

**AGENDA  
COUNCIL MEETING  
315 WESTFIELD AVE., CLARK, NJ 07066  
February 16, 2021  
7:30 pm**

**ROLL CALL:**

<b>Councilwoman Albanese</b> _____	<b>Councilman O'Connor</b> _____
<b>Councilman Mazzarella</b> _____	<b>Councilman Smith</b> _____
<b>Councilman Minniti</b> _____	<b>Councilman Toal</b> _____
	<b>Council President Hund</b> _____

**PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE**

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, 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](http://www.ourclark.com)

**REPORT OF COUNCIL COMMITTEES:**

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

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

1. 21-04 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 3, ENTITLED ADMINISTRATION OF GOVERNMENT OF THE CODE OF THE TOWNSHIP OF CLARK
2. 21-05 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 84 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "ANIMALS"
3. 21-06 AN ORDINANCE TO AMEND CHAPTER 347 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF CLARK
4. 21-07 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 306, ARTICLE I, ENTITLED "STORMWATER MANAGEMENT" OF THE CODE OF THE TOWNSHIP OF CLARK
5. 21-08 AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 195 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF CLARK

6. **21-09 AN ORDINANCE TO AMEND CHAPTER 195, SECTION 195-118B OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS"**

**INTRODUCTION OF PROPOSED ORDINANCES:**

7. **21-10 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Public Hearing March 1<sup>st</sup>, 430 Westfield Ave.

8. **21-11 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 279 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SEWERS"**

Public Hearing March 1<sup>st</sup>, 430 Westfield Ave.

The Supplemental Debt Statement for the following Bond Ordinance has been properly filed with the New Jersey Department of Community Affairs by the Chief Financial Officer

9. **21-12 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,060,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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.**

Public Hearing March 15<sup>th</sup>, 430 Westfield Ave.

**PAYMENT OF CLAIMS:**

Councilman O'Connor, Chairman of Finance Committee will give a report on Current and Capital expenditures received and encumbered through February 12, 2021 in the amount of \$307,929.06

**CITIZEN HEARING ON THE AGENDA:**

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.

**The Public may speak on any agenda item that does not have its own public hearing**

**RESOLUTIONS:**

10. **Introduction of the 2021 Municipal Budget**      Public Hearing April 5<sup>th</sup>, 430 Westfield Ave.
11. Authorizing transfers of 2020 Appropriation Reserves
12. Cancelling the remaining balance in the CARES Act Grant Agreement in the amount of \$147,942.83
13. Authorizing the Tax Collector to settle a tax appeal for Block 155 Lot 8 as authorized by the Tax Court of New Jersey with a refund in the amount of \$12,112.41

14. Authorizing the Tax Collector to make the proper adjustments for 100% Property Tax Exemption of Block 28.01 Lot 13.01 Qualifier C0031 in accordance with a directive of the U.S. Department of Veterans Affairs

15. Appointing John Laezza as the Municipal Housing Liaison for the Affordable Housing Program

**NEW BUSINESS ON THE CALENDAR:**

**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

PH 1

Ordinance No. 21-04

Adopted \_\_\_\_\_

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF  
CHAPTER 3, ENTITLED ADMINISTRATION OF GOVERNMENT OF  
THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that the following Sections of Chapter 3, Articles VII and VIII of the Code of the Township of Clark are hereby amended and supplemented in the following particulars:

**SECTION 1:** Chapter 3, Article VII, Section 3-22 is hereby supplemented to add Subsection A.(10) Department of Communications and Business Development.

**SECTION 2:** Chapter 3, Article VIII is hereby amended and supplemented to establish the Department of Communications and Business Development as follows:

- A. Department created.
  - (1) There shall be established a Department of Communications and Business Development the head of which shall be known as the "Director of Communications and Business Development." The Director shall have jurisdiction over all divisions within the Department and shall serve for a term concurrent with that of the Mayor unless otherwise terminated as provided herein or by the general law.
- B. Organization of Department. The Department of Communications and Business Development shall consist of the following two Divisions:
  - (1) Division of Communications
  - (2) Division of Business Development

- C. Division of Communications. The Division shall Manage the internal and external communications of the Township, including public relations, communication strategies and media relations.

1. Township Communications

- (a) Coordinate the development, implementation, and delivery of a comprehensive communication plans for the town
- (b) Develop, write, and edit marketing and communications materials shared with Township residents such as announcements, invitations, blog posts and social media content
- (c) Create and coordinate distribution schedules and cadence for various types of communications
- (d) Distribute through multiple modalities, email, regular postal mail, social media and web page updates
- (e) Manage Township Social Media accounts – posting and sharing to ensure that all communications and marketing material aligns with Township standards

2. Media Relations

- (a) Develop press kit materials for media outlets, including press releases, images, pitch letters, case studies, feature articles, and trend stories
- (b) Help maintain the identity and reputation of the Township
- (c) Respond to media inquiries and perform media outreach to achieve brand placement in publications
- (d) Evaluate public opinion of the Township through surveys, polls, and social media listening
- (e) Cultivate and maintain relationships with regional and local media outlets
- (f) Arrange for press conferences, interviews, and other media and event appearances for Township Officials as appropriate
- (g) Write speeches as needed
- (h) Respond to requests for information from media outlets
- (i) Seek out and cultivate news and information resources for the development of positive stories

### 3. Internal Township Communications

- (a) Work with Township team members to conceptualize and implement communications strategies and campaigns for various departments
- (b) Develop escalation protocols for managing communication crises, should they arise
- (c) Coordinate development and updates of website with vendors

D. Division of Business Development. The Division shall Promote a strong local economy by developing relationships between businesses, citizens and the Township through a variety of events, outreach and services.

#### 1. Business Development

- (a) Serve as the liaison between new and established town businesses, business organizations and the Township
- (b) Develop, write, and edit marketing and communications materials directed at businesses
- (c) Meet with new businesses in town
- (d) Represent the town at all networking related groups; Chamber of Commerce, Rotary etc.
- (e) Explore the concept of creating a Clark Business Alliance – or similar concept
- (f) Ribbon Cutting Events for new businesses
- (g) Set up Business Networking Events
- (h) Attend regional, statewide commerce events to represent and attract business to Clark

**SECTION 3:** The initial salary range for the Director of Communications and Business Development, depending on qualifications is \$55,000 to \$90,000.

**SECTION 4:** Inconsistent Ordinances: Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** Effective Date: This Ordinance shall take effect upon adoption and publication, according to law.

Effective Date: March 10, 2021



**TOWNSHIP OF CLARK**  
**Ordinance No. 21-05**  
**Adopted \_\_\_\_\_**

PH 2

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 84  
OF THE CODE OF THE TOWNSHIP OF CLARK  
ENTITLED "ANIMALS"**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that Chapter 84 of the Code of the Township of Clark is hereby amended and supplemented as follows:

**SECTION 1:**     **Farm Animals.** Farm Animals are hereby defined to include but not be limited to chickens, ducks, geese, pheasants, turkeys, quail or other fowl, cows, goats, rabbits, sheep, swine, horses, or cattle and such other animals as are typically raised on farms for domestic use.

**SECTION 2:**     **Farm Animals Prohibited.** The raising, keeping, and breeding of farm animals, as defined hereinabove, is strictly prohibited within all zones including commercial and industrial property within the jurisdictional limits of the Township of Clark.

**SECTION 3:**     **Other Birds.** The keeping, breeding and raising of pigeons on any property within all zones within the jurisdictional limits of the Township of Clark is prohibited.

**SECTION 4:**     **Exemption.** Any resident keeping, harboring, raising and/or caring for chickens prior to the introduction of this ordinance and who has registered same with the Clark Health Department shall be exempt from this ordinance until such time as the registered animals (chickens) are no longer living, and must comply with the following past practices as they relate to chickens:

- a. No more than 6 chickens are allowed
- b. No roosters
- c. Chicken coops must be offset at least 3 feet from all property lines.
- d. All waste generated from the chickens must be picked up and disposed of daily.
- e. Chicken feed must be kept in metal, rodent proof containers, with secure lids at all time.
- f. Any eggs from chickens may not be sold and can only be used for personal consumption.
- g. The premises shall be kept clean and free from the accumulation of all liquid and solid excrement or other filth, free from any condition where noxious odors or offensive odors may be present, and free from any condition which may breed flies, insects, rodents or other vermin.



TOWNSHIP OF CLARK  
Ordinance No. 21-06  
Adopted \_\_\_\_\_

PH 3

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND CHAPTER 347  
ENTITLED "VEHICLES AND TRAFFIC" 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 Chapter 347, Article II, § 347-9 Parking Prohibited During State of Emergency is hereby amended as follows:

**SECTION 1:** § 347-9 A. shall be deleted in its entirety and replaced with the following:

Upon the declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary "Emergency No Parking" signs are displayed. The Chief of Police or, in his/her absence, the ranking police officer is authorized to declare an emergency and to direct the posting of "Emergency No Parking" signs when (1) weather conditions, (2) accidents, (3) for municipal or private construction operations, (4) fire or (5) public celebrations dictate or require avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that "Emergency No Parking" signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

**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: March 10, 2021

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**STEVEN M. HUND**  
Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
Mayor



**TOWNSHIP OF CLARK**

**Ordinance No. 21-07**

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

PH 4

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 306,  
ARTICLE I, ENTITLED "STORMWATER MANAGEMENT" OF THE  
CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that Chapter 306, Article I, entitled Stormwater Management of the Code of the Township of Clark is hereby deleted in its entirety and replaced to conform with NJAC 7:8 et. seq. as follows:

**§ 306-1 Scope and Purpose.**

A. Policy statement.

- (1) Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including Green Infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and Low Impact Development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- (2) In addition to the proper design and construction of stormwater management facilities, continued inspection and maintenance will be required through the life of each facility. This oversight includes periodic inspection of stormwater facilities and review of operation and maintenance records kept by each property owner; including inspection logs, maintenance records, and stormwater facility location information.

B. Purpose.

- (1) This article is enacted in accordance with the Stormwater Pollution Prevention Plan (SPPP) of the Township of Clark and is enacted with the purpose to establish minimum stormwater management requirements and controls for "major development," as defined herein.

- (2) The Township of Clark is also subject to compliance with the New Jersey Municipal Stormwater Regulation Program. Under this program, the Township of Clark holds a Municipal Separate Storm Sewer System (MS4) permit that requires the municipality to have a system of oversight in place to ensure adequate long-term operation and maintenance of stormwater facilities approved but not owned or operated by it. Stormwater facilities include, among other devices and structures, stormwater management basins.
- (3) A system of oversight is achieved by the implementation of local ordinances which are required by the MS4 permit with the legal authority being derived from the Federal Clean Water Act, the New Jersey Water Pollution Control Act and the New Jersey Stormwater Management Rules. The Township's system of oversight requires collaboration with the owners or operators of stormwater facilities.
- (4) The Township of Clark also is establishing a policy for addressing stormwater management for development not meeting the criteria of major development. Design standards and design requirements not included herein may be found in a publication entitled "New Jersey Stormwater Best Management Practices Manual" (BMP Manual) that may be found at [https://www.njstormwater.org/bmp\\_manual2.htm](https://www.njstormwater.org/bmp_manual2.htm) .

The Stormwater Management rules, N.J.A.C. 7:8 specify stormwater management standards that are mandatory in New Jersey for new major development. The BMP Manual was developed by the NJDEP to provide guidance to address the standards in the Stormwater Management Rules, N.J.A.C. 7:8.

C. Applicability.

- (1) This article shall be applicable to all site plans and subdivisions for developments that require **either** preliminary or final site plan or subdivision review:
- (2) This article shall also be applicable to all major developments undertaken by the Township of Clark.

D. Compatibility with other permit and ordinance requirements.

Development approvals issued for subdivisions and site plans pursuant to this article are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This article is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

## **§ 306-2 Definitions.**

- A. For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.
- B. Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

In addition to the following definitions, definitions contained in the BMP Manual, Appendix D "Model Stormwater Control Ordinance for Municipalities" (BMP Manual – Appendix D), Section II Definitions.

### **CONTRIBUTORY DRAINAGE AREA**

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

### **DEVELOPMENT**

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, "development" means: any activity that requires a state permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

### **DOMESTIC SEWAGE**

Waste and wastewater from humans or household operations.

### **FEED**

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

### **ILLCIT CONNECTION**

Any physical or nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Clark, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

## **INDUSTRIAL WASTE**

Nondomestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act [33 U.S.C. § 1317(a), (b), or (c)].

## **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by Clark Township or other public body and is designed and used for collecting and conveying stormwater.

## **NJPDES PERMIT**

A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

## **NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES MANUAL**

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with § 306-4 F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

## **NONCONTACT COOLING WATER**

Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may however contain algacides or biocides to control fouling of equipment such as heat exchangers and/or corrosion inhibitors.

## **PROCESS WASTEWATER**

Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

## **STORMWATER RUNOFF**

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

## **WILDLIFE**

All animals that are neither human nor domesticated.

**§ 306-3 Design and Performance Standards for Stormwater Management Measures**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  - (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  - (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

**§ 306-4 Stormwater Management Requirements for Development**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a development in accordance with BMP Manual, Appendix D “Model Stormwater Control Ordinance for Municipalities” (BMP Manual – Appendix D), Section X as may be amended herein.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of BMP Manual – Appendix D., Sections IV P., Q. and R.
  - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion.
  - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements

of the BMP Manual – Appendix D., Section IV, O., P., Q. and R. may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of the BMP Manual – Appendix D., Section IV, O., P., Q. and R. to the maximum extent practicable;
  - (3) The applicant demonstrates that, in order to meet the requirements of the BMP Manual – Appendix D., Section IV, O., P., Q. and R., existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under the BMP Manual – Appendix D, Section IV, D. (3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of the BMP Manual – Appendix D., Section IV, O., P., Q. and R. that were not achievable onsite.
- E. Tables 1, 2 and 3 in the BMP Manual – Appendix D summarize the ability of stormwater best management practices that are identified and described in the Appendix to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in the BMP Manual – Appendix D., Section IV, O., P., Q. and R. When designed in accordance with the most current version of the BMP Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables referenced above. The most current version of the BMP Manual can be found on the Department’s website at:
- [https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm)
- F. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate is addressed in the BMP Manual – Appendix D., Section IV, G.
- G. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- H. Design standards for stormwater management measures are found in the BMP Manual – Appendix D., Section I.
- I. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices are further discussed in more detail the BMP Manual – Appendix D., Section IV, J. and O.
- J. Agricultural development shall comply with and be guided by the BMP Manual – Appendix D., Section IV, K.
- K. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at the BMP Manual – Appendix D., Section IV, P., Q. and R. shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- L. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the County Clerk., the details of which shall comply with the BMP Manual – Appendix D., Section IV, M.
- M. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to the BMP Manual – Appendix D., and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with § 306-4 M. above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
- N. Green Infrastructure Standards  
  
Green infrastructure designs shall comply with the BMP Manual - Appendix D., Section IV. O.
- O. Groundwater Recharge Standards  
  
Groundwater recharge designs shall comply with the BMP Manual – Appendix D., Section IV., P.
- P. Stormwater Runoff Quality Standards

Stormwater runoff quality designs shall comply with the BMP Manual – Appendix D., Section IV. Q.

Q. Stormwater Runoff Quantity Standards

Stormwater runoff quantity designs shall comply with the standards outlined in the BMP Manual – Appendix D., Section IV. R.

R. Minimum Development Design Criteria

Development that does not meet the criteria of a major development shall address the requirements herein to the maximum extent practicable. At a minimum, applicants proposing such development shall document that there is no additional runoff draining to adjoining properties. Runoff from new impervious coverage shall be routed to the nearest street or municipal storm drainage system and not to adjacent properties.

**§ 306-5 Calculation of Stormwater Runoff and Groundwater Recharge.**

A. Stormwater runoff shall be calculated in accordance the BMP Manual – Appendix D., Section V, A.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420  
Mail Code 29-01, Trenton, New Jersey 08625-0420.

**§ 306-6 Sources for Technical Guidance**

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the NJDEP website at:

[http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm)

(1) Guidelines for stormwater management measures are contained in the BMP Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the NJDEP's website at:

[https://www.njstormwater.org/maintenance\\_guidance.htm](https://www.njstormwater.org/maintenance_guidance.htm)

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of  
Environmental Protection, Mail Code 401-02B, PO Box 420,  
Trenton, New Jersey 08625-0420

### **§ 306-7 Solids and Floatable Materials Control Standards**

Site design related to solids or floatable materials shall comply with the BMP Manual – Appendix D., Section VII.

### **§ 306-8 Safety Standards for Stormwater Management Basins.**

Stormwater management basins shall provide safety measures in accordance with standards outlined in the BMP Manual – Appendix D., Section VIII.

### **§ 306-9 Requirements for a Site Development Stormwater Plan.**

A site development stormwater plan shall comply with the requirements of the BMP Manual – Appendix D., Section IX.

### **§ 306-10 Maintenance and Repair.**

#### **A. Applicability**

Projects subject to review as in § 306-1 C. of this ordinance shall comply with the requirements of the BMP Manual – Appendix D., Section X, B. regarding general maintenance and C. regarding performance and maintenance guarantees.

#### **B. Inspection, oversight and owner responsibilities. [Added 12-4-2017 by Ord. No. 17-24]**

(1) All developments that contain stormwater management measures within the Township that meet the requirements of N.J.A.C. 7:8-1.6, Applicability to major development, and/or if an additional one-quarter acre of impervious surface is being proposed on the development site, are subject to the stormwater maintenance permit and periodic inspection. An annual stormwater maintenance permit is required in January of each year. Stormwater structures and devices listed herein are described in New Jersey Stormwater Best Management Practices Manual, latest edition, issued by the NJDEP and can be found on its website at [http://www.state.nj.us/dep/stormwater/bmp\\_manual2.htm](http://www.state.nj.us/dep/stormwater/bmp_manual2.htm). The annual permit and inspection fees for each stormwater device are as follows:

- (a) Drywell up to 1,000 cf of storage: \$50.
- (b) Drywell over 1,000 cf of storage: \$250.

- (c) Vegetative swales: \$250 for the first 100 linear feet and \$50 for each additional 100 linear feet.
  - (d) Infiltration basin, aboveground: \$500.
  - (e) Infiltration basin, below ground: \$750.
  - (f) Detention basin, aboveground: \$500.
  - (g) Detention basin, belowground: \$750.
  - (h) Wet pond: \$750.
  - (i) Rain garden: \$50.
  - (j) Bioretention basin: \$750.
  - (k) Porous pavement/pervious surface: \$500.
  - (l) Constructed wetland: \$750.
  - (m) Manufactured treatment device: \$500.
  - (n) Storm sewer collection system: \$50.
- (2) Recordkeeping, inspection and repair guidelines and noncompliance penalties.
- (a) Quarterly maintenance records shall be submitted to the Township of Clark Clerk's office. Report forms and report guidance can be obtained in the NJDEP - NJPDES Monitoring Report Form Reference Manual (81 pp). The maintenance records for the periods of:
    - i. January 1 to March 31 must be reported no later than April 30.
    - ii. April 1 to June 30 must be reported no later than July 31.
    - iii. July 1 to September 30 must be reported no later than October 31.
    - iv. October 1 to December 31 to be reported no later than January 31.

Note: Deficient maintenance items identified in this process must be rectified and the owner of the stormwater management facility shall complete the required repairs within 30 days of date of the report. Documentation of the repairs shall be submitted to the Township.

- (b) Mechanically treated structures which utilize filters shall have on record and be provided to the Township the requirements of the replacement of the filters as per manufacturer and the dates the filters have been replaced.
- (c) Inspections shall include but not be limited to:
  - i. Detention basin outflow structures, escape provisions as outlined in N.J.A.C. 7:8-6.2 and all components;
  - ii. Vegetation;
  - iii. Trash racks and overflow grates;
  - iv. Embankment erosion; and
  - v. Sediment removal and pond maintenance.
  - vi. Catch basin and inlet cleaning.

- (d) The owner of the stormwater management measure, immediately upon notice, shall complete repairs that may adversely affect the public's health, safety and welfare.

Note: The permittee is responsible for understanding and meeting all permit requirements. Permittees should read this entire chapter and their permit completely and thoroughly to ensure their understanding of all limitations and conditions contained therein. Submission of improperly completed monitoring report forms (MRF) is a violation of the NJPDES permit and this chapter which may result in the assessment of penalties against the permittee and associated costs.

- (3) The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the Township or County may immediately proceed to do so and shall bill the cost thereof to the Owner.
- (4) Nothing in this section shall preclude the Township in which the major development is located from requiring the posting of a performance or maintenance guaranty in accordance with N.J.S.A. 40:55D-53.

### **§ 306-11.1 Violations and penalties.**

- A. General penalty. Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this article shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, Article III, General Penalty.
- B. NJPDES violations and recovery.

- (1) A person who has not complied with § 306-10D, Inspection, oversight and owner responsibilities, and who, after notice, refuses to implement and maintain soil erosion control and stormwater runoff control measures and facilities in conformance with these regulations shall be subject to a fine of not more than \$1,000 or 90 days in jail, or both, plus the cost of prosecution. Each act of violation, and every day upon which any violation shall occur or continues to occur, shall constitute a separate offense. In addition, persons failing to obtain an annual stormwater maintenance permit and persons failing to provide quarterly maintenance records shall be subject to a fine of not more than \$50 and \$100 respectively.
- (2) Repeat offenses under this chapter shall be subject to increased fines as provided for below. As used in this section, "repeat offenses" means a second or subsequent violation of the same requirement or provision of this chapter for which the person admits responsibility or is determined to be responsible. The increased fine for repeat offenses shall be as follows:
  - (a) The fine for any offense which is a first repeat offense shall be \$500, plus costs; and

- (b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$2,500, plus costs.
- (c) In addition to other remedies under this chapter, the Township may bring an action against the owner of the property for which the violation exists for the costs incurred in cleaning up and abating the offending condition.
  - i. Failure of owner to repair; repair by Township. If the property owner receiving notice shall not comply with the requirements of such notice, the Engineer, upon filing due proof of service in the office of the Township Clerk, shall cause the required work to be done.
  - ii. Lien. The cost of such work shall be certified by the Engineer to the Township Council, who shall examine same and, if found correct, shall cause such cost to become a lien upon the property for which such work was done, to the same extent that assessments for local improvements become liens, and such cost shall be collected in the manner provided by law for the collection of such other assessments and shall bear interest at the same rate.
  - iii. Lien to be noted on lien searches. In all searches against any lands affected by any such improvement, it shall be the duty of the Township official making such search to set out the amount due and unpaid for such repairs or improvements, if such amount appears on record. If the amount of such cost shall not yet have been reported as herein provided for, it shall be the duty of such officer to set forth on the search, in brief, a reference to repairs or improvements and the fact that notice was given to the owner to repair.
  - iv. Additional liability of owner. In addition thereto, the Township may have an action to recover such amount against the owner of such lands in any court having competent jurisdiction thereof, and a certified copy of the certificate of lien shall, in such action, be prima facie evidence of the existence of the debt due from such owner to the Township.
- (d) In addition, should an owner violate the requirements of this article on more than two occasions, the Township shall require the submission of a maintenance bond, renewable annually, in the amount to be determined by the Township Engineer, to guarantee future maintenance.

## **§ 306-11.2 Severability**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.



TOWNSHIP OF CLARK  
Ordinance No. 21-08  
Adopted \_\_\_\_\_

PH 5

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF  
CHAPTER 195 ENTITLED "LAND USE AND DEVELOPMENT" OF  
THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that various sections of Chapter 195 of the Code of the Township of Clark are hereby amended and supplemented, as follows:

**SECTION 1: § 195-116 Use Regulations**

Following § 195-116 C.(7), insert the following new section.

- (8) Drive through services such as a restaurant, fast food establishment, personal services provider, bank or other financial institution that is not an accessory use to a primary use being provided on the premises. Food or beverages being served to consumers in vehicles cannot be consumed on the premises.

**SECTION 2: § 195-118 Area and Yard Provisions**

Delete §195-118 D. (6) in its entirety and add a new section, §195-118 E. as follows:

**E. Permitted Extensions and projections.**

The following portions of, or attachments to, a principal building may extend and project into a required yard as described below:

- (a) Uncovered steps only may project up to five feet into a required front or rear yard. If the existing front yard setback is nonconforming, uncovered steps may be reconstructed in their existing locations and footprints, but not increased further in size or encroach further into the required front yard area.

In all residential zones, a covered porch or stair landing of a principal structure may project up to five feet into a required front yard. In addition, uncovered steps giving access to said porch may be installed. Neither the porch nor the covered landing shall be enclosed or screened. In addition, there shall be no habitable space created above the porch or landing. If the existing front yard setback is nonconforming, an existing porch and landing may be reconstructed and covered in their existing locations and footprints, but not increased further in size or encroach further into the required front yard area.

- (b) On grade patios and barbecues are permitted in any rear yard or side yard provided they satisfy the requirement for accessory structures in the zone.

- (c) Cornices, eaves beyond the foundation wall, bay windows, sills, awnings, ornamental features, architectural features and chimneys may project up to two feet into any minimum required front, side or rear yard.
- (d) Fire escapes and outside stairways may project into any required yard area.
- (e) Show windows in commercial districts, but not more than 18 inches into any front yard.
- (f) Room air-conditioning equipment and ground-mounted generators may be located only within any side or rear yard, so long as the furthest extending side is not less than five feet from any property line. Outside central air-conditioning equipment may be located only in any side or rear yard, provided that the closest face of the unit is not less than five feet from the property line.
- (g) Habitable areas of a building may be extended up to two feet beyond the foundation wall into any required side yard or rear yard area beginning at the second floor level.

**SECTION 3: § 195-129      R-B Multiple-Family Residential District.**

Following § 195-129 B., insert a new section, § 195-129 C. Accessory Uses and Structures while re-numbering the following sections as § 195-129 D. Development Standards and § 195-129 E. Lower Income Housing Requirements.

- C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the R-SH Zone District:
  - (1) Parking and parking facilities as regulated in Article XXIV.
  - (2) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.
  - (3) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses.

**SECTION 4: § 195-130      R-SH Age-Restricted/Senior Housing Overlay**

Following § 195-130 B., insert a new section, § 195-130 C. Accessory Uses and Structures while re-numbering the following section as § 195-130 D. Development Standards.

- C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the R-SH Zone District:
  - (1) Parking and parking facilities as regulated in Article XXIV.
  - (2) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.
  - (3) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses.

**SECTION 5: § 195-131      **Downtown Village District****

Delete § 195-131 B.(2), § 195-131 B.(3), § 195-131 B.(4) and § 195-131 B.(5) and substitute the following:

- (2) Taverns and restaurants and food establishments intended for food consumption on the premises. Outdoor dining is permitted as an accessory use.
- (3) Takeout of food is permitted as an accessory use provided that the food is consumed off-premises.
- (4) Personal and consumer service establishments, such as hair salons;
- (5) Banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans. Such business must be conducted on the premises and must be the principal activity of the use on the premises; drive through service is permitted as an accessory use only.

**SECTION 6: § 195-133      **CN Neighborhood Service Commercial District****

Delete § 195-133 A. (7) and substitute the following:

- (7) Restaurants designed and used primarily to serve customers consuming food inside the restaurant building. Drive-up windows for service in automobiles and takeout counters, as accessory uses are permitted. Consumption of food or beverages in automobiles on the premises is prohibited.

**SECTION 7: § 195-136      **CP Planned Commercial District****

Delete § 195-136 A. (5) and substitute the following:

- (5) Restaurants, including drive-up service as an accessory use. On-premises consumption of food in vehicles is prohibited.

**SECTION 8: § 195-136.2      **LCI Limited Commercial Industrial District****

At § 195-136.2 B. (19) (f), delete “§ 195-160C.” and insert “Article XXV”.

**SECTION 9: § 195-137      **I Limited Industrial District****

Following § 195-137A. (2) (b), insert the following two sections.

- (c) Parking and parking facilities as regulated in Article XXIV.
- (d) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.

**SECTION 10: § 195-160      **Permitted Signs****

At § 195-160 B. change the heading from “DVT, CN, CO and COH Districts” to “DVT, CN, CO, CI, COR and COH Districts.”



**TOWNSHIP OF CLARK PLANNING BOARD**

**RESOLUTION**

**REPORT TO THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF CLARK  
CONCERNING THE CONSISTENCY REVIEW AND RECOMMENDATION OF  
ORDINANCE NO. 21-08 AMENDING CHAPTER 195 OF THE TOWNSHIP CODE**

**MEETING DATE: February 4, 2021**

**ADOPTION DATE: February 4, 2021**

**WHEREAS**, the Governing Body of the Township of Clark has submitted Ordinance No. 21-08 to the Planning Board for review in accordance with the requirements of the Municipal Land Use Law N.J.S.A. 40:55D-26; and

**WHEREAS**, the Planning Board, is charged with reviewing Land Use and Zoning ordinances for consistency with the Master Plan of the Township and reporting its findings to the Township Governing Body; and

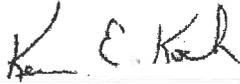
**WHEREAS**, the Planning Board has reviewed the Master Plan, as amended, for provisions relating to proposed amendments to the general use regulations, general area and yard regulations, and the uses and accessory uses permitted in the R-B Multiple-Family Residential District, R-SH Age-Restricted/Senior Housing Overlay, Downtown Village District, CN Neighborhood Service Commercial District, CP Planned Commercial District, LCI Limited Commercial Industrial District, and I Limited Industrial District; and finds that such proposed amendments are consistent with the Master Plan and the Planning Board recommends approval.

**NOW THEREFORE BE IT RESOLVED** that the Township of Clark Planning Board, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-26, makes the following findings and recommendations:

1. The Planning Board recommends adoption of Ordinance No. 21-08.
2. The Planning Board has determined Ordinance No. 21-08 to be consistent with the Master Plan of the Township.
3. The Board Secretary is hereby authorized to transmit this Resolution of the Township of Clark Planning Board to the Clerk of the Township of Clark, the Township Attorney and Township Engineer.

**BE AND THE SAME IS HEREBY RESOLVED**

I hereby certify that the above Resolution is a true copy of the Resolution adopted by the Planning Board of the Township of Clark on February 4, 2021.



Kevin Koch  
Planning Board Chairman



Donna Mazzucco  
Planning Board Secretary

Motion to Approve and memorialize: Consistency Review & Recommendation to Council of Ordinance 21-08

Township of Clark Planning Board						
DATE: February 4, 2021						
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
S. Bonaccorso			X			
Laezza			X			
Mazzarella	X		X			
Koch			X			
Triola		X	X			
Altman					X	
Casey						X
Olear						X
Jacobsen			X			
Steinberg			X			

**TOWNSHIP OF CLARK**  
**Ordinance No. 21-08**  
**Adopted \_\_\_\_\_**

Introduced: January 19, 2021 Public Hearing: February 16, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF  
CHAPTER 195 ENTITLED "LAND USE AND DEVELOPMENT" OF  
THE CODE OF THE TOWNSHIP OF CLARK**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that various sections of Chapter 195 of the Code of the Township of Clark are hereby amended and supplemented, as follows:

**SECTION 1: § 195-116      Use Regulations**

Following § 195-116 C.(7), insert the following new section.

- (8) Drive through services such as a restaurant, fast food establishment, personal services provider, bank or other financial institution that is not an accessory use to a primary use being provided on the premises. Food or beverages being served to consumers in vehicles cannot be consumed on the premises.

**SECTION 2: § 195-118      Area and Yard Provisions**

Delete §195-118 D. (6) in its entirety and add a new section, §195-118 E. as follows:

**E. Permitted Extensions and projections.**

The following portions of, or attachments to, a principal building may extend and project into a required yard as described below:

- (a) Uncovered steps only may project up to five feet into a required front or rear yard. If the existing front yard setback is nonconforming, uncovered steps may be reconstructed in their existing locations and footprints, but not increased further in size or encroach further into the required front yard area.

In all residential zones, a covered porch or stair landing of a principal structure may project up to five feet into a required front yard. In addition, uncovered steps giving access to said porch may be installed. Neither the porch nor the covered landing shall be enclosed or screened. In addition, there shall be no habitable space created above the porch or landing. If the existing front yard setback is nonconforming, an existing porch and landing may be reconstructed and covered in their existing locations and footprints, but not increased further in size or encroach further into the required front yard area.

- (b) On grade patios and barbecues are permitted in any rear yard or side yard provided they satisfy the requirement for accessory structures in the zone.

- (c) Cornices, eaves beyond the foundation wall, bay windows, sills, awnings, ornamental features, architectural features and chimneys may project up to two feet into any minimum required front, side or rear yard.
- (d) Fire escapes and outside stairways may project into any required yard area.
- (e) Show windows in commercial districts, but not more than 18 inches into any front yard.
- (f) Room air-conditioning equipment and ground-mounted generators may be located only within any side or rear yard, so long as the furthest extending side is not less than five feet from any property line. Outside central air-conditioning equipment may be located only in any side or rear yard, provided that the closest face of the unit is not less than five feet from the property line.
- (g) Habitable areas of a building may be extended up to two feet beyond the foundation wall into any required side yard or rear yard area beginning at the second floor level.

**SECTION 3: § 195-129      R-B Multiple-Family Residential District.**

Following § 195-129 B., insert a new section, § 195-129 C. Accessory Uses and Structures while re-numbering the following sections as § 195-129 D. Development Standards and § 195-129 E. Lower Income Housing Requirements.

- C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the R-SH Zone District:
  - (1) Parking and parking facilities as regulated in Article XXIV.
  - (2) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.
  - (3) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses.

**SECTION 4: § 195-130      R-SH Age-Restricted/Senior Housing Overlay**

Following § 195-130 B., insert a new section, § 195-130 C. Accessory Uses and Structures while re-numbering the following section as § 195-130 D. Development Standards.

- C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the R-SH Zone District:
  - (1) Parking and parking facilities as regulated in Article XXIV.
  - (2) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.
  - (3) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses.

**SECTION 5: § 195-131      **Downtown Village District****

Delete § 195-131 B.(2), § 195-131 B.(3), § 195-131 B.(4) and § 195-131 B.(5) and substitute the following:

- (2) Taverns and restaurants and food establishments intended for food consumption on the premises. Outdoor dining is permitted as an accessory use.
- (3) Takeout of food is permitted as an accessory use provided that the food is consumed off-premises.
- (4) Personal and consumer service establishments, such as hair salons;
- (5) Banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans. Such business must be conducted on the premises and must be the principal activity of the use on the premises; drive through service is permitted as an accessory use only.

**SECTION 6: § 195-133      **CN Neighborhood Service Commercial District****

Delete § 195-133 A. (7) and substitute the following:

- (7) Restaurants designed and used primarily to serve customers consuming food inside the restaurant building. Drive-up windows for service in automobiles and takeout counters, as accessory uses are permitted. Consumption of food or beverages in automobiles on the premises is prohibited.

**SECTION 7: § 195-136      **CP Planned Commercial District****

Delete § 195-136 A. (5) and substitute the following:

- (5) Restaurants, including drive-up service as an accessory use. On-premises consumption of food in vehicles is prohibited.

**SECTION 8: § 195-136.2      **LCI Limited Commercial Industrial District****

At § 195-136.2 B. (19) (f), delete "§ 195-160C." and insert "Article XXV".

**SECTION 9: § 195-137      **I Limited Industrial District****

Following § 195-137A. (2) (b), insert the following two sections.

- (c) Parking and parking facilities as regulated in Article XXIV.
- (d) Signs pursuant to the provisions of Article XXV for the uses for which signs are permitted.

**SECTION 10: § 195-160      **Permitted Signs****

At § 195-160 B. change the heading from "DVT, CN, CO and COH Districts" to "DVT, CN, CO, CI, COR and COH Districts."





TOWNSHIP OF CLARK  
Ordinance No. 21-10  
Adopted \_\_\_\_\_

INTRO 7

Introduced: February 16, 2021 Public Hearing: March 1, 2021

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS** the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS** the Governing Body of the Township of Clark in the County of Union finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS** the Governing Body hereby determines that a 2.5% increase in the budget for said year, amounting to \$466,824.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS** the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Township of Clark, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2021 budget year, the final appropriations of the Township of Clark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$653,553.74 and that the CY 2021 municipal budget for the Township of Clark be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and



TOWNSHIP OF CLARK  
Ordinance No. 21-11  
Adopted \_\_\_\_\_

INTRO 8

Introduced: February 16, 2021 Public Hearing: March 1, 2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 279  
OF THE CODE OF THE TOWNSHIP OF CLARK  
ENTITLED "SEWERS"**

**BE IT ORDAINED** by the Governing Body of the Township of Clark that various sections of Chapter 279 of the Code of the Township of Clark are hereby amended and supplemented in the following particulars:

**SECTION 1:     ARTICLE I-SECTION 279-1, Entitled DEFINITIONS**

Section 279-1 of the Clark Township Code is amended to add and/or amend the following definitions:

DEMOLITION is hereby defined as "The removal of walls, superstructure, roof, and other structural elements."

SUBSTANTIAL RENOVATION is hereby defined as "A substantial renovation shall consist of any renovation, alteration, addition, or enlargement of an existing structure representing more than 50 percent of the existing building volume above the finished floor elevation or more than 500 Square feet in building area.

**SECTION 2:     ARTICLE II-SECTION 279-2, entitled DISCHARGE TO SANITARY SEWERS PROHIBITED**

Section 279-2, Subsection C is hereby deleted and replaced as follows:

- C. Whenever a property owner with the Township of Clark constructs a new dwelling or structure that requires sanitary sewer discharges, or substantially renovates an existing dwelling irrespective of the type and use of said structure, the property owner shall be required, when undertaking such a construction, to construct a new sanitary sewer lateral in a manner acceptable to the Department of Engineering of the Township of Clark and in a good workmanlike manner, in accordance with standard engineering practices an such construction standards as may be approved by the Township of Clark.

**SECTION 3:     ARTICLE V-SECTION 279-23 entitled EXCEPTIONS**

Section 279-23 Exceptions is hereby deleted.



TOWNSHIP OF CLARK

Ordinance No. 21-12

Adopted \_\_\_\_\_

INTRO 9

Introduced: February 16, 2021 Public Hearing: March 15, 2021

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,060,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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, State of New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, State of New Jersey (the "Township") is hereby authorized to make various public improvements in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and the State grant appropriated, by this ordinance. It is anticipated that the Clark Board of Education (the "Board of Education") shall reimburse the Township for the cost of the resurfacing of parking lots at Arthur L. Johnson High School, Kumpf Middle School and Hehnly Elementary School being undertaken by the Township pursuant to an interlocal agreement with the Board and set forth in Section 4.C hereof. Said funds from the Board of Education shall be applied as set forth in Section 13 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the 2021 Capital Road Improvement Program (including roadway reconstruction and resurfacing, and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements) at the following locations in the Township (entire lengths, unless otherwise noted):

Brookside Terrace  
Fulton Street (from Broadway to Cook Street)  
Glenwood Terrace (from Ridgeview Terrace to  
Stockton Road)  
Mountainview Road  
Nassau Street  
Roberts Road  
School Street  
William Street (from Lake Avenue to Willow Way)

Depending upon the contract price and other exigent circumstances, and upon approval by the Township Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$1,200,000
Down Payment Appropriated	\$ 60,000
Bonds and Notes Authorized	\$1,140,000
Period of Usefulness	10 years

B. Improvement of Lincoln Boulevard (from Broadway to Oleander Way), including roadway reconstruction and resurfacing, and the undertaking of the following, where necessary: repair of the storm drainage system, reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements. It is hereby determined and stated that said street being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 300,000
State Grant Appropriated	\$ 265,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 33,000
Period of Usefulness	10 years

C. Resurfacing of parking lots at Arthur L. Johnson High School, Kumpf Middle School and Hehny Elementary School for joint school and municipal use.

Appropriation and Estimated Cost	\$ 560,000
Down Payment Appropriated	\$ 28,000
Bonds and Notes Authorized	\$ 532,000
Period of Usefulness	10 years

---

Aggregate Appropriation and Estimated Cost	\$2,060,000
State Grant Appropriated	\$ 265,000
Aggregate Down Payment Appropriated	\$ 90,000
Aggregate Amount of Bonds and Notes Authorized	\$1,705,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$300,000 which is estimated to be necessary to finance the cost of such purposes, 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 6. The sum of \$265,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the improvement of Lincoln Boulevard set forth in Section 4.B hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$90,000, appropriated for down payments on capital improvements or for the capital improvement fund in

budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$90,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$1,705,000 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 9. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$1,705,000 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 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and 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 said 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 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10 years computed from the date of said bonds.

Section 12. 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 said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,705,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the Clark Board of Education, 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 such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 15. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable

expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Effective Date: April 8, 2021

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**STEVEN M. HUND**  
 Council President

\_\_\_\_\_  
**SALVATORE BONACCORSO**  
 Mayor

Ord21/2-16 21-12 MultipurposeBondOrd

	Motion to	Second	Motion to	Second				
	Introduce		Adopt		Aye	Nay	Abstain	Absent
Albanese								
Mazzarella								
Minniti								
O'Connor								
Smith								
Toal								
Hund								
Entire Council								
<b>TOTAL</b>								

TOWNSHIP OF CLARK  
Resolution 21-41  
February 16, 2021

10

**Municipal Budget of the Township of Clark County of Union for Calendar Year 2021**

**BE IT RESOLVED** that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021:

**EXPLANATORY STATEMENT  
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2021**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.A.40A:4-45.2)		19,375,225.00
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.A.40A:4-53.3 as amended)		5,318,687.59
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)		5,318,687.59
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated 98.53% Percent of Tax Collections		1,000,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance	2021	
for Schools – State Aid	2020	25,693,912.59
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		6,721,550.59
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)		17,994,001.00
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		
(c) Minimum Library Tax		978,361.00

**BE IT FURTHER RESOLVED** that notice is hereby given that the Budget and Tax Resolution was Introduced by the Municipal Council of the Township of Clark, County of Union, State of New Jersey on February 16, 2021; and

**BE IT FURTHER RESOLVED** that said Budget be published in summary in the Union County Local Source in the issue of March 4, 2021; and

**BE IT FURTHER RESOLVED** that a Special Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Building, 430 Westfield Avenue, on April 5, 2021 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2021 may be presented by the taxpayers or other interested persons.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res21/2-16BudgetIntro

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						

TOWNSHIP OF CLARK

Resolution 21-42

February 16, 2021

//

WHEREAS N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union, State of New Jersey, 2/3 of the majority of the full membership concurring herein, that the transfers in the amount of \$100,000.00 be made between the 2020 Budget Appropriation Reserves as follows:

**CLARK TOWNSHIP**

**RESERVE APPROPRIATION TRANSFER**

	<u>From</u>	<u>To</u>
<b>Recreation</b>		
<b>Salary &amp; Wage</b>	100,000.00	
<b>Unemployment Compensation</b>		
<b>Other Expenses</b>		100,000.00
	<u>\$ 100,000.00</u>	<u>\$ 100,000.00</u>

ATTEST:

APPROVED:

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

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res21/2-16BudgetTransferReserves

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						

TOWNSHIP OF CLARK  
 Resolution 21-43  
 February 16, 2021

12

**WHEREAS** the CARES Act Grant Agreement covered necessary expenditures incurred due to the public health emergency with respect to COVID-19 beginning March 1, 2020 and ending December 31, 2020; and

**WHEREAS** there are unexpended appropriations in the amount of \$147,942.83 as of December 31, 2020; and

**WHEREAS** the Chief Financial Officer has recommended that the unexpended appropriation balances be cancelled.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Clark, County of Union, New Jersey that the unexpended appropriations in the CARES Act Grant be cancelled.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
 STEVEN M. HUND  
 Council President

Res21/2-16 CancelCARESActBalance

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						

TOWNSHIP OF CLARK  
Resolution 21-44  
February 16, 2021

13

**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>
155/8	67 Walnut Avenue	2,741,800	2,587,600	154,200	2014

**BE IT FURTHER RESOLVED**, that a refund be issued in the amount of \$12,112.41.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res21/2-16 TaxAppeal 67WalnutAve

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						

TOWNSHIP OF CLARK  
Resolution 21-45  
February 16, 2021

14

**WHEREAS**, the Tax Assessor has certified that the U.S. Department of Veterans Affairs has deemed John Reuter to be 100% permanently disabled effective December 19, 2019, in accordance with N.J.S.A.54:4-3.30 et. seq.; and

**WHEREAS**, John Reuter owns one hundred percent of the property listed in the tax duplicate as 31 Harvey Court, Clark, NJ, Block 28.01 Lot 13.01 Qualifier C0031, and is entitled to one hundred percent of the taxes for this property exempt; and

**WHEREAS**, the taxes billed for 2021 are \$6092.70, and the 1<sup>st</sup> quarter 2021 has been paid, in the amount of \$3047.47. A refund of \$3047.47 will be issued to John Reuter; the 2<sup>nd</sup> quarter 2021 taxes, in the amount of \$3046.35 should be cancelled, as should the 3<sup>rd</sup> & 4<sup>th</sup> quarter taxes of 2021; and

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

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

ATTEST:

APPROVED:

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

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res21/2-16DisabledVeteranTaxExemptionReuter

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						

TOWNSHIP OF CLARK

Resolution 21-46

February 16, 2021

15

**WHEREAS** Chapter 66, Section 15A of the Code of the Township of Clark requires the designation by resolution of a Municipal Housing Liaison (MHL) to be responsible for oversight and administration of the Affordable Housing Program for the Township; and

**WHEREAS** Business Administrator, John Laezza is qualified to hold the position as Liaison with the Administrative Agent and carry out the responsibilities of those tasks which may not be contracted out to the Administrative Agent.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby appoints John Laezza as the Municipal Housing Liaison in accordance with the above-mentioned section of the Township Code.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
STEVEN M. HUND  
Council President

Res21/2-16AppointMunHousingLiaison

	Motion	Second	Aye	Nay	Abstain	Absent
Albanese						
Mazzarella						
Minniti						
O'Connor						
Smith						
Toal						
Hund						
Entire Council						
<b>TOTAL</b>						