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**AGENDA
SPECIAL COUNCIL MEETING
430 WESTFIELD AVE., CLARK, NJ 07066
June 5, 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.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

1. AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #17-04 ADOPTED MARCH 20, 2017 ENTITLED "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 255 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROPERTY MAINTENANCE" AND TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS

INTRODUCTION OF PROPOSED ORDINANCE:

2. AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 17-09 ADOPTED MAY 15, 2017 ENTITLED "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 195, ENTITLED LAND USE AND DEVELOPMENT, ARTICLE XXIII, DISTRICT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF CLARK"

Public Hearing June 19th

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

Ordinance No. _____

PH 1

Adopted _____

Introduced: _____ May 15, 2017 _____ Public Hearing: _____ June 5, 2017 _____

Motion: _____ O'Connor _____ Motion: _____

Seconded: _____ Albanese _____ Seconded: _____

**AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #17-04
ADOPTED MARCH 20, 2017 ENTITLED
"AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 255
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
"PROPERTY MAINTENANCE"
AND TO ESTABLISH STANDARDS FOR THE REGISTRATION AND
MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN
FORECLOSURE BY CREDITORS**

BE IT ORDAINED by the Governing Body of the Township of Clark that Ordinance #17-04 of the Code of the Township of Clark is hereby amended and supplemented, as follows:

SECTION 1: Registration.

Effective upon the adoption of this Ordinance, the creditor of any property defined in Section 255-15 as defined herein shall, within thirty (30) days after the property becomes vacant and/or abandoned as defined herein, file a Registration Statement for such property with the Municipal Clerk of the Township of Clark on such form as may be provided by the Township for such provisions. Failure to receive notice by the Municipality shall not constitute grounds for failing to register the property. Each registration shall contain the following:

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four hour per day, seven day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

- C. The registration shall remain valid for one (1) year from the date of registration, except for the initial registration, which shall be prorated through December 31. The owner shall be required to renew the registration annually as long as the building remains a vacant and/or abandoned property and shall pay a registration or renewal fee in the amount prescribed in Section 2 of this article for each vacant property registered.
- D. The annual renewal shall be completed by January 1 each year. The initial registration fee shall be prorated for registration statements received less than ten months prior to that date.
- E. The owner shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the owner or owners of the building.

SECTION 2: Registration Fee Schedule.

The initial registration fee for each building shall be \$500.00. The fee for the first renewal is \$1,500.00, and the fee for the second renewal is \$3,000.00. The fee for any subsequent renewal beyond the second renewal is \$5,000.00.

Vacant Property Registration Fee Schedule

<u>Type</u>	<u>Fee</u>
Initial registration	\$ 500.00
First renewal	\$1,500.00
Second renewal	\$3,000.00
Third renewal	\$5,000.00

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

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

Effective Date: June 28, 2017

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ALVIN BARR
Council Vice-President

SALVATORE BONACCORSO
Mayor

Ord17/5-15AmendOrd17-04PropMaintCh255
Aye Nay Abstain Absent

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

INTRO
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TOWNSHIP OF CLARK

Ordinance No. _____

Adopted _____

Introduced: June 5, 2017 Public Hearing: June 19, 2017

Motion: _____ Motion: _____

Seconded: _____ Seconded: _____

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 17-09 ADOPTED MAY 15, 2017 ENTITLED "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 195, ENTITLED LAND USE AND DEVELOPMENT, ARTICLE XXIII, DISTRICT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF CLARK"

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 195, entitled "Section 4, Section 195-140.3 R-B - 20 Multiple-Family Residential District" of the Code of the Township of Clark is hereby amended and supplemented in the following particulars with all other sections remaining unchanged:

Section 195-140.3 R-B - 20 Multiple-Family Residential District is added as new district and citation amended as follows:

§ 195-140.3 R-B - 20 Multiple-Family Residential District.

A. Purpose of district. The purpose of the R-B District is to allow for the construction of multifamily residential buildings, including townhouses and garden apartments, meeting the minimum density requirement for inclusionary housing and providing for the required set-aside of units and development standards as set forth with a certain settlement agreement approved by the Court on December 21, 2016 with such units 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.^[1]

C. Development standards.

(3) Lower-income housing requirements. A minimum of 16% of the 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 low and moderate income, under the lower-income housing requirements specified in Subsection D below.

(4) Building requirements, garden apartments. Maximum building height shall be 45 feet.

(11) Notwithstanding the foregoing, a minimum of 168 units are permitted with a total bedroom count of 330 as per the settlement plan. At the applicant's option, as long as the total bedroom count remains 330, the maximum units permitted would be 177. If the latter option is chosen, the only permitted three bedroom units would be affordable units to meet the Township obligation.

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.

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

Effective Date: July 12, 2017

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

ANGEL ALBANESE
Council President

SALVATORE BONACCORSO
Mayor

Ord17/6-5AmendOrd17-09Ch195ArticleXXIIIZoningDistricts
Aye Nay Abstain Absent

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