Rebuilding and 38 Wendell Place Outfall Construction Award of Contract to Montana Construction Inc. through the Bergen County Cooperative Pricing System in the amount of \$966,300.00

#### **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.

18. Appointing Edwin Sanchez as a Member of the Clark Volunteer Fire Department
19. Amending the status of Liquor License #2002-33-003 for Whole Foods Market Group, Inc. from pocket to inactive
20. Amending Resolution 25-144 issuing the refund of the cash performance bond for 8 Ivy Street
21. Release of remaining Guarantees and Escrow to Spring Enterprises LLC for work completed at 60-62 Westfield Avenue
22. Authorizing Final Payment to DLS Contracting for work completed on the 2024 Capital Road Improvements, in the amount of \$7,128.60
23. Ratifying the action taken by the Business Administrator for the submission of a grant application and execution of all necessary documents for the Leaf Composting Grant Program available from the NJDEP
24. Appointing Nicole Castellucci as Acting Clerk and Christina DePack as Alternate Acting Clerk in the absence of the Township Clerk

25. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 30.01 Lot 10 in accordance with a directive from the U.S. Department of Veterans Affairs
26. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 49 Lot 12.08 in accordance with a directive from the U.S. Department of Veterans Affairs
27. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 195 Lot 17 in accordance with a directive from the U.S. Department of Veterans Affairs
28. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$1,000.00
29. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of \$310.00
30. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$3,750.00
31. Authorizing the Tax Collector to settle a tax appeal for Block 148 Lot 15 as authorized by the Tax Court of New Jersey with credit issued in the amount of \$22,287.40
32. Authorizing the Tax Collector to settle a tax appeal for Block 91 Lot 5.01 Qual. C0024 as authorized by the Tax Court of New Jersey with credit issued in the amount of \$764.73
33. Authorizing the Tax Collector to settle a tax appeal for Block 63 Lot 46 as authorized by the Tax Court of New Jersey with credit issued in the amount of \$26,055.20
34. Authorizing the Tax Collector to settle a tax appeal for Block 60 Lot 22 as authorized by the Tax Court of New Jersey with credit issued in the amount of \$19,615.79

**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 - 25**  
**Adopted \_\_\_\_\_**

Introduced: July 21, 2025 Public Hearing: August 18, 2025

**ORDINANCE OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY  
ADOPTING THE AMENDED AND RESTATED WESTFIELD AVENUE  
REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 91, LOT  
21 (A/K/A 81 WESTFIELD AVENUE, CLARK, NEW JERSEY), AND BLOCK 105,  
LOTS 1.01 (A/K/A 56 WESTFIELD AVENUE, CLARK, NEW JERSEY), 2.01 (A/K/A 52  
WESTFIELD AVENUE, CLARK, NEW JERSEY) AND 26.01 (A/K/A BROADWAY  
NEAR THE INTERSECTION OF JOSEPH STREET, CLARK, NEW JERSEY) AS  
SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK HAVING  
BEEN DESIGNATED AS AN AREA IN NEED OF CONDMENATION  
REDEVELOPMENT**

**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**, the Township adopted Ordinance No. 19-12 on May 6, 2019, effective May 30, 2019 (the "Prior Ordinance"), pursuant to which it adopted a certain redevelopment plan entitled "Westfield Avenue Redevelopment Plan," prepared by Shamrock Enterprises, Ltd., dated April 4, 2019 (the "Prior Redevelopment Plan"); and

**WHEREAS**, the Township desires to amend, modify and restate the Prior Redevelopment Plan without changing the previous designation of Block 91, Lot 21 (A/K/A 81 Westfield Avenue, Clark, New Jersey) on the official tax map of the Township, as an area in need of condemnation redevelopment; and

**WHEREAS**, accordingly, 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 July 15, 2024 to conduct a preliminary investigation to determine whether the property designated as Block 105, Lots 1.01 (A/K/A 56 Westfield Avenue, Clark, New Jersey), 2.01 (A/K/A 52 Westfield Avenue, Clark, New Jersey) and 26.01 (A/K/A Broadway near the intersection of Joseph Street, Clark, New Jersey) on the official tax map of the Township (the "Proposed Condemnation Redevelopment Area") meets the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Proposed Condemnation Redevelopment Area did not include Block 91, Lot 21 (A/K/A 81 Westfield Avenue, Clark, New Jersey) because that property was already designated as an area in need of condemnation redevelopment, which designation was to remain unchanged; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-3, the Proposed Condemnation Redevelopment Area may include such lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary, with or without change in their condition, for the effective redevelopment of the Proposed Condemnation Redevelopment Area (herein, such lands, buildings, or improvements are collectively called the “Additional Areas”); and

**WHEREAS**, the Township of Clark Planning Board (the “Planning Board”), at a public Planning Board hearing on May 1, 2025, reviewed the Redevelopment Study and Preliminary Investigation Report, dated March 22, 2025 (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 Condemnation 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 condemnation area in need of redevelopment; and

**WHEREAS**, the Planning Board gave due notice of the proposed boundaries of the Proposed Condemnation 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 Condemnation Redevelopment Area delineated in the notice is a condemnation 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 Condemnation Redevelopment Area is a condemnation redevelopment area; and

**WHEREAS**, there were no objections to a determination that the Proposed Condemnation Redevelopment Area is an area in need of condemnation redevelopment; and

**WHEREAS**, the Planning Board found that the Proposed Condemnation Redevelopment Area was investigated and met the statutory criteria for an area in need of condemnation redevelopment as described in the Preliminary Investigation; and

**WHEREAS**, after conducting its investigation, preparing a map of the Proposed Condemnation Redevelopment Area, and completing a public hearing at which no objections to the designation were received, the Planning Board moved to recommend to the Township Council that it should designate the Proposed Condemnation Redevelopment Area and the Additional Areas collectively as a condemnation area in need of redevelopment; and

**WHEREAS**, on May 1, 2025, the Planning Board adopted a Resolution memorializing its decision to recommend that the Township Council designate the Proposed Condemnation Redevelopment Area and the Additional Areas collectively a condemnation area in need of redevelopment, which Resolution was duly forwarded to Council; and

**WHEREAS**, on May 19, 2025, 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 Condemnation Redevelopment Area and the Additional Areas collectively as an area in need of condemnation redevelopment (herein collectively called the “Condemnation Redevelopment Area”); and

**WHEREAS**, to stimulate redevelopment within the Condemnation Redevelopment Area, the Township Council desires to adopt the redevelopment plan entitled “Amended and Restated Westfield Avenue Redevelopment Plan”, prepared by Kevin O’Brien, PP, AICP of Shamrock Enterprises, Ltd., April 4, 2019 and revised by Paul Ricci, AICP, PP of Ricci Planning on July 14, 2025 (“Amended and Restated Westfield Avenue Redevelopment Plan”), a copy of which is attached to and made a part of this Ordinance; and

**WHEREAS**, the Township Council finds that the Amended and Restated Westfield Avenue Redevelopment Plan will diversify the use and development of and on the Condemnation Redevelopment Area, which will stimulate greater interest in redevelopment there.

**NOW, THEREFORE, BE IT ORDAINED**, by the 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 adopts the Amended and Restated Westfield Avenue Redevelopment Plan; and

**BE IT FURTHER ORDAINED**, that Section 195-112 of the Code of the Township of Clark titled “Designation of zoning districts”, the subsection titled “Redevelopment Zones” be and hereby is amended to state “Westfield Avenue Redevelopment Zone-Westfield Avenue Redevelopment Zone-Block 91, Lot 21 and Block 105, Lots 1.01, 2.01 and 26.01”; and

**BE IT FURTHER ORDAINED**, that Section 195-113 of the Code of the Township of Clark titled “Zoning Map” is amended to provide that the Zoning Map be and hereby is amended by designating Block 91, Lot 21 and Block 105, Lots 1.01, 2.01 and 26.01 as the Westfield Avenue Redevelopment Area, as depicted on “Map 1 Redevelopment Area Boundary Map, Clark, New Jersey” in the attached Amended and Restated Redevelopment Plan; and

**BE IT FURTHER ORDAINED**, that the Township of Clark Clerk be and hereby is directed to refer this Ordinance to the Township of Clark Planning Board for a determination pursuant to N.J.S.A. 40A:12A-7d that all of the provisions of the Amended and Restated Westfield Avenue Redevelopment Plan are either substantially consistent with the Township of Clark Master Plan or designed to effectuate the Township Master Plan, and the Township of Clark Planning Board shall transmit its report to the Township of Clark Council within forty (45) days of the referral pursuant to N.J.S.A. 40A:12-7e; and

**BE IT FURTHER ORDAINED**, that the Township of Clark Clerk is hereby directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Union County Planning Board and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63, if required; and

**BE IT FURTHER ORDAINED**, that the Prior Ordinance be and hereby is repealed in its entirety and replaced with this Ordinance and attached Amended and Restated Redevelopment Plan; and

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

**BE IT FURTHER ORDAINED**, that, to the extent that any portion of the Amended and Restated Westfield Avenue Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Township’s development regulations, the Amended and Restated Westfield Avenue 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

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Effective Date: September 10, 2025

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**WILLIAM F. SMITH**  
 Council President

\_\_\_\_\_  
**ANGEL ALBANESE**  
 Mayor

Ord25/7-21 25-25 Adopt Westfield Avenue Redevelopment Plan

		Motion to Introduce	Second	Motion to Adopt	Second	Aye	Nay	Abstain	Absent
	Hoff		✓						
	Hund								
<input type="checkbox"/>	Adopted								
<input type="checkbox"/>	Adopted as Amended								
<input type="checkbox"/>	Defeated								
<input type="checkbox"/>	Tabled								
<input type="checkbox"/>	Withdrawn								
	Entire Council								
	TOTAL								



# AMENDED AND RESTATED WESTFIELD AVENUE REDEVELOPMENT PLAN

**BLOCK 91 – LOT 21 AND BLOCK 105 – LOTS 1.01, 2.01 and 26.01**

Prepared for:  
The Township of Clark  
Union County, New Jersey

April 4, 2019  
Revised on July 14, 2025

**Prepared by: Shamrock Enterprises, Ltd.  
Kevin O'Brien, PP, AICP - N.J. License #5348  
Revised by Paul Ricci, AICP, PP - N.J. License #5570**

**Township of Clark**

Mayor Angel Albanese  
Council President Bill Smith  
Council Vice President &  
Council Member at Large, Jessie Hoff  
Ward 3 Council Member, Steven Hund  
Ward 1 Council Member, Frank Mazzarella  
Council Member at Large, Jimmy Minniti  
Ward 2 Council Member, Patrick O'Connor  
Ward 4 Council Member at Large, Brian Toal

**Planning Board**

Class I Member, Mayor Angel Albanese  
Class II Member, James Ulrich  
Class III Member, James Minniti  
Class IV Member, Kevin Koch, Chairman  
Class IV Member, Michael Triola, Vice-Chairman  
Class IV Member, Michael Altman  
Class IV Members, Joseph Arancio  
Class IV Member, Carmen Brocato  
Class IV Member, Lance Steinberg  
Alternate I, William Grzyb

Donna Mazzucco, Board Secretary  
Albert Cruz, Esq., Board Attorney  
Rich O'Connor, P.E., Board Engineer  
Paul Ricci, AICP, PP, Board Planner

**Prepared by:**

Kevin O'Brien, PP, AICP  
License # 5348  
Shamrock Enterprises, Ltd.

**Revised by:**

Paul Ricci, AICP, PP  
License # 5570  
RicciPlanning, LLC

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## I. INTRODUCTION

On June 4, 2018, the Township of Clark Municipal Council directed the Township Planning Board to undertake a preliminary investigation to determine whether the Westfield Avenue Study Area (Block 91, Lot 21 (81 Westfield Avenue) and Block 105, Lots 2 (now consolidated into Lot 2.01 located at 52 Westfield Avenue) & 26.01 (Broadway and Joseph Street) met the statutory criteria to be designated as a “Condemnation Area in Need of Redevelopment” pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. (LRHL).

The Township Planning Board completed a preliminary investigation report for the study area and held a public hearing on August 2, 2018. At the completion of the public hearing, the Board recommended that the Township of Clark Municipal Council designate the area as a “Condemnation Area in Need of Redevelopment” pursuant to the LRHL. The Municipal Council, on September 17, 2018, determined that the Westfield Avenue Study Area (Block 91, Lot 21 and Block 105, Lots 2 & 26.01) met the Statutory Criteria to be designated as a “Condemnation Area in Need of Redevelopment” pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. (LRHL) On May 1, 2025, the Planning Board held a public hearing and recommended to the Township Council to expand the redevelopment area to include Block 105, Lot 1.01 located at 56 Westfield Avenue. On May 19, 2025, the Mayor and Council officially expanded the redevelopment area to encompass Block 105, Lot 1.01.

This Redevelopment Plan (Redevelopment Plan or Plan) shall govern the redevelopment of the Westfield Avenue Redevelopment Area. The Plan establishes permitted land uses, bulk and area requirements, and design standards for any development within the redevelopment area.

## II. BOUNDARIES

The Redevelopment Area consists of four (4) tax lots within the Township of Clark: Tax Lots 1.01, 2.01 and 26.01 on Tax Block 105 and Tax Lot 21 on Tax Block 91. See chart below:

Block	Lot	Location	
91	21	81 Westfield Avenue	
105	1.01	56 Westfield Avenue	
105	2.01*	52 Westfield Avenue	
105	26.01	Broadway and Joseph Street	

\* Former Lots 21 and 22 on Block 105 have been merged into Lot 2.01. The current Tax Map shows the three lots (2, 21 and 22), but the Assessor's records now list the one combined Lot as Lot #2.01. References to Lot 2.01 in this Redevelopment Plan include the entire area of the combined lots.

See Map #1 – Boundary Map.

### III. REDEVELOPMENT PLAN OBJECTIVES

- A. To encourage the redevelopment of the property within the Redevelopment Area with residential uses (including inclusionary housing) within mixed-use buildings consistent with the recommendations of the Master Plan.
- B. To encourage the development of active commercial uses on the ground floor, such as retail and restaurant uses, to activate the streetscape and encourage pedestrian activity; especially along the Westfield Avenue street frontage.
- C. To discourage residential development on the ground floor of buildings fronting on Westfield Avenue.
- D. To encourage additional commercial uses that do not rely on pedestrian traffic (such as office uses) on the upper floors of mixed-use buildings in order to create new job opportunities and increased economic vitality in the downtown district.
- E. To encourage lesser front setbacks along street frontages where commercial uses are provided in order to create a better relationship with the pedestrian environment and activate the streetscape; while at the same time providing sufficient sidewalk widths in order to accommodate street trees, decorative lighting, and other decorative street furniture, including the possibility of sidewalk cafes.
- F. To provide for the construction of residential apartments, meeting the minimum density requirement for inclusionary housing and providing for the required set-aside of units within such developments for affordable to low- and moderate-income families, complying with the obligation of the Township to provide a regional fair share of low- and moderate-income housing.
- G. To encourage well planned, mixed-use development, consistent with the recommendation of the Master Plan, in a comprehensive manner integrating the needs of pedestrians, vehicles and the general public.
- H. To facilitate the removal of vacant and underutilized commercial facilities and vacant land, the redevelopment of such properties in conformance with this Redevelopment Plan and the Master Plan.
- I. To encourage housing diversity to accommodate the needs of people of various ages and income levels in the community in accordance with State requirements and local/regional need.
- J. To provide for improved site design, landscape design, street trees, paving materials and other decorative and functional design features to improve pedestrian and vehicular safety and the aesthetics of the Redevelopment Area and surrounding area, thereby creating a more pleasant, safe and vibrant area.
- K. To promote the principles of Smart Growth and Traditional Town Development through sustainable economic and social development by providing a variety of housing choices, minimizing pedestrian / automobile conflicts by providing pedestrian friendly streets and public rights-of-way, encouraging mixed-use development and creating a livable community with convenient access to commercial facilities.
- L. To encourage the use of green building techniques.

#### IV. GENERAL ADMINISTRATIVE PROVISIONS

- A) In order to implement the Plan consistent with the objectives herein, the designated Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. This Plan supersedes the underlying use, bulk, and design standards of the Township's Land Use and Development Ordinance as they relate to the area governed by this Redevelopment Plan. However, the standards, terms, definitions and requirements of the Township of Clark Land Use and Development Ordinance shall continue to apply in any instance where they have not been altered or addressed by the standards and requirements of this Redevelopment Plan.
- B) Redeveloper's Agreement: All developers of property within the Redevelopment Area shall enter into a Redeveloper's Agreement with the Township of Clark. The Agreement shall include the responsibilities of the Township and the developer relative to affordable housing, off-site and on-site improvements, infrastructure improvements, roadway improvements, traffic-signalization, etc. (if any); and such other requirements as mutually agreed to by the developer and Township to effectuate the Redevelopment Plan.
- C) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the Township of Clark for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.
- D) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the Township in a form approved by the Planning Board Attorney and Engineer. The amount of any such performance guarantees shall be determined by the Planning Board Engineer and shall be sufficient to assure completion of on and off-site improvements within one (1) year of any certificate of occupancy or temporary certificate of occupancy.
- E) Traffic impact studies may be required by the Township of Clark and shall incorporate, as part of the study, all projects approved or proposed in the immediate area.
- F) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- G) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Ordinances of the Township of Clark.
- H) Upon the demolition of any existing structures, the site shall be graded and planted or covered with a durable dust free surface in the interim period prior to construction of new buildings.
- I) Deviation Requests: The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a

specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. Any deviation that would otherwise constitute a "d" type variance or deviation constitutes a request for a legislative plan amendment cognizable only by the Governing Body.

J) INTERIM USES: Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

K) PROCEDURE FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$5,000.00 plus all costs for copying and transcripts shall be payable to the Township of Clark for any request by a private entity to amend this plan. The Township of Clark reserves the right to amend this plan solely at its discretion.

#### V. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE LAW

A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1) Its relationship to definitive local objectives: This Redevelopment Plan achieves the stated objectives of the 2010 Township of Clark Master Plan Reexamination Report and Master Plan Update, and the 2017 Housing Element and Amended Land Use Element of the Master Plan.

a) The 2010 Master Plan Re-examination Report and Master Plan Update in the Recommended Changes section states in recommendation # 9: "Several of the larger properties in the Downtown Village (DTV) district should be considered as potential redevelopment areas in order to encourage new development and investment in this area." This Redevelopment Plan is consistent with that recommendation.

b) In 2017, the Township of Clark adopted a new Housing Element of the Master Plan. Section F. the Land Use Plan Amendment, contained Updated Land Use Goals and Objectives.

- Goal #2 of the Land Use Amendment is: "Continue to encourage housing diversity to accommodate the needs of people of various ages and income

levels in the community in accordance with State requirements and local/regional needs”. This Redevelopment will help to achieve this goal.

- Goal #3 of the Land Use Amendment is: “Create opportunities for very low, low and moderate income housing in fulfillment of the Township’s constitutional obligation to satisfy its fair share of the regional need for affordable housing...”. A specific Objective within Goal # 3 is to identify sites that are suitable, developable and approvable for inclusionary residential development and rezone such sites at densities that warrant requiring a set-aside of very low, low and moderate income housing. In furtherance of this objective the Master Plan specifically calls out the DTV Zone area as being suitable to include mixed-use commercial and inclusionary residential development with a required set-aside for affordable housing. This Redevelopment Plan is consistent with these goals and objectives.
  - Similarly, in the Fair Share Plan, Section G. calls out the DTV zone as being suitable for an affordable housing set aside and specifically calls out lots 2.01 (52 Westfield Avenue) and 26.01 (Broadway and Joseph Street) to be placed in the affordable housing zone.
- 2) Proposed Land Uses: This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses, within the redevelopment area. The plan also provides for maximum height limits, bulk standards, setbacks and various design controls.
  - 3) Adequate provision for relocation. The property currently contains only vacant land and/or buildings. There will be no displacement of existing business or residents.
  - 4) The Redevelopment Plan proposes no acquisition or condemnation of private property for private redevelopment purposes at this time.
  - 5) Relationship of the Redevelopment Plan to the Master Plan of Contiguous Municipalities, the County Master Plan and the State Development and Redevelopment Plan.
    - a) Master Plan of Contiguous Municipalities – The subject Redevelopment Area is in close proximity to the City of Rahway. The Rahway B-1 Neighborhood Business Zone allows small retail facilities which provide goods and services at the intersection of Westfield Avenue and Madison Hill Road, and extends to Broadway on the north. The Redevelopment Plan is consistent with the Rahway B-1 Zone goals.
    - b) Union County Master Plan – this Redevelopment Plan is consistent with the Goals and Objectives of the Union County Master Plan, and specifically those found in the Housing and Development portions of the Master Plan.
      - i. The Master Plan states as its Goal under Housing: *Promote the provision of a broad range of housing opportunities for all income levels and household types by encouraging the maintenance or rehabilitation of the existing housing stock and through the construction of new housing units.* Within this Goal, this Redevelopment Plan is also consistent with certain objectives of the County Master Plan, including:
        - Encourage municipalities to zone for a variety of housing types and densities.

- Encourage the construction of multi-family apartment and townhouse units in either rental, condominium or fee simple ownership for all age groups, household types and income levels.
  - Encourage the expansion of existing public, non-profit and inclusionary low-income and senior housing opportunities.
- ii. The Master Plan states as its Goal under Development: *To facilitate the development of Union County by directing growth to environmentally suitable area that can be provided essential infrastructure and support facilities and to revitalize urban centers and corridors within the County.*

Within this Goal, this Redevelopment Plan is also consistent with certain objectives of the County Master Plan, including:

- Identify land areas suitable for residential, commercial and industrial development sufficient to accommodate reasonable projections of future needs.
  - Promote new development and redevelopment that is consistent and compatible with existing settlement patterns.
- c) State Development and Redevelopment Plan – The Township of Clark is within the PA-1 planning designation. The intent of this planning area is to provide for much of the State’s future development and redevelopment. The redevelopment of the subject area is consistent with this policy. Another intent is to revitalize existing cities and towns, which this Redevelopment Plan will accomplish through the redevelopment of underutilized properties.

## VI. DESIGN STANDARDS

### A) GENERAL STANDARDS

- 1) The design standards provided in Article XVI of Chapter 195 – the Land Use and Development Ordinance of the Township of Clark shall apply to all development applications.
- 2) All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
- 3) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
- 4) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points. Exterior façade materials shall be high quality materials such as brick, metal panels, stone, wood clapboard, cedar shingles, cultured stone or other similar materials. Lesser quality materials such as vinyl and aluminum siding, artificial brick, thin veneers and stone veneers, and CMU size/type block shall be prohibited. Exceptions require Planning Board approval.
- 5) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.

- 6) All utility distribution lines, including multi-media telecommunication lines and utility service connections from such lines to the project area's individual use shall be located underground to the extent practicable.
- 7) Roof treatment, Mechanical Screening and Electrical Equipment
  - a) All mechanical equipment located on any roof of a building shall be screened from view, or located in such a way as to limit the visibility of such equipment.
  - b) All electrical communication equipment shall be located in such a way that minimizes their appearance on the building.
  - c) Transformers and primary and back-up generators shall be located to limit their visibility or screened with decorative fences, walls or landscaping.

**B) STREETSCAPE DESIGN STANDARDS**

- 1) All buildings shall be designed to have an attractive appearance when viewed from the public right-of-way so as to contribute to the appearance of the surrounding area.
- 2) Entrances shall be designed to be attractive and functional; and shall be designed to reduce or eliminate conflicts between pedestrian and vehicular traffic.
- 3) Sidewalks shall be improved within the Redevelopment Area to enhance the pedestrian environment and to create a pleasant and safe pedestrian environment.
- 4) Sidewalks shall be adequately sized to provide adequate width to accommodate street trees, decorative lighting, street furniture, sidewalk cafes, etc.; while at the same time providing for adequate area for pedestrian circulation.
- 5) All new sidewalk pavement shall conform to municipal standards.
- 6) Street trees shall be provided along the curb line or within the property line along the sidewalk. Additional decorative planting areas containing deciduous and evergreen shrubs, trees, ground covers, rain gardens, etc. are strongly encouraged to enhance the appearance of the property and the streetscape.
- 7) Street and site furniture such as benches and trash receptacles are required. Selection of such furniture shall take into consideration issues of durability, maintenance and vandalism. All such furniture shall be architecturally compatible with the style, materials, colors and details of buildings on the site.
- 8) Streetscape improvements shall be clearly indicated on site plan submittals, and shall be in compliance with the standards found in the Clark Land Use and Development Ordinance; Section 195-131 – Paragraph G. Streetscape Standards.

**C) OPEN SPACE LANDSCAPING AND LIGHTING STANDARDS**

- 1) Landscaping shall be required for those portions of the property not used for buildings, off-street parking, sidewalk and plaza areas, loading zones, etc. The landscaping shall include lawn and ground cover areas, flowering and evergreen trees and shrubs, shade trees, annual and perennial flowers, decorative grasses, etc. The developer's landscape plan shall indicate the location, size and quantity of the various species to be used.
- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 5 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. Ground cover shall be used in place of mulch. A planting schedule shall be provided by the developer and approved by the Planning Board. Screen plantings are not required along the Westfield Avenue frontage.

- 3) All new trees shall be of a species and gender so as to minimize nuisance fruits and pollen.
- 4) Any landscaping which dies within 2 years of planting shall be replaced by the developer.
- 5) Underground watering facilities are recommended for all on-site landscaped areas.
- 6) Appropriate active and passive recreation facilities shall be provided for the resident population and conveniently located on the site. If dogs are permitted then a dog park for the off-leash exercising of dogs is encouraged.
- 7) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset, in order to prevent dark corners and promote pedestrian safety.
- 8) All site lighting shall conform to municipal standards.
- 9) All lighting sources must be adequately shielded to avoid any off-site glare.

**D) SIGNAGE REQUIREMENTS**

- 1) Signage shall be as regulated by the Township of Clark Land Use and Development Ordinance.
- 2) All signage shall be designed in a manner consistent with the architectural theme and design of the structure. The signage shall be located within a sign band that is integrated into the architectural style of the building so as to provide a uniform design and appearance.
- 3) Sign illumination shall be not be flashing or moving. Indirect lighting, halo lighting or other similar forms of lighting are encouraged so as to reduce light glare and other nuisance effects of sign illumination.
- 4) All signage shall be clearly indicated on site plans and architectural plans submitted and shall be subject to approval by the Clark Planning Board.

**E) GREEN BUILDING STANDARDS**

- 1) Green building and energy efficiency construction techniques are encouraged to be incorporated into all new construction. Energy Star and LEED (Leadership in Energy and Environmental Design) are two of several certifications that may be pursued. However, such certifications are not required by this plan. Practices endorsed by the Department of Energy, The Environmental Protection Agency and the U.S. Green Building Council are also encouraged. All energy saving measures and green building features shall be identified in the site plan application. These may include but are not limited to: Energy Star appliances, Low Flow Plumbing Fixtures, Low VO Paints, LED lighting, High Efficiency HVAC, On-demand Hot Water, car charging stations, shared car parking, use of recycled materials, utilization of solar or geothermal technologies.

**VII. SPECIFIC LAND USE REGULATIONS**

Development on the property at Lot 21 on Block 91 (81 Westfield Avenue) shall be governed by development regulations found in the Downtown Village (DTV) Zoning District. The properties on Block 105 shall be governed by the Land Use Regulations below.

**A) Permitted Principal Uses**

- 1) Retail Sales of Goods and Services; such as groceries, baked goods, pharmacy, jewelry, office supplies, florists, dog grooming, barber shops, hair salons, tailors.
  - 2) Taverns and Restaurants; including full service restaurants offering table service and those establishment offering counter service and takeout, but excluding drive throughs.
  - 3) Banks and other similar financial institutions.
  - 4) Health Clubs; including yoga studios, gyms, fitness centers, etc.
  - 5) Offices; including business, administrative and professional offices.
  - 6) Museums, Art Galleries, Theaters, Music and Dance Studios, and other similar cultural uses.
  - 7) Child Care Centers.
  - 8) Governmental Uses; including offices, public parks, and municipal parking facilities.
  - 9) Residential Apartments, except that residential uses shall not be permitted on the ground floor or first floor fronting onto Westfield Avenue. Inclusionary affordable housing is required pursuant to Section VIII of this Redevelopment Plan.
  - 10) Mixed-Use of two or more of the above uses is permitted.
- B) Permitted Accessory Uses
- 1) Off-street Parking and Loading.
  - 2) Outdoor Dining / Sidewalk Cafes
  - 3) Signs.
  - 4) Indoor and Outdoor Recreation Facilities such as exercise rooms, resident lounge areas, play rooms, swimming pools, tennis courts, basketball courts, seating areas, and other similar active and passive recreation facilities.
  - 5) Other uses customarily associated with, incidental and subordinate to a permitted use, and located within the same property.
- C) Prohibited Uses - Any use or structure not permitted in paragraphs A) and B) shall be prohibited. In addition, the following uses shall be expressly prohibited:
- 1) Any business conducted outside the confines of a building, except those temporary activities permitted by special permission from the Township Mayor and Council or allowed elsewhere in the Ordinance;
  - 2) Gasoline filling stations, gasoline service stations, public garages, automobile body repair or painting shops;
  - 3) Lumberyards or building material yards;
  - 4) Sale, rental or repair of automobiles, motorcycles, boats, trailers, lawn mowers, small gasoline or other liquid-fuel engines;
  - 5) Dry-cleaning establishments where the dry cleaning is done on the premises;
  - 6) Warehouses and any business which does not sell directly to the general public;
  - 7) Public or private schools;
  - 8) Funeral services, undertakers, crematories and morticians;
  - 9) All aboveground and underground bulk storage of liquefied petroleum gases, gasoline, diesel fuel, kerosene, No. 2 fuel, fuel oil, chemicals or similar hazardous, flammable or combustible liquids in any amount, except as permitted otherwise by permit. Aboveground or basement storage of up to 530 gallons of kerosene or No. 2 heating fuel in approved storage tanks and used exclusively for heating purposes on the premises is exempted from the above prohibition;

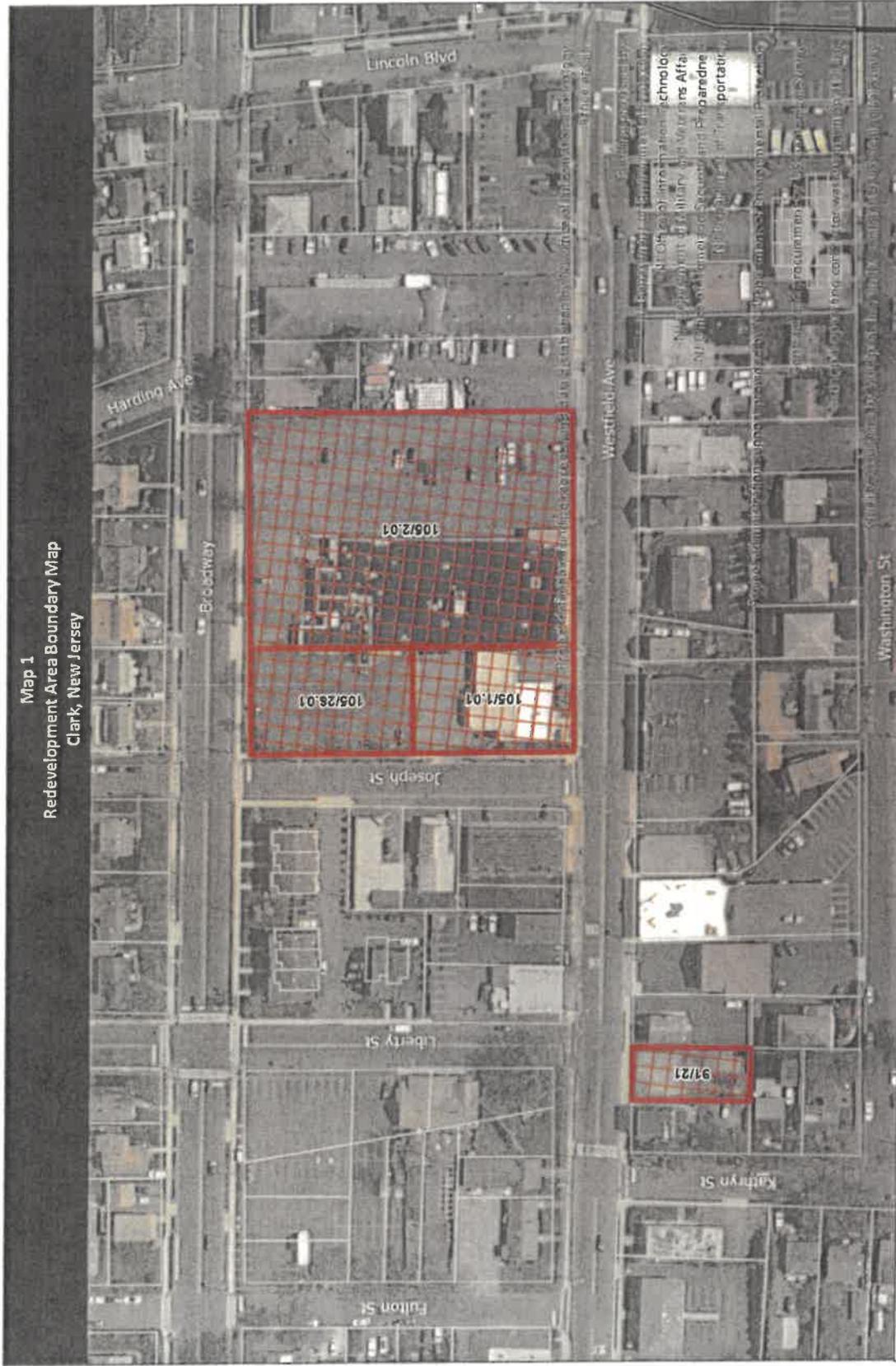
- 10) Any building, structure or use which would create an undue hazard of fire, explosion or nuisance by reason of odor, noise, dust or smoke, or which in any way would be detrimental to the health, public morals and public safety of the community; and
  - 11) Private commercial parking lots as a principal use.
- D) Development Standards
- 1) Minimum Lot Dimensions:
    - a) Lot Area: 80,000 SF
    - b). Lot Frontage: 150 ft.
  - 2) Minimum Yards:
    - a) Front Yard – All street frontages shall be treated as a front yard. There shall be minimum front yard requirements in order to encourage commercial uses to be more closely oriented to the street; including a minimum sidewalk width of 20 feet as measured from the face of the curb shall be required along Westfield Avenue and 10 feet along other streets. Two foot articulations are allowed along the Westfield Avenue frontage providing a minimum of 18 feet of sidewalk as measured from the curb face. Buildings shall be set back at least that distance to achieve these sidewalk widths. Parking is allowed in the front yard.
    - b) Side Yard – A 12 foot setback is required,
  - 3) Lot Coverage:
    - a) Maximum Building Coverage: 85%
    - b) Maximum Impervious Cover: 95%
    - c) Minimum Landscaped Area: 5%
    - d) On properties over 80,000 sq. ft. more than one principal building may be constructed.
  - 4) Maximum Building Height:
    - a) Four Stories and 52 feet.
    - b) Building height shall be measured from the finished ground floor elevation to the top of roof; not including parapets, rooftop equipment and appurtenances, gables and other similar decorative features.
  - 5) Maximum Density:
    - a) 63 dwelling units per acre, with a maximum of 140 dwelling units inclusive of a 15% affordable housing set aside.
  - 6) Parking Requirements:
    - a) Residential Uses: 1.7 spaces shall be provided for each residential unit. A minimum of one off-street parking space shall be bundled with the rent, i.e., there shall be no additional charge for off-street parking.
    - b) Non-Residential: . No off-street parking is required. Rather, angled parking improvements shall be made on the eastern side of the Joseph Street right-of-way and the southern side of the Broadway right-of-way. A minimum of 11 on-street angled spaces shall be provided on Joseph Street and 14 angled on-street spaces on Broadway for public use.
    - c) Tandem spaces are permitted and shall be counted as two parking spaces if both spaces are assigned to the same residential unit or if a valet service is provided.
    - d) No off-street parking shall be located within the front yard along Westfield Avenue. Front yard and side yard parking is allowed on other street frontages.
    - e) All off-street parking shall be surfaced in accordance with Township standards.

- f) All ingress and egress to the site, and all interior drives and drive-aisles shall be located and designed to reduce traffic conflicts and promote pedestrian safety to the greatest degree practicable and conform with Township standards. No curb cuts are permitted along Westfield Avenue.
- 7) **Buffers and Screening:** Front yard parking along Broadway and Joseph Street shall be screened along the lot line. Such screen shall be a minimum five foot wide planting strip consisting of shrubs or evergreens at least 3 feet high. Such planting or hedge shall be maintained in good condition. In addition, adequate building screening shall be provided along the Broadway frontage. No screening is necessary along the Westfield Avenue frontage. Such screening shall be indicated on the site plan and subject to review and approval by the Clark Planning Board.

### VIII. INCLUSIONARY HOUSING REQUIREMENTS

- A) A minimum of 15% of the total units constructed on any site within the Redevelopment Area shall be provided as affordable housing units to families and persons of low and moderate income. The specific number of affordable housing units, the distribution of units by low and moderate income, and other details of the developer's affordable housing obligation shall be more fully described in the required Redeveloper's Agreement. (see Section IV.B. of this Plan)
- B) Consistent with Round 3 affordable housing rules, inclusionary housing units shall be sold or rented and shall be maintained for a minimum period of 30 years so as to be affordable to families and persons of very low, low and moderate income. The affordable housing units shall be deed restricted to ensure that they remain affordable to very low, low, and moderate-income families: 13 percent of the affordable units affordable to very low-income families; 37 percent affordable to low-income families; and 50 percent affordable to moderate-income families. If it is determined that a 40-year deed restriction is necessary to ensure that the units are creditworthy, then the period of restriction shall be 40 years.
- C) **Definitions.** As used in this section, the following terms shall have the meanings indicated:
  - 1) LOW-INCOME HOUSEHOLD  
A household with a total gross annual household income equal to 50% or less of the regional median household income by household size.
  - 2) MODERATE-INCOME HOUSEHOLD  
A household with a total gross annual household income in excess of 50% but less than 80% of the regional median household income by household size.
  - 3) VERY-LOW-INCOME HOUSEHOLD  
A household with a total gross annual household income equal to 30% or less of the regional median household income by household size.
- D) Affordable units in this district shall not be age-restricted.
- E) Affordable units in this district shall be architecturally similar to the market-rate units and shall be distributed among the market-rate units rather than isolated.

# IX. BOUNDARY MAP



**ricciplanning**  
Paul Ricci, AICP, PP  
177 Moorcroft Avenue  
Atlantic Highlands, NJ 07716  
908.642.0077  
paul@ricciplanning.com

Prepared by Paul Ricci, AICP, PP  
Aerial Date: 2020

June 11, 2025  
0 50 100 Feet

**TOWNSHIP OF CLARK PLANNING BOARD**

**RESOLUTION**

**REPORT OF THE TOWNSHIP OF CLARK PLANNING BOARD TO THE TOWNSHIP COUNCIL REGARDING THE BOARD'S SUBSTANTIAL CONSISTENCY REVIEW OF ORDINANCE NO. 25-25 ADOPTING THAT AMENDED AND RESTATED WESTFIELD AVENUE REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 91, LOT 21 (A/K/A 81 WESTFIELD AVENUE, CLARK, NEW JERSEY), BLOCK 105, LOTS 1.01 (A/K/A 56 WESTFIELD AVENUE, CLARK, NEW JERSEY), 2.01 (A/K/A 52 WESTFIELD AVENUE, CLARK, NEW JERSEY) AND 26.01 (A/K/A BROADWAY NEAR THE INTERSECTION OF JOSEPH STREET, CLARK, NEW JERSEY) AND THE BOARD'S FINDING THAT THE ORDINANCE AND REDEVELOPMENT PLAN IS SUBSTANTIALLY CONSISTENT WITH THE MASTER PLAN**

**WHEREAS**, the Township of Clark Council directed the Township Planning Board to undertake a Redevelopment Study and Preliminary Investigation Report (the "Study") to determine whether Block 105, Lots 1.01, 2.01 and 26.01 was an "Area in Need of Condemnation Redevelopment" (the "Study Area") in accordance with the Local Redevelopment and Housing Law (the "LRHL"), N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, the Planning Board directed its Planner to undertake the Study to determine whether the Study Area met the LRHL criteria for an "Area in Need of Condemnation Redevelopment", and after completion of the Study, a public hearing, as required by the LRHL, was held by the Planning Board and the Planning Board determined that the Study Area qualified as a "Condemnation Area in Need of Redevelopment" and made that recommendation to the Township Council; and

**WHEREAS**, the Township Council designated Block 105, Lots 1.01, 2.01 and 26.01 as a "Condemnation Area in Need of Redevelopment; and

**WHEREAS**, the Township Planner prepared the "Amended and Restated Redevelopment Westfield Avenue Redevelopment Plan" revised as of July 14, 2025 (the "Redevelopment Plan"); and

**WHEREAS**, on July 21, 2025, the Township Council introduced Ordinance No.25-25 which would adopt the Redevelopment Plan and referred the Ordinance and Redevelopment Plan to the Planning Board for a substantial consistency review and determination by the Planning Board; and

**WHEREAS**, the Planning Board, at its August 7, 2025 meeting, heard a presentation of the Redevelopment Plan and its relationship to the Township Master Plan from the Township Planner, had the opportunity to discuss and take public input on the Redevelopment Plan and

reviewed the Redevelopment Plan for substantial consistency with the Master Plan, and for the Redevelopment Plan's ability to fulfill the goals of the Township in supporting the redevelopment of the Study Area, the Planning Board hereby transmits to the Township Council its determination that the Redevelopment Plan is substantially consistent with the Master Plan; and

**WHEREAS**, Block 91, Lot 21 (A/K/A 81 Westfield Avenue, Clark, New Jersey) was included as part of a redevelopment plan titled "Westfield Avenue Redevelopment Plan", prepared by Shamrock Enterprises, Ltd., dated April 19, 2019, which redevelopment plan was adopted by Ordinance No. 19-12 on May 6, 2019, effective May 30, 2019, and which Ordinance No. 25-25 amends and restates; and

**WHEREAS**, it is the intent of Ordinance No. 25-25 and Redevelopment Plan to continue include Block 91, Lot 21 in the Redevelopment Plan as amended and restated.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Clark Planning Board, pursuant to the provisions of the Local Redevelopment and Housing Law, makes the following findings and recommendations:

1. The Redevelopment Plan is consistent with and achieves the stated objectives of the 2023 Township of Clark Master Plan Reexamination Report. More specifically, pages 17 and 18 of the 2023 Master Plan Reexamination Report, discuss the Westfield Avenue Redevelopment Plan adopted by Ordinance No.19-12 and three (3) of the four (4) parcels in the Study Area. Additionally, the 2023 Reexamination Report reviews and validates the following Master Plan objectives, which objectives are relevant to the Redevelopment Plan: (a) to promote a balance of land uses, including residential, commercial, industrial, public, recreation and conservations uses, and (b) to safeguard the tax base, preserve economic balance and provide for continued sources of employment and tax ratables through appropriate non-residential land uses. The Redevelopment Plan is intended to implement those goals, objectives, and recommendations of the 2023 Reexamination Report.
2. The Township of Clark Planning Board recommends that the Township of Clark Council adopt proposed Ordinance No. 25-25 adopting the Redevelopment Plan attached to and made a part of that Ordinance.
3. That Ordinance No. 25-25 and the Redevelopment Plan provide appropriate standards and regulations to permit redevelopment of the Study Area consistent with the 2023 Reexamination Report and the Master Plan goals within the Township.
4. The Board Secretary is hereby authorized to transmit this Resolution to the Township of Clark Council.

**BE AND THE SAME IS HEREBY RESOLVED**

I hereby certify that the above Resolution is a true copy of the Resolution adopted by the Township of Clark Planning Board on August 7, 2025.

  
 \_\_\_\_\_  
 Kevin Koch  
 Planning Board Chairman

  
 \_\_\_\_\_  
 Donna Mazzucco  
 Planning Board Secretary

**Substantial Consistency Review Ordinance 25-25 with Master Plan:**

Township of Clark Planning Board DATE: August 7, 2025 Condemnation-Amended and restated Westfield Avenue Redevelopment Plan						
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Albanese						X
Ulrich			X			
Minniti						X
Koch	X		X			
Triola			X			
Altmann						X
Steinberg		X	X			
Brocato						X
Arancio						X
Grzyb		X				

(Revised by AEC on July 23, 2025)

TOWNSHIP OF CLARK

Intro 2

Ordinance No. 25 - 26

Adopted \_\_\_\_\_

Introduced: August 18, 2025 Public Hearing: September 15, 2025

**AN ORDINANCE TO AMEND CHAPTER 248 ENTITLED  
“PEDDLING AND SOLICITING” SECTION 248-4B(13) OF  
THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the governing body of the Township of Clark, County of Union, State of New Jersey that Chapter 248, Section 248-4B(13) of the Code of the Township of Clark is hereby amended to replace the existing language as follows:

**SECTION 1: Chapter 248, Section 4 Application for License, Sub-section B(13)**

13. Applicants must be fingerprinted through the State-contracted vendor (e.g., IdentGo). The Township will supply each applicant with the appropriate service code so that fingerprinting records are returned directly to the Clark Police Department. Applicants shall pay the fee charged by the vendor at the time of fingerprinting.

**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:

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**ANGEL ALBANESE**  
Mayor



Intro 3

TOWNSHIP OF CLARK  
Ordinance No. 25 - 27  
Adopted \_\_\_\_\_

Introduced: August 18, 2025 Public Hearing: September 15, 2025

**AN ORDINANCE TO AMEND CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" SECTION 36A ENTITLED "LEFT TURNS" 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 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:** Section 347-36 entitled "Turn Prohibitions" Sub-section 347-36A "Left Turns" is hereby supplemented as follows:

<b>From</b>	<b>Onto</b>
Raritan Rd., Eastbound	Existing Driveway of 1010 Raritan Rd.
Existing Driveways of 225 Central Ave.	Central Ave.
Existing Driveway 162 Central Ave.	Central Ave.
Existing Driveway 1005 Westfield Ave.	Westfield Ave.
Existing Driveway 1045 Raritan Rd., 150 feet east of Commerce Place	Raritan Rd.
Existing Westernmost Driveway 1300 Raritan Rd.	Raritan Rd.

**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: Effective Date:**

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

Effective Date:

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**WILLIAM F. SMITH**  
Council President

\_\_\_\_\_  
**ANGEL ALBANESE**  
Mayor

Ord25/8-18 25-27Ch347Sec36ANoLeftTurn

		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 - 28**

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

Introduced: August 18, 2025 Public Hearing: September 15, 2025

**AN ORDINANCE AMENDING CHAPTER 3 ENTITLED  
"ADMINISTRATION OF GOVERNMENT"  
ARTICLE VI, ENTITLED TOWNSHIP CLERK, SECTION 3-14  
OF THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark as follows:

**SECTION 1:** The office of Deputy Township Clerk is hereby established and created in and for the Township of Clark by and subject to the provisions of this chapter in accordance with N.J.S.A. 40A:9-135.

**SECTION 2:** Chapter 3, Article VI entitled "Township Clerk" Section 14 of the Code of the Township of Clark entitled "Appointment; qualifications; term; compensation" be and hereby is supplemented, amended and modified by adding the following additional Subsection B as follows:

**B. Deputy Clerk.**

(1) **Appointment.** The Council shall appoint the Deputy Township Clerk. The Deputy Township Clerk need not be a resident of the Township of Clark. The term of office shall be at the pleasure of the governing body and shall not be removed therefrom except for good cause shown after a fair and impartial hearing. The Deputy Township Clerk shall receive such compensation as shall be fixed from time to time by a general salary ordinance.

(2) **Role; Powers and Duties.**

The Deputy Township Clerk shall perform the functions and duties of the Township Clerk during the absence or disability of the Township Clerk and shall have all of the powers of the Township Clerk during such absence or disability.

**SECTION 3:** All other provisions of Section 14 of Chapter 3 of the Code of the Township of Clark remain in effect.

**SECTION 4:** 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.



**TOWNSHIP OF CLARK**

Resolution 25-145

August 18, 2025

**RESOLUTION OF THE TOWNSHIP OF CLARK ACCEPTING BID FOR TOWNSHIP OWNED REAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-13 (a) AND AUTHORIZING THE TOWNSHIP ATTORNEY TO PREPARE A DEED OF CONVEYANCE.**

**WHEREAS**, N.J.S.A. 40A:12-13 (a) authorizes the open public sale at auction of real property no longer needed for public use; and

**WHEREAS**, on July 7, 2025, the Governing Body of the Township of Clark adopted Resolution 25-130 (the "Resolution") authorizing the sale of Township-owned land not necessary for public use designated on the Township's tax map as Block 94, Lot 11 (the "Property"); and

**WHEREAS**, pursuant to the Resolution and associated Public Notice, an open public sale at auction of the Property was conducted on August 5, 2025; and

**WHEREAS**, the Township received two bids on such date to purchase the Property through an auction process in accordance with the Local Lands and Buildings Law, said bids being attached as Exhibit "A" and Exhibit "B," respectively; and

**WHEREAS**, the Township Council believes it is in the best interest of the Township and its taxpayers to sell the Property; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-13, the Governing Body of the Township of Clark is required to accept or reject said high bid; and

**WHEREAS**, the Township Council of the Township of Clark has reviewed said bids and desires to accept the bid for the Property attached as Exhibit "A" submitted by Felix Lettini of 31 Doris Way, Clark, New Jersey, for \$265,000.00 for such land as the highest and the only responsive bid.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Clark, County of Union, State of New Jersey that the Township hereby accepts the bid attached as Exhibit "A" submitted by Felix Lettini of 31 Doris Way, Clark, New Jersey, for \$265,000.00 for the Property; and

**BE IT FURTHER RESOLVED** that the Township Attorney be and hereby is authorized, empowered and directed to prepare a Quitclaim Deed of conveyance to effectuate the transaction contemplated thereby; and that the Mayor be and hereby is authorized to execute and deliver said

Quitclaim Deed and to take any and all other action necessary to consummate the sale of the Property subject to and in accordance with the terms and conditions of the Resolution and the associated Public Notice, including but not limited to the execution of any and all documents necessary to effectuate same.

**ATTEST:**

**APPROVED:**

---

**EDITH L. MERKEL, RMC,**  
Township Clerk

---

**WILLIAM F. SMITH,**  
Council President

Res25/8-18 145 Accepting Bid for Sale of Property B94L11-Lionel St

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

**EXHIBIT "A"**

**Accepted Bid for Block 94, Lot 11  
Submitted by Felix Lettini of 31 Doris Way, Clark, New Jersey**

[See Attached]

Felix Lottini (Letting Business)

31 DONIS WAY

CLARK NJ Cell 

Block/LOT Clover ST  
94 / 11

Bid Price \$ 265,000 .

J.P. Lottini  
8/4/25

**EXHIBIT "B"**

[See Attached]

# George Sangiuliano

---

---

138 Westfield Avenue  
Clark, NJ 07066

Tel [REDACTED]

August 4, 2025

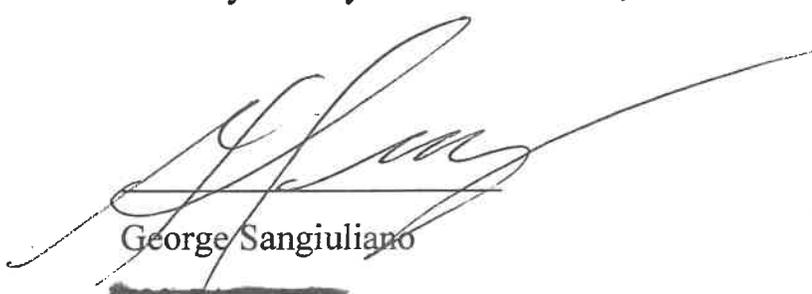
To: Township of Clark  
430 Westfield Ave  
Clark, NJ 07066

From: George Sangiuliano  
138 Westfield Ave  
Clark, NJ 07066

Re: Township of Clark Auction Sale of  
Block 94 Lot 11  
Lionel St, Clark

I wish to present an offer for the above mentioned property in the amount of \$225,000 (Two hundred twenty five thousand).

Thank you for your consideration,

  
George Sangiuliano  
[REDACTED]

TOWNSHIP OF CLARK  
Resolution 25-146  
August 18, 2025

**WHEREAS**, the Governing Body of the Township of Clark advertised on June 19, 2025, and received two (2) bids for the Collection and Disposal of Leaves on July 29, 2025, at 10:00 a.m.; and

**WHEREAS**, the two (2) lowest responsible bidders were:

<u>Bidder</u>	<u>Amount</u>
Frank Galbraith & Son Excavation and Demolition	\$51,000.00
Messercola Excavating Co., Inc.	\$57,400.00

**WHEREAS**, the lowest responsible bidder was Frank Galbraith & Son Excavation and Demolition, 831 Raritan Road, Scotch Plains, NJ 07076 in the amount of \$51,000.00; and

**WHEREAS**, the Business Administrator has reviewed all the documents required by the bid specifications and recommends award of contract to Frank Galbraith & Son Excavation and Demolition; and

**WHEREAS**, the Chief Financial Officer has ascertained funds are available in the 2025 Municipal Budget, Account Number 26-306-223, not to exceed \$51,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby award a contract to Frank Galbraith & Son Excavation and Demolition, in the amount of \$51,000.00, 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

Res25/8-18 146AwardLeaves-Galbraith

		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: August 4, 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, 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 Frank Galbraith & Son Excavation and Demolition in the amount not to exceed \$51,000.00 for Collection and Disposal of Leaves

Funds for certification are therefore being made available and certified against the appropriations for the Departments of Public Works  
Account No 26-306-223 or Ordinance No.



Christie Vieira  
Chief Financial Officer

TOWNSHIP OF CLARK  
Resolution 25-147  
August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby accept the Renewal Service Agreement with Trane U.S. Inc. for HVAC equipment services at the Clark Police Department and Municipal Court for a fee in the amount of \$20,260.00 and authorizes the Business Administrator to execute the agreement effective September 1, 2025 – December 31, 2026.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 147TraneHVAC PDContract

		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 25-148  
August 18, 2025

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLARK**

**WHEREAS**, Netspeed LLC d/b/a GoNetspeed, (“GoNetspeed”) is authorized by the New Jersey Bureau of Public Utilities to provide local exchange and interexchange services throughout the State of New Jersey; and

**WHEREAS**, GoNetspeed has entered into agreements with parties that have the lawful right to maintain poles in the public-right-of-way pursuant to which GoNetspeed may use such poles erected within the public-right-of-way in the Township of Clark; and

**WHEREAS**, New Jersey law permits such use provided that there is the consent of the relevant municipality.

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

Permission and authority are hereby granted to GoNetspeed and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Clark, subject to the following:

- i. GoNetspeed, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way, and shall obtain any applicable permits that may be required by the Township of Clark.
- ii. Such permission is hereby given upon the condition and provision that GoNetspeed, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Clark, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of GoNetspeed or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Clark.
- iii. GoNetspeed shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000.00 for injury to or death of one or more persons in any one occurrence and \$500,000.00 for damage or destruction to property in any one occurrence. GoNetspeed shall include the Township of Clark as an additional insured.

- iv. GoNetspeed shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- v. Notwithstanding any provision contained herein, neither the Township of Clark nor GoNetspeed shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- vi. This instrument shall be adopted on behalf of the Township of Clark by the Township Council of the Township of Clark and attested to by the Township of Clark Clerk who shall affix the Township of Clark Seal thereto.
- vii. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles GoNetspeed is using.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 148GoNetspeedRightofWayConsent

		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 25-148, as approved at a Regular Meeting of the Township Council held on August 18, 2025.

\_\_\_\_\_  
 Edith L. Merkel, Township Clerk  
 Date: August 19, 2025

TOWNSHIP OF CLARK  
Resolution 25-149  
August 18, 2025

**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 2025 in the sum of \$39,507.17 which is now available from the State of New Jersey in the amount of \$39,507.17; and

**BE IT FURTHER RESOLVED** that the like sum of \$39,507.17 is hereby appropriated under the caption Clean Communities Grant; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the State of New Jersey in the amount of \$39,507.17.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 149Ch159CleanCommunitiesGrant

		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 25-150  
August 18, 2025

**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 2025 in the sum of \$16,720.86 which is now available from the National Opioid Settlement in the amount of \$16,720.86; and

**BE IT FURTHER RESOLVED** that the like sum of \$16,720.86 is hereby appropriated under the caption National Opioid Settlement; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the National Opioid Settlement in the amount of \$16,720.86.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 150Ch159Nat'IOpioidSettlement

		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 25-151  
August 18, 2025

**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 or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an appropriation for the 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 2025 in the sum of \$250,000.00 which is now available as a revenue from the 2025 Capital Project Grant Program pursuant to the provision of the statute; and

**BE IT FURTHER RESOLVED** that the like sum of \$250,000.00 is hereby appropriated under the caption 2025 Capital Project Grant Program; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the County of Union in the amount of \$250,000.00.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 151Ch159 2025CapitalProjectGrant-SextonPumpStation

		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 25-152  
August 18, 2025

**WHEREAS**, the Administration has requested that the Township Council authorize the appropriate Township Official(s) to approve the rehabilitation of the Sexton Village Sewage Pumping Station; and

Pricing for the Sexton Village Sewage Pumping Station is through the Passaic Valley Cooperative Pricing System aka North Jersey Wastewater Cooperative Pricing System, NJWCPS

System Identifier: NJWCPS Contract No. B364-2

Vendor: Pumping Services, Inc. of Middlesex, New Jersey

Quote: a) By-Pass Pumping Rental of Equipment	\$ 6,431.00
b) Rehabilitation of Pump Station and Equipment	<u>\$242,750.90</u>
	\$249,181.90

Funded by: Capital Project Grant, G-01-41-881-311

**WHEREAS**, the Chief Financial Officer has ascertained there are available sufficient, uncommitted appropriations in the amount of \$249,181.90 funded by Account # G-01-41-881-311 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 authorizes the Business Administrator to effectuate the purchase and installation of the Sexton Village Sewage Pumping Station rehabilitation as hereinabove stated.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 152AuthSextonPumpStation-Co-op-CapitalProjectGrant

		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 25-153  
August 18, 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 and Township Clerk to execute a Developer’s Agreement with 1180 Raritan, LLC, a New Jersey corporation, having its principal office located at 343 W. Mt. Pleasant Avenue, Livingston, New Jersey 07039 for the property identified as Block 60, Lot 22 on the Tax Maps of the Township of Clark, known as 1180 Raritan Road.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 153AuthDevelopersAgrmt-1180RaritanRd-ChaseBank

		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 25-154  
August 18, 2025

**RESOLUTION AUTHORIZING THE APPLICATION FOR  
“KIDS RECREATION TRUST FUND” GRANT  
FOR THE TOWNSHIP OF CLARK**

**WHEREAS**, the Union County Board of County Commissioners has established the Kids Recreation Trust Fund to allocate grant funds for the creation, enhancement and/or replacement of recreational facilities; and

**WHEREAS**, the Township of Clark desires to submit a grant application to seek funding in the amount of \$32,600.00 for improvements, and to purchase new pickleball nets, new outdoor soccer goals with wheels, 2 foosball tables, 2 outdoor ping pong tables, Pop-A-Shot Dual Basketball Games, a bike rack, a robot vacuum for the pool, Softball field refresh and 4 new floor mats for the inside of our facility in accordance with the established guidelines of the grant, including accepting the award and executing an agreement with Union County; and

**WHEREAS**, the Chief Financial Officer has ascertained that matching funds are available in the 2025 Municipal Budget, Account Number T-16-56-250-101, in the amount of \$32,600.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Clark, County of Union, New Jersey formally approves the submission of a grant application for the above stated Grant Program and authorizes the Mayor and/or Business Administrator to execute a grant agreement.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 154SubmitKidsRecGrant

		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 25-155  
August 18, 2025

**WHEREAS**, the Township of Clark is eligible to participate in the Greening Union County Tree-Planting Program; and

**WHEREAS**, funding is available through a matching grant from the Union County Open Space, Recreation & Historic Preservation Trust Fund; and

**WHEREAS**, the anticipated cost of the 30 trees to be requested is \$10,000.00; and

**WHEREAS**, the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$5,000.00 in Road Maintenance Account: 4-01-26-290-216 as attached hereto as a "Certification of Availability of Funds".

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby authorizes the submission of a grant application and execution of all necessary documents by the Mayor and/or Business Administrator for the Greening Union County Grant in the amount of \$5,000.00; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be included in the submission packet to be sent to Union County.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 155SubmitGreeningUCGrant

		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**

**EMERGENCY APPROPRIATION RESOLUTION**

**RESOLUTION 25 - 156**

**August 18, 2025**

**WHEREAS**, an emergency has arisen with respect to the funding of the cost of repairs required in response to severe storms experienced throughout New Jersey, including in the Township of Clark, on account of which Governor Murphy declared a state of emergency by Executive Order 392 on July 14, 2025, which caused extensive flooding and the further degradation, exacerbation and deepening of a pit created by a broken storm sewer pipe near the Robinson’s Branch Reservoir, the rectification of which the Township just recently had planned to accomplish through the public bidding process, and

**WHEREAS**, the total emergency appropriations created, including this appropriation to be created by this resolution and all prior emergency appropriations made during this year is \$966,300.00, and three percent of the total operations in the budget for the year 2025 is \$761,384.76; and

**WHEREAS**, the appropriation necessary to effectuate rectification of such further degradation, exacerbation and deepening of such pit is \$966,300.00, which exceeds three percent of the total operations in the budget for the year 2025 by the sum of \$204,915.24.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Clark, County of Union, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-49 that:

1. In accordance with N.J.S.A. 40A:4-49, petition shall be made to the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the “Director”) for permission to exceed the statutory limit of three percent for the creation of an emergency appropriation.
2. An emergency appropriation be and the same hereby is made for Account #5-01-46-999-224 in the amount of \$966,300.00.
3. The said emergency appropriation shall be provided for in full by the adoption of a bond ordinance of the Township prior to December 31, 2025.
4. That the Chief Financial Officer has certified that the expenditure to be financed through this resolution are related to the aforementioned emergency.

5. That the statements required by the Local Finance Board have been filed with the Township Clerk and a copy thereof will be transmitted to the Director.
6. This resolution shall take effect after approval of the Director.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be filed with the Director of the Division of Local Government Services by email to [DLGS@dca.nj.gov](mailto:DLGS@dca.nj.gov).

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**WILLIAM F. SMITH**  
 Council President

Res25/8-18 156Emergency Appropriation Exceeding 3%

		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 25-158  
August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Edwin Sanchez is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 18<sup>th</sup> day of August 2025.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 158AppointFireFighter-Sanchez

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

CA19

TOWNSHIP OF CLARK  
Resolution 25-159  
August 18, 2025

**WHEREAS**, Resolution 25-119 approving annual Alcoholic Beverage Control renewals of Plenary Retail Consumption Licenses and Plenary Retail Distribution Licenses for the license term 2025 - 2026, was adopted on June 16, 2025; and

**WHEREAS**, the status of the license for Whole Foods Market Group, Inc., located at 1255 Raritan Road, Clark, New Jersey, License # 2002-33-003 was listed as pocket; and

**WHEREAS**, in accordance with the license amendment submitted on February 4, 2025, the status of the license for Whole Foods Market Group, Inc. should be listed as inactive effective January 1, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that is hereby amends Resolution 25-119 to change the status of the Whole Foods Market Group, Inc., Alcoholic Beverage Control license #2002-33-003 for the license term 2025 – 2026 to reflect its inactive status effective January 1, 2025.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 159WholeFoodsstatusinactive

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

CA20

TOWNSHIP OF CLARK  
Resolution 25-160  
August 18, 2025

**WHEREAS**, Resolution 25-144, authorizing the release of the Performance Bond for 8 Ivy Street to Vin Bella Homes, LLC, was adopted on July 21, 2025; and

**WHEREAS**, money received by the township must be returned to the same person/entity that provided it; and

**WHEREAS**, Vin Bella Homes, LLC submitted the permit application however, the cash Performance Bond in the amount of One Thousand Dollars (\$1,000) was submitted by Donald G. Bence, 398 Douglas Avenue, Avenel, New Jersey 07001; and

**WHEREAS**, the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of the Performance Bond.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and authorizes release of the \$1,000.00 cash Performance Bond to Donald G. Bence as stated herein for the abovementioned project.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 160Amending25-144RefundofPerformanceBond-8IvySt

		Motion	Second	Aye	Nay	Abstain	Absent
	Hoff						
	Hund						
<input type="checkbox"/> Adopted	Mazzarella						
<input type="checkbox"/> Adopted as Amended	Minniti						
<input type="checkbox"/> Defeated	O'Connor						
<input type="checkbox"/> Tabled	Toal						
<input type="checkbox"/> Withdrawn	Smith						
	Entire Council						
	TOTAL						

CA21

TOWNSHIP OF CLARK  
Resolution 25-161  
August 18, 2025

**WHEREAS**, Spring Enterprises, LLC having offices at 34 Upper Drive, Summit, New Jersey 07901 has requested release of their 90% Performance Bond in the amount of Sixty-Three Thousand, One Hundred Seventy-Seven Dollars and Eighty-Four Cents (\$63,177.84) and the 10% Cash Bond held in lieu of a Maintenance Bond in the amount of Seven Thousand, Nineteen Dollars and Seventy-Six Cents (\$7,019.76) for work completed at 60 – 62 Westfield Avenue; and

**WHEREAS**, the Township Engineer has deemed the project complete and in compliance with Township Standards and recommends release of all Guarantee(s); and

**WHEREAS**, the Township Engineer recommendations, with approval by the Business Administrator, that Performance and Maintenance Guarantee(s) and all remaining Escrow Funds be released to Spring Enterprises, LLC after all outstanding engineering inspection invoices have been satisfied.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby concurs with the Engineer and Business Administrator and directs the Chief Financial Officer to release the Guarantees and Escrow Funds as stated herein for the abovementioned project.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 161ReleaseGuarantees&Escrow-SpringEnterprises60-62WestfieldAve.

		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 25-162  
August 18, 2025

CA22

**WHEREAS**, D.L.S. Contracting, Inc. has completed work on the 2024 Capital Road Improvements - Various; and

**WHEREAS**, the Township Engineer recommends payment in the sum of Seven Thousand, One Hundred Twenty-Eight Dollars and Sixty Cents (\$7,128.60) including final quantities change order which decreases the adjusted contract amount by Forty-Five Thousand, One Hundred Fifty-Nine Dollars and Forty-Seven Cents (\$45,159.47); and

**WHEREAS**, the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Account C-04-24-006-001 as attached hereto as a "Certification of Availability of Funds"; and

**WHEREAS**, Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Bond and Final Payment; and

**WHEREAS**, the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by D.L.S. Contracting, Inc. to be Thirty-Five Thousand, Six Hundred Forty-Two Dollars and Ninety-Eight Cents (\$35,642.98); and

**WHEREAS**, D.L.S. Contracting, Inc. has submitted a Maintenance Bond in the amount of \$35,642.98.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to D.L.S. Contracting, Inc., 36 Montesano Road, Fairfield, New Jersey 07004 in the amount of \$7,128.60 including final quantities change order and release of the Performance Guarantee.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 162FinalPayment2024CapitalRoads-DLSCcontracting

		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 25-163  
 August 18, 2025

**WHEREAS**, the New Jersey Department of Environmental Protection, Division of Watershed Protection and Restoration, is offering a new grant funding program intended to promote stormwater management and water quality protection; and

**WHEREAS**, The “Leaf Composting Grant Program” is intended to assist public entities in complying with the Department’s Wood Waste Recycling and Leaf Composting Stormwater General Permit (WRC); and

**WHEREAS**, the Township of Clark is eligible to participate in the Leaf Composting Grant Program; and

**WHEREAS**, funding is available through the State of New Jersey Department of Environmental Protection for applications received by August 15, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby ratifies the action taken by the Business Administrator for the submission of a grant application and execution of all necessary documents by the Mayor and/or Business Administrator for the Leaf Composting Grant Program.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 163SubmitLeafCompostingGrantAppl-NJDEP

		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 25-164  
August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark that Resolution 25-25, adopted January 1, 2025, appointing Donna Mazzucco as Acting Clerk and James Ulrich as Alternate Acting Clerk is hereby rescinded; and

**BE IT FURTHER RESOLVED** that Nicole Castellucci is hereby appointed as Acting Township Clerk in the absence of Township Clerk Edith Merkel as the need may arise from time to time until December 31, 2025; and

**BE IT FURTHER RESOLVED** that the need may arise for an Alternate Acting Clerk due to the unforeseen and/or unavoidable absence of both Edith Merkel, Township Clerk and Nicole Castellucci, Acting Clerk; and

**BE IT FURTHER RESOLVED** that Christina DePack is hereby appointed as Alternate Acting Township Clerk in the absence of both the Township Clerk, Edith Merkel and the Acting Township Clerk, Nicole Castellucci as the need may arise from time to time until December 31, 2025.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 164AppointActingandAltActingClerk

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

CA25

TOWNSHIP OF CLARK  
 Resolution 25-165  
 August 18, 2025

**WHEREAS**, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Jason De Jesus to be 100% permanently disabled effective April 10,1986, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

**WHEREAS**, Jason De Jesus, has submitted his Claim for Property Tax Exemption on Dwelling of Disabled Veteran, on June 10, 2025; and the Tax Assessor, has approved this application as of June 10, 2025; and

**WHEREAS**, Jason De Jesus owns one hundred percent of the property listed in the tax duplicate as 109 Stonehenge Terrace, Clark, NJ, Block 30.01 Lot 10, and is entitled to one hundred percent of the taxes for this property beginning June 10, 2025; and

**WHEREAS**, the total 2025 taxes on this property, were originally billed \$19,544.95, and should be \$10,763.11; therefore, the following will be cancelled, \$3,883.54 for the 3<sup>rd</sup> quarter, \$5,043.32 for the 4<sup>th</sup> quarter, and \$4,922.50 for the 1<sup>st</sup> quarter and \$4,922.49 for 2<sup>nd</sup> quarter 2026; and

**WHEREAS**, one hundred percent of the taxes on this property will be entitled to exemption for as long as Jason De Jesus is owner of the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector is hereby authorized and directed to make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 165TaxExemptVeteran-B30.01L10

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

CA26

TOWNSHIP OF CLARK  
Resolution 25-166  
August 18, 2025

**WHEREAS**, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Herve Vilaire to be 100% permanently disabled effective August 12, 2001, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

**WHEREAS**, Herve Vilaire, has submitted his Claim for Property Tax Exemption on Dwelling of Disabled Veteran, on June 27, 2025; and the Tax Assessor, has approved this application as of June 27, 2025; and

**WHEREAS**, Herve Vilaire owns one hundred percent of the property listed in the tax duplicate as 87 Hutchinson Street, Clark, NJ, Block 49 Lot 12.08, and is entitled to one hundred percent of the taxes for this property beginning June 27, 2025; and

**WHEREAS**, the total 2025 taxes on this property, were originally billed \$10,289.92, and should be \$5,187.25; therefore, the following will be cancelled, \$2,467.84 for the 3<sup>rd</sup> quarter, \$2,634.83 for the 4<sup>th</sup> quarter, and \$2,572.48 for the 1<sup>st</sup> & 2<sup>nd</sup> quarters of 2026; and

**WHEREAS**, one hundred percent of the taxes on this property will be entitled to exemption for as long as Herve Vilaire is owner of the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector is hereby authorized and directed to make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 166TaxExemptVeteran-B49L12.08

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

CA27

TOWNSHIP OF CLARK  
Resolution 25-167  
August 18, 2025

**WHEREAS**, the Tax Assessor has certified that U.S. Department of Veterans Affairs has deemed Juan Caro to be 100% permanently disabled effective July 30, 2025, in accordance with N.J.S.A. 54: 4-3, 30, et. seq.; and

**WHEREAS**, Juan Caro owns one hundred percent of the property listed in the tax duplicate as 64 James Avenue, Clark, NJ, Block 195 Lot 17, and is entitled to one hundred percent of the taxes for this property beginning July 30, 2025.

**WHEREAS**, Juan Caro is entitled to an exemption of \$3,713.43 for the 2025 Property Taxes.

**WHEREAS**, one hundred percent of the taxes on this property will be entitled to exemption for as long as Juan Caro is owner of the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, New Jersey that the Tax Collector is hereby authorized and directed to make the proper adjustments to exempt this property as indicated above.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 167TaxExemptVeteranB195L17

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

CA28

TOWNSHIP OF CLARK  
 Resolution 25-168  
 August 18, 2025

**WHEREAS**, in accordance with a request from the Tax Collector for authorization to refund overpayment of 2025 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:

<b>CLARK TOWNSHIP</b>						
<b>TAX REFUNDS- 2025</b>						
<b>BLOCK</b>	<b>LOT</b>	<b>QUAL.</b>	<b>NAME</b>	<b>#</b>	<b>ADDRESS</b>	<b>REFUND</b>
195	8		Corelogic		20 Sunset Drive	\$ 1,000.00

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 168TaxRefund(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						

CA29

TOWNSHIP OF CLARK  
 Resolution 25-169  
 August 18, 2025

**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.

CLARK TOWNSHIP		Sewer Refund 2025					
REF	Acct #	Name	#	Address	Reason	Refund	
25	15R 1413-0	Rojek, June	54	Amelia Dr.	overpaid due to adjustment	\$ 310.00	
Total Refunds						\$ 310.00	

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 169SewerRefund(s)

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

CA30

TOWNSHIP OF CLARK  
Resolution 25-170  
August 18, 2025

**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

Res25/8-18 170SewerAdj

		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	#	Account #	Name	#	Address	Reason	Original	Revised	Credit	ADDL	Comments
25	52	2037-0	Colicchio, Philip & Laila	10	Elisa Lane	replaced meter	\$ 1,930.00	\$ 330.00	\$ 1,600.00		2025
25	53	2037-0	Colicchio, Philip & Laila	10	Elisa Lane	replaced meter	\$ 1,580.00	\$ 330.00	\$ 1,250.00		2024
25	54	1413-0	Rojek, June	54	Amelia Drive	meter issue	\$ 1,180.00	\$ 280.00	\$ 900.00		
						Total Credit			\$ 3,750.00		

CA31

TOWNSHIP OF CLARK  
 Resolution 25-171  
 August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle a Tax Appeal authorized by the Tax Court of New Jersey for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>
148/15	1457 Raritan Road	\$1,566,100	\$1,350,000	\$ 216,100	2023
148/15	1457 Raritan Road	\$1,566,100	\$1,250,000	\$ 316,100	2024
148/15	1457 Raritan Road	\$1,566,100	\$1,100,000	\$ 466,100	2025

**BE IT FURTHER RESOLVED** that a credit be issued in the amount of \$22,287.40.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 171TaxAppealB148L15-1457RaritanRd

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

CA32

TOWNSHIP OF CLARK  
 Resolution 25-172  
 August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle a Tax Appeal authorized by the Tax Court of New Jersey for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>
91/5.01/C0024	15 Westfield Avenue	\$142,400	\$125,000	\$ 17,400.00	2024
91/5.01/C0024	15 Westfield Avenue	\$142,400	\$125,000	\$ 17,400.00	2025

**BE IT FURTHER RESOLVED** that a credit be issued in the amount of \$764.73.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 WILLIAM F. SMITH  
 Council President

Res25/8-18 172TaxAppealB91L5.01qualC0024-15WestfieldAve

		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 25-173  
August 18, 2025

CA 33

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorizes the Tax Collector to settle a Tax Appeal authorized by the Tax Court of New Jersey for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>
63/46	1005 Raritan Road	\$1,881,200	\$1,300,000	\$ 581,200	2024
63/46	1005 Raritan Road	\$1,881,200	\$1,300,000	\$ 581,200	2025

**BE IT FURTHER RESOLVED** that a credit be issued in the amount of \$26,055.20.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 173TaxAppealB63L46-1005RaritanRd

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

CASH

TOWNSHIP OF CLARK  
Resolution 25-174  
August 18, 2025

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle a Tax Appeal authorized by the Tax Court of New Jersey for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Year</u>
60/22	1180 Raritan Road	\$2,400,000	\$2,179,350	\$ 220,650	2021

**BE IT FURTHER RESOLVED** that a refund be issued in the amount of \$19,615.79.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

Res25/8-18 174TaxAppealB60L22-1180RaritanRd

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