

AGENDA
SPECIAL COUNCIL MEETING
Conference Call – No Physical Meeting Place
May 4, 2020
7:30 pm

ROLL CALL:

| | |
|-----------------------------|----------------------------------|
| Councilwoman Albanese _____ | Councilman Mazarella _____ |
| Councilman Barr _____ | Councilman Smith _____ |
| Councilman Hund _____ | Councilman Toal _____ |
| | Council President O'Connor _____ |

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act (N.J.S.A. 10:4-6) as adequate notice of this meeting has been provided by electronic advanced notice of at least 48 hours pursuant to N.J.S.A. 10:4-9.1, as permitted during a declared emergency, 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 as well as the Official Website of the Township, and the proper filing of said Notice. Formal action may be taken at this meeting.

INTRODUCTION OF PROPOSED ORDINANCE:

- 1. 20-14 ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY, REPEALING ORDINANCE NO. 19-14 OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY, ADOPTING THE TERMINAL AVENUE REDEVELOPMENT PLAN FOR THE PROPERTY DESIGNATED AS BLOCK 58, LOTS 4 AND 5 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK ADOPTED ON MAY 20, 2019.**

Public Hearing May 18th - Council Chambers or by Conference Call as determined by State Law

RESOLUTIONS:

2. Extending the Grace Period to pay Second Quarter 2020 Real Estate Taxes to May 29, 2020
3. Authorizing the Tax Collector to prepare and mail Estimated Tax Bills in accordance with P.L. 1994, c.72
4. Award of Contract for the 2020 Capital Road Improvements to CCM Contracting, Inc. in the amount of \$547,691.47

PUBLIC COMMENTS:

The Clerk will read emails and text messages received from the public for response by Council or Township Professionals as appropriate.

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

ADJOURNMENT:

Intro 1

TOWNSHIP OF CLARK

Ordinance No. 20-14

Adopted _____

Introduced: May 4, 2020 Public Hearing: May 18, 2020

ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY, REPEALING ORDINANCE NO. 19-14 OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, NEW JERSEY, ADOPTING THE TERMINAL AVENUE REDEVELOPMENT PLAN FOR THE PROPERTY DESIGNATED AS BLOCK 58, LOTS 4 AND 5 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CLARK ADOPTED ON MAY 20, 2019.

WHEREAS, the Mayor and the Governing Body of the Township of Clark deem it in the best interest of the Township to cease efforts to redevelop the property designated as Block 58, Lots 4 and 5 on the Official Tax Map of the Township of Clark in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Clark that Ordinance No. 19-14 of the Mayor and Council of the Township of Clark, County of Union, New Jersey, adopting The Terminal Avenue Redevelopment plan for the property designated as Block 58, Lots 4 And 5 on the Official Tax Map of the Township of Clark adopted on May 20, 2019, be and hereby is repealed, rescinded, vacated and deleted; and

BE IT FURTHER ORDAINED if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

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

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

Effective Date: June 10, 2020

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
 Township Clerk

PATRICK J. O'CONNOR,
 Council President

SALVATORE BONACCORSO,
 Mayor

Adopted: May ___, 2020

Ord20/5-4 20-14RepealingOrd19-14TerminalAveRedev

| | Motion to Introduce | Second | Motion to Adopt | Second | Aye | Nay | Abstain | Absent |
|----------------|---------------------|--------|-----------------|--------|-----|-----|---------|--------|
| Albanese | | | | | | | | |
| Barr | | | | | | | | |
| Hund | | | | | | | | |
| Mazzarella | | | | | | | | |
| Smith | | | | | | | | |
| Toal | | | | | | | | |
| O'Connor | | | | | | | | |
| Entire Council | | | | | | | | |
| TOTAL | | | | | | | | |

TOWNSHIP OF CLARK

Resolution 20-61

May 4, 2020

2

**TO EXTEND GRACE PERIOD TO PAY
SECOND QUARTER 2020 REAL ESTATE TAXES
TO MAY 29, 2020**

WHEREAS, as a result of Executive Order #103, on March 9, 2020, Governor Murphy issued a State of Emergency due to the COVID-19 pandemic; and

WHEREAS, numerous Executive Orders have been issued by the Governor since that time to deal with a myriad of medical, economic and social issues affecting New Jersey residents due to the COVID-19 pandemic; and

WHEREAS, on April 28, 2020, Governor Murphy signed Executive Order #130 which permitted municipalities to extend the grace period for the payment of 2nd quarter real estate taxes concluding on a date no later than June 1, 2020; and

WHEREAS, the Township Council desires to afford its residents and business property owners the benefit of the extension of the grace period for the payment of 2nd quarter real estate taxes as set forth in Executive Order #130.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Clark, as follows:

1. The due date for the second quarter 2020 real estate tax payment to the Township of Clark is May 1, 2020 under N.J.S. 54:4-66(A) as recited in and pursuant to Governor Murphy's Executive Order # 130 issued on April 28, 2020.
2. The grace period for the payment of the second quarter 2020 real estate taxes is hereby fixed to be from May 1, 2020 through and including May 29, 2020 pursuant to C72 of P.L. 1994 and the relevant ordinances and resolutions of the Township of Clark, provided that any such payment of the second quarter 2020 real estate taxes actually in fact is received by the Township of Clark, on or before, but not later than, May 29, 2020.
3. The late payment of taxes shall be applicable to the above extended date subject only to the modification set forth herein.
4. Interest on real estate taxes paid to and received by the Township of Clark after May 29, 2020, shall be calculated and charged retroactively to and beginning on and as of May 1, 2020.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O'CONNOR
Council President

Adopted: May ____, 2020

Res20/ExtendGracePeriod2ndQtrTaxPayment

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------------|--------|--------|-----|-----|---------|--------|
| Albanese | | | | | | |
| Barr | | | | | | |
| Hund | | | | | | |
| Mazzarella | | | | | | |
| Smith | | | | | | |
| Toal | | | | | | |
| O'Connor | | | | | | |
| Entire Council | | | | | | |
| TOTAL | | | | | | |

I hereby certify that the foregoing Resolution was acted upon by the Governing Body on May ____, 2020 with the above captioned results on a motion to adopt.

EDITH L. MERKEL, RMC
 Township Clerk

TOWNSHIP OF CLARK
Resolution 20-62
May 4, 2020

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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 2020 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 4th day of May 2020, 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 2020 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 2020 is hereby set at \$67,225,132.00
3. In accordance with law the third installment of 2020 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

PATRICK J. O’CONNOR
Council President

Res20/5-4AuthEstTaxBills

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------------|--------|--------|-----|-----|---------|--------|
| Albanese | | | | | | |
| Barr | | | | | | |
| Hund | | | | | | |
| Mazzarella | | | | | | |
| Smith | | | | | | |
| Toal | | | | | | |
| O’Connor | | | | | | |
| Entire Council | | | | | | |
| TOTAL | | | | | | |

TOWNSHIP OF CLARK
Resolution 20-63
May 4, 2020

4

WHEREAS the Governing Body of the Township of Clark has advertised for bids on April 9, 2020 for the 2020 Capital Road Improvement Program; and

WHEREAS eleven (11) bid proposals were received on April 29, 2020 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were CCM Contracting, Inc. of Green Brook, NJ with a bid in the amount of \$547,691.47, Ralph Checchio Inc. of Scotch Plains, NJ with a bid in the amount of \$575,781.95 and Cifelli & Son General Contracting of Nutley, NJ with a bid in the amount of \$585,445.20; and

WHEREAS CCM Contracting, Inc., 336 Route 22, Green Brook, NJ 08812 submitted the lowest responsible bid in the amount of \$547,691.47 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinance 20-11 as attached hereto as a “Certification of Availability of Funds”; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to CCM Contracting, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to CCM Contracting, Inc. in the amount of \$547,691.47; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

ATTEST:

APPROVED:

EDITH L. MERKEL, RMC
Township Clerk

PATRICK J. O’CONNOR
Council President

Res20/5-4Award2020CapitalRoads

| | Motion | Second | Aye | Nay | Abstain | Absent |
|----------------|--------|--------|-----|-----|---------|--------|
| Albanese | | | | | | |
| Barr | | | | | | |
| Hund | | | | | | |
| Mazzarella | | | | | | |
| Smith | | | | | | |
| Toal | | | | | | |
| O’Connor | | | | | | |
| Entire Council | | | | | | |
| TOTAL | | | | | | |