

This Notice is being sent to you, for reference purposes, as per the Open Public Meetings Act Requirements, N.J.S.A. 10:4-8 and N.J.S.A. 10:4-18.

AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
July 3, 2017
Municipal Building, Room 30
7:30 PM

ROLL CALL:

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act as adequate notice of this meeting has been provided by sending written advanced notice of at least 48 hours to the Star Ledger, Union County Local Source, and TAP into Clark, by posting such Meeting Agenda on the Bulletin Board in Town Hall reserved for such announcements and the proper filing of said Notice. Formal action may be taken at this meeting.

1. Resolution Authorizing the Clark Township Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72
2. Opposing the Cranford Planning Board application submitted by Hartz Mountain, proposing the rezoning of the property located at 750 Walnut Avenue in Cranford

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

TOWNSHIP OF CLARK

Resolution _____

July 3, 2017

Motion _____ Second _____

RESOLUTION AUTHORIZING THE CLARK TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS due to the late adoption of the State of New Jersey's Budget, the Union County Board of Taxation is unable to certify tax rates throughout Union County and the Clark Township Tax Collector will be unable to mail the Township's 2017 tax bills on a timely basis; and

WHEREAS the Clark Township Tax Collector in consultation with the Clark Township Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.33 and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, in the County of Union and State of New Jersey on this 3rd day of July 2017, as follows:

1. The Clark Township Tax Collector is hereby authorized to prepare and issue estimated tax bills for the Township for the third installment of 2017 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax-levy for 2017 is hereby set at \$63,708,627.00
3. In accordance with law the third installment of 2017 taxes shall not be subject to interest until the later of August 11 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res177-3AuthEstimatedTaxBills
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____

TOWNSHIP OF CLARK
Resolution _____
July 03, 2017

Motion _____ Second _____

WHEREAS, it has come to the attention of the Governing Body of the Township of Clark that Hartz Mountain Industries, Inc., the owner of certain property known as 750 Walnut Avenue (Block 541, Lot 2) Cranford, New Jersey, has filed an application with the Planning Board of the Township of Cranford for the rezoning of a 30.5 acre commercial property located at the above address, in order to permit residential development; and

WHEREAS, the subject property is presently in a C3 zone which permits office, laboratory and industrial facilities but prohibits residential uses; and

WHEREAS, the present C3 zoning was impressed upon the property by ordinance pursuant to the recommendation contained in the Township's Master Plan; and

WHEREAS, Hartz Mountain seeks an amendment to the Zoning Ordinance in order to allow the subject property to be used as a site for a four-story Planned Unit Development which would house in Phase I more than 436 residential units and after full development of the site, a total of 905 residential units allocated as one, two and three bedroom units, together with ancillary facilities; and

WHEREAS, the Governing Body of the Township of Clark is of the judgment that the rezoning of the property would result in a significant negative impact to the residents of the Township of Clark by the creation of severe traffic congestion; would result in overcrowding of the land; and would result in the depreciation of surrounding property values within the

Township; and is otherwise inimical to the essential purposes of zoning by increasing the density and thereby diminishing the availability of light, air and open space; providing zoning that conflicts with the Township's Master Plan and the scheme of development existing in the Township of Clark; failing to provide for open space for public and private use; would foster significant negative environmental impact; and is otherwise an excessive and overreaching use of the subject property; all of which consequences would bear and impose a negative impact upon the residents of the adjoining Township of Clark; and

WHEREAS, it is the opinion of the Township of Clark, after a review of the application made by Hartz Mountain, that the applicant seeks to create spot zoning on the subject property which the Governing Body of the Township of Clark believes to be inappropriate and contrary to the statutory and case law of the State of New Jersey in that it seeks to utilize the zoning power of the Township of Cranford to benefit a particular private interest rather than the collective interest of the community in a circumstance where the proposed rezoning for the use is incompatible with surrounding uses and with the Master Plan of the Township of Cranford solely for the benefit of the property owner and is detrimental to the residents of the Townships of Cranford and Clark; and

WHEREAS, the Township of Clark, which immediately adjoins and abuts the subject property, wishes to express its concern and opposition to said illegal spot zoning of the property contiguous to the Township of Clark which will necessarily affect the surrounding properties within the Township of Clark and result in a depreciation of property values and a violation of the zone plan and zoning ordinance of the adjacent municipality;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that it does hereby record its firm and unequivocal opposition to the rezoning of Lot 2 in Block 541 in the Township of Cranford from C3 which does not permit residential development to an amendment of the permitted uses in the zone which would permit such development.

BE IT FURTHER RESOLVED by the Governing Body of the Township of Clark that it believes any such rezoning would be an illegal act contrary to the municipal interests of the Township of Clark and the residents located therein, and that it would create unacceptable consequences to the adjoining municipality and would be for the sole and exclusive benefit of the private developer and not of the interests of the Township of Clark.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Planning Board of the Township of Cranford, the Governing Body of the Township of Cranford, and the Union County Planning Board.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

Res17/7-03HartzMtnOpposition
Aye Nay Abstain Absent

Barr	_____
Hund	_____
Mazzarella	_____
O'Connor	_____
Smith	_____
Toal	_____
Albanese	_____