

**AGENDA
COUNCIL MEETING
315 WESTFIELD AVE., CLARK, NJ 07066
November 17, 2025
7:30 pm**

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, The Leader (formerly Union County Hawk), Union County Local Source, and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements, the Official Website of the Township and the proper filing of said Notice. Formal action may be taken at this meeting.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor:

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

REPORT OF COUNCIL COMMITTEES:

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

- 1. 25-31 AN ORDINANCE TO AMEND CHAPTER 145 ENTITLED "FEES," ARTICLE V ENTITLED "RECREATION DEPARTMENT" SECTION 145-8 ENTITLED "PROGRAM FEES" OF THE CODE OF THE TOWNSHIP OF CLARK**
- 2. 25-32 AN ORDINANCE AMENDING CHAPTER 195, PART 3, ARTICLE XXII, SECTION 195-123.2, ENTITLED "REQUIREMENTS FOR RESIDENTIAL ACCESSORY USES AND STRUCTURES" AND ARTICLE XXVIII, SECTION 195-210, ENTITLED "SWIMMING POOLS"**
- 3. 25-33 BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS INFRASTRUCTURE IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$996,300 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

INTRODUCTION OF PROPOSED ORDINANCES:

The Public Hearing for Ordinances 25-34 through 25-38 will be held on December 15, 2025

4. **25-34 AN ORDINANCE AMENDING CHAPTER 255 ENTITLED “PROPERTY MAINTENANCE” ARTICLE VI, ENTITLED “VACANT AND ABANDONED PROPERTY” OF THE CODE OF THE TOWNSHIP OF CLARK TO ESTABLISH A VACANCY DETERMINATION PROCESS AND NOTICE AND CURE REQUIREMENT**
5. **25-35 AN ORDINANCE TO AMEND CHAPTER 347 ENTITLED “VEHICLES AND TRAFFIC” SECTION 25 ENTITLED “PARKING PROHIBITED AT ALL TIMES” OF THE CODE OF THE TOWNSHIP OF CLARK**
6. **25-36 AN ORDINANCE TO AMEND SECTION 161-47 ENTITLED “FEES” AND SECTION 161-48 ENTITLED “FIRE WATCH” OF CHAPTER 161, ENTITLED “FIRE PREVENTION” OF ARTICLE VIII, ENTITLED “ENFORCEMENT OF UNIFORM FIRE SAFETY ACT” OF PART II, ENTITLED “GENERAL LEGISLATION”**
7. **25-37 AN ORDINANCE TO AMEND SECTION 3-11, ENTITLED “REGULAR MEETINGS” OF ARTICLE V, ENTITLED “TOWNSHIP COUNCIL MEETINGS” OF CHAPTER 3, ENTITLED “ADMINISTRATION OF GOVERNMENT” OF PART I, ENTITLED “ADMINISTRATIVE LEGISLATION**
8. **25-38 AN ORDINANCE TO AMEND SECTION 347-33, ENTITLED “STOP INTERSECTIONS” OF ARTICLE V, ENTITLED “TRAFFIC REGULATIONS,” OF CHAPTER 347, ENTITLED “VEHICLES AND TRAFFIC,” OF PART II, ENTITLED “GENERAL LEGISLATION”**

PAYMENT OF CLAIMS:

Councilman O’Connor, Chairman of Finance Committee has reviewed the Current and Capital expenditures received and encumbered through November 5, 2025 in the amount of \$330,439.56

CITIZEN HEARING ON THE AGENDA:

Council President opens the meeting to the public

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

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.

9. Authorizing the transfer of funds within the 2025 Municipal Budget
10. Requesting permission for the Dedication by Rider for Fire Department Donations
11. Requesting permission for the Dedication by Rider for Recreation Pool Donations
12. Requesting permission for the Dedication by Rider for Tax Sale Premium Trust Fund
13. Requesting permission for the Dedication by Rider for Outside Liens Redemption Trust Fund
14. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$600,000.00 for the 2026 Capital Project Grant Program
15. Appointing Adam Vega as a member of the Clark Volunteer Fire Department effective November 17, 2025
16. Appointing Special Law Enforcement Officers effective January 1, 2026
17. Authorizing the Tax Collector to refund overpayment of taxes in the amount of \$514.84
18. Authorizing the Tax Collector to settle a tax appeal for Block 142 Lot 4.0101 as authorized by the Tax Court of New Jersey with credit issued in the amount of \$193,410.67
19. Opposing NJ Senate Bill 4736 which bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety
20. Reaffirming Authorization to Solicit Qualification Statements (RFQs) under a Fair and Open process for Auditor, Engineering Services, Professional Planner and Various Legal Counsel Appointments for Calendar Year 2026
21. Authorizing the use of Competitive Contracting for the Procurement of Information Technology and Network Support Services
22. Authorizing the Business Administrator to Advertise a Request for Qualifications (RFQ) for On-Call General Contractors for Facilities Maintenance
23. Amending the Volunteer Emergency Squad and Clark Volunteer Fire Department Length of Service Award Program (LOSAP) and setting the Qualifying Point Tiers and Contribution Amounts

RESOLUTIONS:

24. Naming Clark Broadway Associates LLC as the Conditional Redeveloper for the Property Identified as Block 105, Lots 1.01, 2.01 and 26.01 a/k/a 52 and 56 Westfield Avenue and Broadway near the intersection of Joseph Street and authorizing the execution of a Conditional Redevelopers Agreement with respect thereto

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 - 31
Adopted _____

PH 1

Introduced: October 20, 2025 Public Hearing: November 17, 2025

**AN ORDINANCE TO AMEND CHAPTER 145 ENTITLED "FEES,"
ARTICLE V ENTITLED "RECREATION DEPARTMENT"
SECTION 145-8 ENTITLED "PROGRAM FEES"
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 145, Section 145-8 of the Code of the Township of Clark is hereby amended as follows:

SECTION 1: Chapter 145 be and hereby is amended, modified and supplemented as follows:

Section 145-8 be and hereby is amended and modified by deleting its current text and substituting instead the following:

§ 145-8 Program Fees.

The Recreation Department is authorized to charge fees for programs up to \$400.00 as set forth by Annual Resolution of the Governing Body.

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: December 8, 2025

TOWNSHIP OF CLARK

PH2

Ordinance No. 25 - 32

Adopted _____

Introduced: October 20, 2025 Public Hearing: November 17, 2025

AN ORDINANCE AMENDING CHAPTER 195, PART 3, ARTICLE XXII, SECTION 195-123.2, ENTITLED "REQUIREMENTS FOR RESIDENTIAL ACCESSORY USES AND STRUCTURES" AND ARTICLE XXVIII, SECTION 195-210, ENTITLED "SWIMMING POOLS"

SECTION 1: Subsection A of Section 123.2 entitled "Detached private garage" be and hereby is amended by deleting its current text in its entirety and substituting instead "No premises shall have more than one detached garage, regardless of its size."

SECTION 2: Subsection B (2) of Section 123.2 be and hereby is amended by deleting "110" on the first line and substituting instead "200."

SECTION 3: Subsection C of Section 123.2 be and hereby is amended by changing the title thereof to "Gazebos/Pergola Type Structures," changing the term "gazebos" and the term "gazebo" to "Gazebos/Pergola Type Structures" throughout such Section, and deleting "100" on the first line of subsection C (2) to "200."

SECTION 4: Subsection E of Section 123.2 be and hereby is deleted in its entirety.

SECTION 5: Subsection F of Section 123.2 be and hereby is deleted in its entirety from Section 123.2 but be and hereby is reiterated and repeated in its entirety *verbatim* in Section 195-210 as Subsection L thereof, and therefore stating as follows:

- F. Hot tubs. Hot tubs are required to meet all the general requirements for accessory use as set forth in this section, provided the following additional requirements shall be satisfied:
- (1) Location. Hot tubs shall be permitted only in the rear yard. The hot tub shall not be closer than five feet from any side or rear property line. On corner lots, the hot tub shall be set back from the side street line a distance at least equal to the street side yard setback requirement for a principal building.
 - (2) In the event a hot tub is located within or adjacent to a deck, the hot tub shall be required to comply with the requirements for decks.
 - (3) In the event a hot tub is constructed as a freestanding structure, the hot tub shall be subject to the same setback requirements applicable to swimming pools.

TOWNSHIP OF CLARK

PH3

Ordinance No. 25 - 33

Adopted _____

Introduced: October 20, 2025 Public Hearing: November 17, 2025

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS INFRASTRUCTURE IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$996,300 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

SECTION 1: The Township of Clark, in the County of Union, New Jersey (the "Township"), is hereby authorized to undertake the following infrastructure improvements in, by and for the Township: (A) Pumpkin Patch Brook – stream cleaning, reconstruction of retaining wall and erosion control improvements; and (B) Wendell Place – reconstruction of storm drainage outfall pipe and related improvements. Said improvements shall include all work, materials, and appurtenances necessary and suitable therefor.

SECTION 2: The sum of \$996,300 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

SECTION 3: It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$996,300, and (4) \$48,300 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$948,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

SECTION 4: It is hereby determined and stated that money exceeding \$48,300, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$48,300 is hereby appropriated from such money to the payment of the cost of said purpose.

SECTION 5: To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$948,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

SECTION 6: To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$948,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

SECTION 7: Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

SECTION 8: It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

SECTION 9: It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$948,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 10: Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose, shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

TOWNSHIP OF CLARK
Ordinance No. 25 - 34
Adopted _____

Intro 4

Introduced: November 17, 2025 Public Hearing: December 15, 2025

AN ORDINANCE AMENDING CHAPTER 255 ENTITLED "PROPERTY MAINTENANCE" ARTICLE VI, ENTITLED "VACANT AND ABANDONED PROPERTY" OF THE CODE OF THE TOWNSHIP OF CLARK TO ESTABLISH A VACANCY DETERMINATION PROCESS AND NOTICE AND CURE REQUIREMENT

WHEREAS, the Township of Clark has adopted regulations governing the registration, maintenance, and enforcement of vacant and abandoned properties in order to protect the health, safety, and welfare of residents; and

WHEREAS, the Township desires to strengthen procedural safeguards and ensure fair and objective determinations of vacancy status prior to the imposition of registration fees, renewals, or fines;

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

SECTION 1.

Chapter 255, Article VI ("Vacant and Abandoned Property") of the Code of the Township of Clark is hereby amended to include the following new section, to be designated as § 255-22.1 "Vacancy Determination and Notice Requirements", and to renumber subsequent sections accordingly: § 255-22.1. Vacancy determination and notice requirements.

A. Vacancy determination.

The municipal inspector shall make a written vacancy determination based on at least two objective indicia from § 255-22, one of which must be verifiable physical evidence (e.g., utility disconnection records, boarded windows, accumulated mail, sealed winterization, or documented code violations). The inspector shall contemporaneously create a photographic record and written report. No fee associated with vacancy registration or escalation shall be invoiced until such written determination is completed and served on the responsible party as described in subsection B.

B. Notice and cure.

Prior to imposition of increased renewal fees or fines, the Township shall provide written notice by certified mail and personal service or posting on the property, allowing a cure period of not less than thirty (30) calendar days, or ten (10) days where an imminent threat to health or safety exists. During the cure period, registration and fee escalation shall be stayed.

TOWNSHIP OF CLARK
Ordinance No. 25 - 35
Adopted _____

Intro 5

Introduced: November 17, 2025 Public Hearing: December 15, 2025

AN ORDINANCE TO AMEND CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" SECTION 25 ENTITLED "PARKING PROHIBITED AT ALL TIMES" 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 347-25 entitled "Parking prohibited at all times" is hereby supplemented as follows:

Name of Street	Side	Location
Cellar Avenue	South	Extending 50 feet west from the driveway of 1190 Cellar Avenue located 615 feet east of the intersection at Lake Avenue

SECTION 2: **Inconsistent Ordinances:**

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

SECTION 3: **Effective Date:**

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

Effective Date: January 7, 2026

TOWNSHIP OF CLARK

Intro 60

Ordinance No. 25 - 36

Adopted _____

Introduced: November 17, 2025 Public Hearing: December 15, 2025

AN ORDINANCE TO AMEND SECTION 161-47 ENTITLED "FEES" AND SECTION 161-48 ENTITLED "FIRE WATCH" OF CHAPTER 161, ENTITLED "FIRE PREVENTION" OF ARTICLE VIII, ENTITLED "ENFORCEMENT OF UNIFORM FIRE SAFETY ACT" OF PART II, ENTITLED "GENERAL LEGISLATION"

WHEREAS, it is in the best interest of the Township to increase certain fees and make certain other related modifications relating to the payment thereof concerning fire prevention measures undertaken by the Township.

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

Section 1. Subsection A of Section 161-47 be and hereby is amended to state as follows:

Inspection fees:

Class I	\$75.00
Class II, per commercial/office/business suite	\$100.00
Class III, per commercial/office/business suite	\$200.00
Class IV, per commercial/office/business suite	\$300.00
Class V, for each individual dwelling unit located on the premises	\$15.00
Inspection of each apartment/condominium building common area and basements	\$200.00

Smoke detectors, for each unit, for all new homes, condominiums, townhouses and apartments	\$100.00
Inspection, residential, change of ownership	\$100.00
Second inspection, if needed, residential, change of ownership	\$50.00
Additional business inspection required due to a change of ownership	\$100.00
Failure to pay inspection fee following thirty (30) day notice and second (2 nd) billing period, double the initial fee.	

Section 2. Subsection B of Section 161-47 be and hereby is deleted in its entirety.

Section 3. Subsection C of Section 161-47 be and hereby is amended to state as follows:

Permit fees:

Type 1 from \$75 to \$100

Type 11 from \$200 to \$250

Type 111 from \$350 to \$400

Type 1V from \$500 to \$550

Section 4. Subsection F of Section 161-47 be and hereby is amended to state as follows: “For any Board of Education or Township of Clark sponsored events the inspections will be conducted and the permits will be issued for a charge equal to the New Jersey Fire Code minimum (currently \$45.00) not per day, but per each separate event.”

Section 5. Subsection B of Section 161-48 be and hereby is amended to state as follows: “Schedule of Fees. Fire service watches shall be charged at the rate of \$80.00 per hour on Mondays through Fridays from 8:00 a.m. to 5:00 p.m. After hours, from 5:00 p.m. to 8:00 a.m. on Mondays through Fridays the rate shall be \$120.00 per hour. Such after-hour rates also shall apply to any hours worked on Saturdays or Sundays. Any hours required or requested to conduct Fire Watch during a State or Federal Holiday shall be charged \$160.00 per hour. These rates are the rates per Inspector. There shall be a four hour minimum. The Township rate to be paid for fire watch or additional types of inspections and permitting per Firefighter shall be \$40.00 per hour.”

Section 6. **Inconsistent Ordinances.** Any ordinances of the Township of Clark which are inconsistent with the provisions of this Ordinance be and hereby are repealed to the extent of such inconsistency.

Section 7. Severability. If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: January 7, 2026

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC,
 Township Clerk

WILLIAM F. SMITH,
 Council President

ANGEL ALBANESE,
 Mayor

Ord25/11-17 25-36AmendCh161FirePreventionFees

		Motion to Introduce	Second	Motion to Adopt	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								

TOWNSHIP OF CLARK

Intro 7

Ordinance No. 25 - 37

Adopted _____

Introduced: November 17, 2025 Public Hearing: December 15, 2025

AN ORDINANCE TO AMEND SECTION 3-11, ENTITLED "REGULAR MEETINGS" OF ARTICLE V, ENTITLED "TOWNSHIP COUNCIL MEETINGS" OF CHAPTER 3, ENTITLED "ADMINISTRATION OF GOVERNMENT" OF PART I, ENTITLED "ADMINISTRATIVE LEGISLATION"

WHEREAS, the Township Council has determined that conducting two regular meetings each month rather than one will improve efficiency and transparency in the administration of the Township's business and affairs.

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

SECTION 1. Section 3-11 B be and hereby is deleted in its entirety.

SECTION 2. Section 3-11 C be and hereby is amended to state as follows:

Regular meetings. Regular meetings of the Council shall be held on the first Monday and the third Monday of each month at 7:30 p.m.; provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday other than the first day of January, such meeting shall be held at the same hour on the next succeeding day which is not a holiday. Any ordinance which is being proposed for introduction or resolution which is being proposed for adoption shall be presented to the Council for consideration at least 48 hours prior to a regular meeting of the Council. In the event that such proposed ordinance or resolution has not been presented to the Council for consideration at least 48 hours prior to the regular meeting, such proposed ordinance or resolution shall not be considered for adoption or introduced at the regular meeting of the Council, except upon the consent of five of the members present at the regular meeting.

SECTION 3. Section 3-11 F be and hereby is amended to state as follows:

Place of public meetings. All meetings of the Council, regular and special, shall be held in the John F. Laezza Council Chamber/Municipal Court of the Public Safety Building/Police Headquarters located at 315 Westfield Avenue in the Township, except in the case of the destruction thereof or other emergency proclaimed by the Mayor, or as otherwise directed by the Council for the public convenience.

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

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

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

Effective Date: January 7, 2026

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC,
Township Clerk

WILLIAM F. SMITH,
Council President

ANGEL ALBANESE,
Mayor

Ord25/11-17 25-37AmendCh3-11TownshipCouncilMeetings

		Motion to Introduce	Second	Motion to Adopt	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								

TOWNSHIP OF CLARK

Intro 8

Ordinance No. 25 - 38

Adopted _____

Introduced: November 17, 2025 Public Hearing: December 15, 2025

AN ORDINANCE TO AMEND SECTION 347-33, ENTITLED "STOP INTERSECTIONS" OF ARTICLE V, ENTITLED "TRAFFIC REGULATIONS," OF CHAPTER 347, ENTITLED "VEHICLES AND TRAFFIC," OF PART II, ENTITLED "GENERAL LEGISLATION"

WHEREAS, it is in the best interest of the Township to add two locations within the Township, on Township roads, at which stop signs may be installed.

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

SECTION 1. Section 347-33 entitled "Stop Intersections" is amended and supplemented to include the following:

<u>Intersection</u>	<u>"STOP" Sign on:</u>
Kennedy Drive and Skyline Drive	Kennedy Drive
Fairview Road and Mildred Terrace	Fairview Road

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

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

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

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

Effective Date: January 7, 2026

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC,
 Township Clerk

WILLIAM F. SMITH,
 Council President

ANGEL ALBANESE,
 Mayor

Ord25/11-17 25-38AmendCh347-33StopSigns-Kennedy&Fairview

		Motion to Introduce	Second	Motion to Adopt	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								

TOWNSHIP OF CLARK
Resolution 25 - 202
November 17, 2025

9

WHEREAS N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the year, when it has been determined it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may, by Resolution setting forth the facts, adopted by not less than two-thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2025 budget appropriations in accordance with the following schedule of transfers.

2025 Budget Transfers

	<u>To</u>	<u>From</u>
Fire: Equipment Maintenance 5-01-25-266-203	\$ 15,000.00	
Recreation: S&W 5-01-28-370-101	\$ 60,000.00	
Street Lighting Expense 5-01-31-435-223	\$ 100,000.00	
Pool S&W 5-08-55-501-500	\$ 8,000.00	
Health Benefits: Misc Other Expenses 5-01-23-220-223	\$ 85,000.00	
Social Security (FICA) 5-01-36-472-223	\$ 95,000.00	
Assessment: Tax Appeals/Appraisals 5-01-20-150-250	\$ 45,000.00	
Fire Prevention: S&W - Reg 5-01-25-268-101	\$ 31,000.00	
B&G: General Maintenance 5-01-26-310-218		\$ 5,000.00
Health: Special Services 5-01-27-330-201		\$ 5,000.00
Senior Citizens: S&W - Regular 5-01-27-331-101		\$ 10,000.00
Fire: S&W - Regular 5-01-25-266-101		\$ 15,000.00
Pool O/E 5-08-55-502-224		\$ 8,000.00
Insurance & Bonding 5-01-23-210-223		\$ 235,000.00

Municipal Council: Misc OE 5-01-20-111-224	\$ 10,000.00
Finance: S&W Regular 5-01-20-130-101	\$ 65,000.00
Code Enforcement: Special Services 5-01-22-195-201	\$ 45,000.00
Roads: Special Services 5-01-26-290-201	\$ 41,000.00

\$ 439,000.00 \$ 439,000.00

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 202BudgetTransfers

		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						

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
 BY RIDER FOR DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS
 (N.J.S.A. 40A:5-29) PERTAINING TO FIRE DEPARTMENT DONATIONS

WHEREAS permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS N.J.S.A. 40A:4-39 provides for dedicated revenues anticipated for Donations – Acceptance of Bequests and Gifts (N.J.S.A. 40A:5-29) are appropriated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement: Fire Department Donations.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts (N.J.S.A. 40A:5-29) – Donations used for the Township of Clark’s Fire Department equipment and operations.
2. The Clerk of the Township of Clark, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services and/or file it in Financial Automation Submission & Tracking (F.A.S.T.).

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 203Dedication by Rider – Donation Fire Department

		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						

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 25-203 as approved at a Regular Meeting of the Township Council held on November 17, 2025.

 Edith L. Merkel, Township Clerk
 Date: November 17, 2025

TOWNSHIP OF CLARK
 Resolution 25-204
 November 17, 2025

11

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
 BY RIDER FOR DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS
 (N.J.S.A. 40A:5-29) PERTAINING TO THE TOWNSHIP OF CLARK’S
 RECREATION POOL DONATIONS

WHEREAS permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS N.J.S.A. 40A:4-39 provides for dedicated revenues anticipated for Donations – Acceptance of Bequests and Gifts (N.J.S.A. 40A:5-29) are appropriated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement: Recreation Pool Donations.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts (N.J.S.A. 40A:5-29) – Donations used for the Township of Clark’s Recreation Pool maintenance and operations.
2. The Clerk of the Township of Clark, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services and/or file it in Financial Automation Submission & Tracking (F.A.S.T.).

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 204Dedication by Rider – Recreation Pool Donations

		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						

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 25-204 as approved at a Regular Meeting of the Township Council held on November 17, 2025.

 Edith L. Merkel, Township Clerk
 Date: November 17, 2025

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR TAX SALE PREMIUM TRUST FUND REQUIRED BY N.J.S.A. 54:5-33 AND N.J.S.A. 40A:4-39

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve the insertion in the budget of any special item of revenue when such revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, N.J.S.A. 54:5-33 provides that any premium paid at a municipal tax sale shall be held by the Tax Collector and returned to the purchaser if and when redemption is made within five years from the date of sale, otherwise to escheat to the municipality; and

WHEREAS, the revenues received from such tax sale premiums are not subject to reasonably accurate estimate in advance, and it is necessary to provide for the proper accounting of these monies in accordance with law;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to establish a Tax Sale Premium Trust Fund as a Dedication by Rider under N.J.S.A. 40A:4-39, to account for revenues and disbursements as required under N.J.S.A. 54:5-33.
2. The Chief Financial Officer and Tax Collector are hereby directed to maintain this fund in accordance with applicable statutes and regulations of the Division of Local Government Services.
3. The Clerk of the Township of Clark is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services for approval.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 205DedicationbyRider-TaxSalePremium

		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						

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 25-205 as approved at a Regular Meeting of the Township Council held on November 17, 2025.

 Edith L. Merkel, Township Clerk
 Date: November 17, 2025

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OUTSIDE LIENS REDEMPTION TRUST FUND REQUIRED BY N.J.S.A. 54:5-54 ET SEQ. AND N.J.S.A. 40A:4-39

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve the insertion in the budget of any special item of revenue when such revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, N.J.S.A. 54:5-54 et seq. provides that the owner, mortgagee, or occupant of land sold for municipal liens may redeem the same by paying to the municipal Tax Collector, for the use of the purchaser of the lien, the amount required for redemption; and

WHEREAS, the funds received for redemption of outside (third-party-held) tax sale certificates are held by the Tax Collector in trust for remittance to the lienholder, and such revenues are not subject to reasonably accurate estimate in advance; and

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to establish an Outside Liens Redemption Trust Fund as a Dedication by Rider under N.J.S.A. 40A:4-39, to account for the receipt and disbursement of funds as provided under N.J.S.A. 54:5-54 et seq.
2. The Chief Financial Officer and Tax Collector are hereby directed to maintain this fund in accordance with applicable statutes and regulations of the Division of Local Government Services.
3. The Clerk of the Township of Clark is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services for approval.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 206DedicationbyRider-TaxSalePremium

		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						

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 25-206 as approved at a Regular Meeting of the Township Council held on November 17, 2025.

 Edith L. Merkel, Township Clerk
 Date: November 17, 2025

TOWNSHIP OF CLARK
Resolution 25-207
November 17, 2025

14

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 \$600,000.00 which is now available as a revenue from the 2026 Capital Project Grant Program pursuant to the provision of the statute; and

BE IT FURTHER RESOLVED that the like sum of \$600,000.00 is hereby appropriated under the caption 2026 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 \$600,000.00.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 207Ch159 2026CapitalProjectGrant-SewerVacTruck

		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						

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 25-207 as approved at a Regular Meeting of the Township Council held on November 17, 2025.

Edith L. Merkel, Township Clerk
Date: November 17, 2025

TOWNSHIP OF CLARK
 Resolution 25-208
 November 17, 2025

15

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that Adam Vega is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 17th day of November 2025.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 208AppointFireFighter-Vega

		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						

TOWNSHIP OF CLARK
Resolution 25-209
November 17, 2025

16

BE IT RESOLVED by the Governing Body of the Township of Clark pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark, that it does hereby appoint the following named individuals as Class 1 and Class 2 Special Law Enforcement Officers to serve for the period commencing January 1, 2026 and concluding December 31, 2026.

- SLEO1 Beceiro, Anthony R.
- SLEO1 Buczynski, Thomas
- SLEO1 Flicek, Francis
- SLEO1 Feins, Edward
- SLEO1 Tarantino, Robert

- SLEO 2 Bauer, Albert C.
- SLEO 2 Ehling, Jonh
- SLEO 2 Leonardis, Richard
- SLEO 2 Miller, Frank
- SLEO 2 Parnes, Kenneth

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 209AppointSpecialLawEnforcementOfficers2026

		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						

TOWNSHIP OF CLARK
Resolution 25-210
November 17, 2025

17

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:

CLARK TOWNSHIP						
TAX REFUNDS 2025						
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
183	1		Schpakow, Kevin	111	St. Laurent Drive	\$514.84
Total Refunds						\$ 514.84

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 210TaxRefund(s)

		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						

TOWNSHIP OF CLARK
Resolution 25-211
November 17, 2025

18

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>
142/4.0101	142 Central Avenue	\$15,601,000.00	\$13,827,300.00	\$1,773,700.00	2023
142/4.0101	142 Central Avenue	\$15,601,000.00	\$12,149,600.00	\$3,451,400.00	2024
142/4.0101	142 Central Avenue	\$15,601,000.00	\$12,149,600.00	\$3,451,400.00	2025

BE IT FURTHER RESOLVED, that a credit be issued in the amount of \$38,684.40 for 2023, \$76,414.00 for 2024 and \$78,312.27 for 2025. Total credits of \$193,410.67.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 211TaxAppealBlock142Lot4.0101

		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						

Resolution Opposing NJ Senate Bill 4736

WHEREAS, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation, and Sustainability; and

WHEREAS, municipalities are also required to reexamine the Municipal Master Plan every 10 years to ensure that the master plan meets the community needs and is relevant as communities, evolve, grow, and change; and

WHEREAS, municipalities complete this effort at great cost and community input to ensure their community has a roadmap for growth; and

WHEREAS, a municipality is best suited to plan for and understand their community's needs, the existing infrastructure to address the municipality's public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

WHEREAS, there are many mechanisms for exceptions and variances to the local planning process; and

WHEREAS, municipalities have been diligently working to comply with the changes outlined in the passage of A-4/S-50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

WHEREAS, affordable housing construction has generally comprised between 10 – 20 % of a total development, but municipalities will end up constructing far more units during this current round of affordable housing; and

WHEREAS, recent legislative proposals that preempt the planning process by permitting the conversion of underutilized properties into mixed used developments, reducing the number of parking spaces required for new developments near transit, making Accessory Dwelling Units permissible, and most recently, legislation that enhances the ability of religious and nonprofit organizations to convert certain property to inclusionary developments with affordable housing undermine the careful planning process outlined in the Municipal Land Use Law; and

WHEREAS, this proposal, S-4736 is particularly egregious because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate making it more challenging for municipalities to meet their 4th Round Affordable Housing obligations; and

WHEREAS, this legislation bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety; and

WHEREAS, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and

WHEREAS, S-4736 permits the bypassing of the local planning process which is an egregious assault on municipal autonomy and local decision making.

NOW, THEREFORE, BE IT RESOLVED by the Township of Clark urges the legislature to defeat S-4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan; and

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Senator Nicholas Scutari, Assemblymember James Kennedy, Assemblymember Linda Carter, Governor Phil Murphy, Governor Elect Mikie Sherrill, and the New Jersey State League of Municipalities.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 2120pposingNJSenateBill4736

			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						

TOWNSHIP OF CLARK
Resolution 25-213
November 17, 2025

20

Resolution Reaffirming Authorization to Solicit Qualification Statements (RFQs) Under a Fair and Open Process for Auditor, Engineering Services, Professional Planner, and Various Legal Counsel Appointments for Calendar Year 2026

WHEREAS, the Township of Clark previously adopted Resolution 25-32 on January 1, 2025, authorizing the Administration and/or Township Clerk to advertise for upcoming bids necessary for government operations; and

WHEREAS, although Resolution 25-32 referenced advertisement of “bids,” the Governing Body intended the authorization to include all forms of public solicitation permitted under the Local Public Contracts Law, including Requests for Qualifications (RFQs) and Requests for Proposals (RFPs); and

WHEREAS, professional services such as Municipal Auditor, Township Engineer/Engineering Services, Professional Planner, and various Legal Services are obtained under the provisions of N.J.S.A. 19:44A-20.4 et seq. (*Fair and Open Process* under Pay-to-Play), and N.J.S.A. 40A:11-5(1)(a)(i) (professional services exemption from formal bidding); and

WHEREAS, in accordance with the requirements of the Pay-to-Play law, RFQs must be publicly advertised and made available to all interested parties; and

WHEREAS, the RFQs for Auditor, Engineering Services, Professional Planner, and Various Legal Services were publicly posted on the Township of Clark website on November 12, 2025, thereby meeting the public notice requirement of N.J.S.A. 19:44A-20.4 (*Fair and Open Process*); and

WHEREAS, the Governing Body desires to formally reaffirm that the Administrator and/or Township Clerk were authorized to issue such RFQs consistent with the authority granted under Resolution 25-32.

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

1. The Governing Body hereby reaffirms and clarifies that Resolution 25-32 authorized the issuance and advertisement of RFQs and/or RFPs, in addition to bids, for all required municipal operations.
2. The Business Administrator and/or Township Clerk are hereby authorized and directed to continue the Fair and Open solicitation process pursuant to N.J.S.A. 19:44A-20.4 et seq. for the following 2026 professional service appointments:
 - o Municipal Auditor
 - o Engineering Services
 - o Various Legal Counsel Positions
 - o Township Planner
3. This Resolution shall ratify and confirm the public posting and distribution of RFQs that occurred on November 12, 2025, and shall be retroactive to that release date.
4. This Resolution shall take effect immediately.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 213RFQ2026ProfessionalServicesAdvertise

			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						

RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR THE PROCUREMENT OF INFORMATION TECHNOLOGY AND NETWORK SUPPORT SERVICES

WHEREAS, the Township of Clark has a continuing need for professional Information Technology and Network Support Services to maintain its technology infrastructure, network systems, and related functions; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq., a contracting unit may use the process of competitive contracting in lieu of public bidding for specialized goods and services, including those requiring technical or professional expertise; and

WHEREAS, the Business Administrator and Qualified Purchasing Agent recommend that the Township solicit proposals for Information Technology and Network Support Services through the competitive contracting process; and

WHEREAS, the Governing Body desires to authorize the advertisement and solicitation of proposals in accordance with law.

BE IT FURTHER RESOLVED, that this action is consistent with the prior authorization granted by the Governing Body empowering the Business Administrator to advertise and solicit bids and proposals as deemed necessary and appropriate, pursuant to Resolution 25-32.

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

1. The Township hereby authorizes the use of the competitive contracting process pursuant to N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq. for the procurement of Information Technology and Network Support Services.
2. The Qualified Purchasing Agent is hereby authorized to advertise a Request for Proposals (RFP) in the official newspaper of the Township and on the Township website, providing not less than twenty (20) calendar days' notice prior to the date for submission of proposals.
3. The resulting contract shall be structured as a two-year initial term with three (3) one-year renewal options, at the Township's discretion.
4. Upon receipt and evaluation of proposals, the Business Administrator shall prepare a written evaluation report and recommendation for award, to be presented to the Governing Body for formal action.
5. A copy of this Resolution shall be kept on file with the Township Clerk and the Qualified Purchasing Agent in accordance with law.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 214RFP-ITNetworkSupportServices2026-2027

			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						

**RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO ADVERTISE
A REQUEST FOR QUALIFICATIONS (RFQ) FOR ON-CALL GENERAL
CONTRACTORS FOR FACILITIES MAINTENANCE**

WHEREAS, the Township of Clark requires the availability of qualified general contractors to perform miscellaneous building repairs, facility maintenance, and related construction services on an as-needed basis throughout municipal properties; and

WHEREAS, the Township previously established an On-Call General Contractors List in order to ensure timely response for electrical, plumbing, carpentry, masonry, fencing, HVAC, and other general building services; and

WHEREAS, based on prior years' usage, it is anticipated that the total amount expended per contractor during the contract year will remain below the Township's bid threshold, and therefore such services may be procured through a publicly advertised Request for Qualifications (RFQ) consistent with the Local Public Contracts Law and pay-to-play fair-and-open requirements; and

WHEREAS, should any individual work order exceed the monetary threshold established under the New Jersey Prevailing Wage Act, that work order shall be subject to full compliance with prevailing wage requirements pursuant to N.J.S.A. 34:11-56.25 et seq., including certified payrolls and contractor registration; and

WHEREAS, the Township desires to solicit updated qualifications, rate schedules, experience, and availability from contractors for inclusion on a new On-Call General Contractors List for the upcoming contract term; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Township may award a one-year contract with up to two (2) optional one-year extensions, not to exceed three (3) years in total, for repair and maintenance services; and

WHEREAS, the Township intends to advertise an RFQ for On-Call General Contractor Services, which shall include the multi-year option structure described herein; and

WHEREAS, this action is consistent with prior authorization granted by the Governing Body, empowering the Business Administrator to advertise and solicit bids and proposals as deemed necessary and appropriate, pursuant to Resolution 25-32; and

WHEREAS, advertisement of the RFQ will allow the Township to evaluate contractor qualifications, responsiveness, hourly rates, insurance, and compliance with the Local Public Contracts Law, and to establish a qualified list of on-call contractors available for work orders during the contract term.

NOW, THEREFORE, BE IT RESOLVED

by the Mayor and Council of the Township of Clark, County of Union, State of New Jersey, as follows:

1. **The Business Administrator is hereby authorized and directed, in consultation with the Qualified Purchasing Agent, to prepare and advertise a Request for Qualifications (RFQ) for On-Call General Contractors for Facilities Maintenance.**
2. The RFQ shall specify a **one-year contract with up to two (2) optional one-year extensions**, not to exceed three (3) years in total, pursuant to N.J.S.A. 40A:11-15, with each extension subject to annual appropriation and Governing Body approval.
3. The RFQ shall be advertised in accordance with the **Local Public Contracts Law**, including publication in the Township's official newspaper(s) and posting on the Township website at www.ourclark.com.
4. All work orders issued under this RFQ shall comply with the **New Jersey Prevailing Wage Act** when the cost of the work meets or exceeds the statutory thresholds requiring prevailing wage.
5. Responses shall be reviewed by the Business Administrator and the Chief Financial Officer, who shall evaluate submissions and recommend qualified contractors for inclusion on the Township's On-Call General Contractors List.
6. The Township reserves the right to reject any or all responses or to waive minor informalities if deemed in the best interest of the Township.
7. This Resolution shall take effect immediately.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

WILLIAM F. SMITH
Council President

Res25/11-17 215RFQ-OnCallMaintAuthoizationtoAdvertise

		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						

**A RESOLUTION OF THE TOWNSHIP OF CLARK IN THE COUNTY OF UNION,
STATE OF NEW JERSEY, AMENDING THE VOLUNTEER EMERGENCY SQUAD
AND CLARK VOLUNTEER FIRE DEPARTMENT LENGTH OF SERVICE AWARD
PROGRAM (LOSAP) AND SETTING THE QUALIFYING POINT TIERS AND
CONTRIBUTION AMOUNTS**

WHEREAS, the Township of Clark (“Township”) recognizes the dedicated service of the members of the Clark Volunteer Emergency Squad and Clark Volunteer Fire Department in providing emergency services to the residents of the Township;

WHEREAS, the Township has previously adopted a Length of Service Award Program (“LOSAP”) under the Emergency Services Volunteer Length of Service Award Program Act, P.L. 1997, c. 388 (“Act”), codified at N.J.S.A. 40A:14-183 et seq., for eligible active volunteer members of the Clark Volunteer Squad and Clark Volunteer Fire Department;

WHEREAS, the Clark Volunteer Emergency Squad and Clark Volunteer Fire Department has requested an update to the point tiers and contribution levels under the Township’s LOSAP;

WHEREAS, the Township wishes to amend § 39-4 Eligibility criteria the LOSAP consistent with the provisions of the Act and ensure that the program remains compliant with the maximum annual contribution limits established by state law;

WHEREAS, the Township governing body finds that it is desirable and in the best interest of the public health, safety and welfare to amend the LOSAP as set forth herein.

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

1. The Township hereby amends the Township’s LOSAP for the Clark Volunteer Emergency Squad to provide the following contribution levels, contingent upon the accumulation of qualifying points during the calendar year:
 - a. For an active volunteer member who earns 800 or more points in a calendar year: contribution of \$2,091.00 (100% of the Maximum Yearly Amount as published by the DCA);
 - b. For an active volunteer member who earns 500 or more points (but less than 800) in a calendar year: contribution of \$1568.25 75; (75% of the Maximum Yearly Amount as published by the DCA);
 - c. For an active volunteer member who earns 250 or more points (but less than 500) in a calendar year: contribution of \$1,045.50; (50% of the Maximum Yearly Amount as published by the DCA);
 - d. Other eligibility criteria, point-award system, vesting, and administration of the plan shall remain as previously approved by the Township and as administered by the Volunteer Squad’s Executive Board, subject to all applicable law and Township oversight.

2. The Township hereby amends the Township's LOSAP for the Clark Volunteer Fire Department to provide the following contribution levels, contingent upon the accumulation of qualifying points during the calendar year:
 - a. For Active Members that respond to 60% or greater of calls: contribution \$2,091.00 (100% of the Maximum Yearly Amount as published by the DCA);
 - b. For Active Members that respond to between 55% - 59.9% of calls: contribution \$1,777.35 (85% of the Maximum Yearly Amount as published by the DCA);
 - c. For Active Members that respond to between 50% - 54.9% of calls: contribution \$1,359.15 (65% of the Maximum Yearly Amount as published by the DCA);
 - d. For Active Members that respond to between 45% - 49.9% of calls: contribution \$836.40 (40% of the Maximum Yearly Amount as published by the DCA);
 - e. For Active Members that respond to between 40% - 44.9% of calls: contribution \$522.75 (25% of the Maximum Yearly Amount as published by the DCA);
3. The Township Council certifies that the amended contribution amounts do not exceed the maximum annual contribution permitted under the Act (and any applicable regulations) and the budget will include a separate line-item appropriation for the LOSAP contributions. (See N.J.S.A. 40A:14-185(a) & (b).)
4. The LOSAP shall continue to be administered as a defined contribution plan in compliance with P.L. 1997, c. 388; the Rules and Regulations at N.J.A.C. 5:30-14.1 et seq.; and all other applicable state and federal laws (including the Internal Revenue Code). (See N.J.S.A. 40A:14-183 and N.J.A.C. 5:30-14.13.)
5. The Clark Volunteer Emergency Squad's Executive Board is authorized and directed to maintain records of point accumulation, submit annual certification lists of eligible active volunteer members to the Township, and ensure that contributions are made only for members who meet the established criteria and vesting requirements. (See N.J.A.C. 5:30-14.62.)
6. The Clark Volunteer Fire Department's Chief is authorized and directed to maintain records of point accumulation, submit annual certification lists of eligible active volunteer members to the Township, and ensure that contributions are made only for members who meet the established criteria and vesting requirements. (See N.J.A.C. 5:30-14.62.)
7. The contribution levels or point tiers shall increase in future years in compliance with the adjustment allowed by the "consumer price index factor" under subsection (f) of N.J.S.A. 40A:14-185. (See N.J.S.A. 40A:14-185(f).)
8. Unless otherwise repealed or amended in accordance with law, this amended LOSAP shall remain in effect for calendar years beginning on January 1, 2026.
9. This Resolution shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED that the Township Council finds and declares that this measure is for the health, safety and welfare of the citizens of the Township of Clark and the volunteers of the Volunteer Squad and Volunteer Fire Department, by providing meaningful recognition and incentive for volunteer service in conformity with state law.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 216LOSAP

			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						

TOWNSHIP OF CLARK
Resolution 25-217
November 17, 2025

24

RESOLUTION OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, NAMING A CONDITIONAL REDEVELOPER FOR THE PROPERTY IDENTIFIED AS BLOCK 105, LOTS 1.01, 2.01 AND 26.01 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND AUTHORIZING THE EXECUTION OF A CONDITIONAL REDEVELOPERS AGREEMENT WITH RESPECT THERETO

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, on June 4, 2018, the Township Council of the Township (the “**Township Council**”) adopted Resolution 18-84, authorizing and directing the Township Planning Board (the “**Planning Board**”) to undertake a preliminary investigation to determine whether property identified as Block 91, Lot 21 and Block 105, Lots 2 and 26.01 (the “**Original Study Area**”) qualifies as an “area in need of redevelopment” pursuant to the criteria set forth in the Redevelopment Law; and

WHEREAS, on August 2, 2018, the Planning Board conducted such investigation, held a duly noticed public hearing and determined that the Original Study Area met one or more criteria set forth in the Redevelopment Law to designate the Original Study Area as an area in need of redevelopment; and

WHEREAS, on September 17, 2018, the Township Council adopted Resolution 18-130, designating the Original Study Area as an area in need of redevelopment according to the criteria set forth in the Redevelopment Law (the “**Original Redevelopment Area**”), such Original Redevelopment Area being a “Condemnation Redevelopment Area” pursuant to the Redevelopment Law; and

WHEREAS, on behalf of the Township and pursuant to the Redevelopment Law, Shamrock Enterprises, Ltd. prepared a redevelopment plan for the Original Redevelopment Area entitled “Westfield Avenue Redevelopment Plan” dated April 4, 2019 (the “**Original Redevelopment Plan**”); and

WHEREAS, on May 6, 2019, the Township Council adopted Ordinance No. 19-12 approving the Original Redevelopment Plan; and

WHEREAS, the Township Council determined to expand the Original Redevelopment Area, and on July 15, 2024, the Township Council adopted Resolution 24-112, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether

property identified as Block 105, Lots 1.01, 2.01 (into which Block 105, Lot 2 was consolidated) and 26.01 on the official tax maps of the Township (the “**Additional Study Area**”) qualifies as an area in need of redevelopment pursuant to the criteria set forth in the Redevelopment Law; and

WHEREAS, on May 1, 2025, the Planning Board conducted such investigation, held a duly noticed public hearing and determined that the Additional Study Area met one or more criteria set forth in the Redevelopment Law to designate the Additional Study Area as an area in need of redevelopment; and

WHEREAS, on May 19, 2025, the Township Council adopted Resolution 25-101, designating the Additional Study Area as an area in need of redevelopment according to the criteria set forth in the Redevelopment Law (the “**Additional Redevelopment Area**” and, together with the Original Redevelopment Area, the “**Redevelopment Area**”), such Additional Redevelopment Area being a “Condemnation Redevelopment Area” pursuant to the Redevelopment Law; and

WHEREAS, on behalf of the Township and pursuant to the Redevelopment Law, Ricci Planning (the “**Planner**”) prepared an amended and restated redevelopment plan for the Redevelopment Area, entitled “Amended and Restated Westfield Avenue Redevelopment Plan” dated July 14, 2025 (as the same may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Redevelopment Law, specifically *N.J.S.A. 40A:12A-7(e)*, prior to the adoption of a redevelopment plan, the municipality’s planning board shall provide to the governing body of the municipality a report containing the planning board’s recommendations concerning the redevelopment plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on July 21, 2025, the Township Council introduced Ordinance No. 25-25 authorizing and directing the Planning Board to review the proposed Redevelopment Plan and provide a report to the Township Council pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on August 7, 2025, after due consideration of the Redevelopment Plan at a duly noticed and constituted public meeting, the Planning Board determined that the Redevelopment Plan is consistent with the Township’s Master Plan and recommended that the Township Council enact the Redevelopment Plan; and

WHEREAS, on August 18, 2025, the Township Council adopted Ordinance No. 25-25 approving the Redevelopment Plan; and

WHEREAS, the Township has determined to act as the “redevelopment entity” for the Redevelopment Area; and

WHEREAS, Clark Broadway Associates, LLC (the “**Entity**”), is seeking to acquire Block 105, Lot 1.01 and is the owner of Block 105, Lots 2.01 and 26.01 (collectively, the “**Project Site**”) and has proposed to construct a mixed-use building consisting of approximately 138 residential rental units, including at least 21 units affordable to persons of very low, low and moderate incomes, and approximately 5,900 square feet of ground floor commercial space, approximately

260 off-street and on-street parking spaces, and other amenities and on- and off-site improvements, all pursuant to the requirements of the Redevelopment Plan (the “**Redevelopment Project**”); and

WHEREAS, the Redevelopment Law authorizes the redevelopment entity to arrange or contract for the planning, construction, or undertaking of any development project or redevelopment work in an area designated as an “area in need of redevelopment” pursuant to *N.J.S.A. 40A:12A-8*; and

WHEREAS, the Entity is a developer with resources and a team of experts in planning, redevelopment, law, engineering, environmental issues, architecture, design, finance, and real estate development with experience suitable for the proposed redevelopment of the Project Site; and

WHEREAS, the Township wishes to designate the Entity as the conditional redeveloper of the Project Site; and

WHEREAS, the Township desires to authorize the execution of a conditional redeveloper’s agreement with the Entity (in the form set forth on file in the office of the Township Clerk and available for inspection, the “**Conditional Redeveloper’s Agreement**”) in furtherance of this resolution.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Entity is hereby designated as the conditional redeveloper of the Project Site, pending the execution of a redevelopment agreement by and between the Entity and the Township and satisfaction of the obligations set forth in the Conditional Redeveloper’s Agreement.

Section 3. The Mayor of the Township is hereby authorized and directed to execute the Conditional Redeveloper’s Agreement, in the form set forth on file in the office of the Township Clerk and available for public inspection, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township’s redevelopment counsel, general counsel, planner and professionals. Upon execution, the Mayor is hereby authorized to deliver the Conditional Redeveloper’s Agreement to the other party thereto.

Section 4. The Mayor of the Township is hereby further authorized and directed to execute any and all documents, instruments and agreements, and to undertake any and all action reasonably necessary to effectuate the terms of the Conditional Redeveloper’s Agreement and the transaction contemplated thereby.

Section 5. If any part of this resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this resolution.

Section 6. A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.

Section 7. This resolution shall take effect immediately.

ATTEST:

APPROVED:

 EDITH L. MERKEL, RMC
 Township Clerk

 WILLIAM F. SMITH
 Council President

Res25/11-17 217ClarkBroadwayAssociatesLLC-ConditionallyDesignatingRedeveloperandAuthorizingConditionalRedevAgrmt

			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						