

**REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, N.J.
April 16, 2012**

ROLL CALL:

Present: Council Members Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Also Present: Mayor Sal Bonaccorso, John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk; Richard O'Connor, Township Engineer.

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 P.M. by Council President Whiting. She asked all present to participate in a moment of silence, following the salute to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County LocalSource, and NJTODAY.NET, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

Motion to Suspend the Regular Order of Business made by Councilman Kazanowski, seconded by Councilman Mazzarella

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Mayor's Proclamation: Alcohol Awareness Month

WHEREAS alcohol is a primary factor in the four leading causes of death for young person's ages 10-21; and

WHEREAS almost 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides and suicide; and

WHEREAS approximately 15 million current drinkers in the United States are dependent on alcohol; and

WHEREAS adolescents use alcohol more than tobacco or illicit drugs; and

WHEREAS young people begin drinking, on average, at 13.1 years of age; and

WHEREAS young people who begin drinking before age 15 are four times more

likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS alcohol is involved in fifty percent of criminal assault, traffic, theft, fraud, vandalism and sex crime cases in the juvenile justice system. Older friends and siblings are the primary source by which underage youth obtain alcohol. Providing alcohol to minors is against the law, and that together we should work to keep it out of their hands, and

WHEREAS it is imperative that we join with others in advancing efforts to strengthen the enforcement of our underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools, and communities to prevent underage drinking and alcoholism.

NOW, THEREFORE, I, Mayor Sal Bonaccorso join the National Council on Alcoholism and Drug Dependence, Inc., (NCADD) and The New Jersey Division of Alcohol Beverage Control and do hereby proclaim that April 2012 is “Alcohol Awareness Month”, in the Township of Clark.

Mayor Bonaccorso: Thank you Madame Clerk. Ladies and gentlemen, this holds very near and dear to me. There is a tremendous drinking problem amongst the youth of America today. Yes, I’ll do the unthinkable, even right here in our community in which we all live, Clark Township. I know it’s something that I’ve been constantly after the police department to keep their eyes on, and I know they do that. There’s a lot of youth that are actually entering rehabs because of drinking and of course sometimes due to alcohol. I think this is a very sad state of affairs when we are looking at 14, 15 16, 17, 18 year old kids. I give them the credit for going in and trying to get the help, but this is what you have in your life at that young age? Look I know people unfortunately experiment and try different things but there’s just a complete awareness that parents need to really keep on top of. I’m not trying to tell anyone how to run their house, or raise their children, believe me, but it’s something you should understand. You know by saying that it is okay if they drink in my home and have a party... no it’s not, there are ordinances against that. If there is underage drinking on the premises the Clark Police Department has the right to come to your premise, you can’t say it’s private property, that ordinance was passed here maybe in 1997 or 98, I believe we put that onto the books. It’s a sad state of affairs and the depth of the intoxication in children having to go to the hospitals to get pumped, and calling squads. So folks please it also relates to motor vehicle deaths and poor decisions. Look, none of us are perfect; none of our children are perfect, I understand that, I am raising three children with my wife every day. Let’s try to work on it. Graduation time is coming, so let’s work together to make sure these kids could have a great time sober and safe. Thank you.

Motion to Resume the Regular Order of Business made by Councilman Kazanowski, seconded by Councilman O’Connor

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP

OFFICERS: (Full transcript on file in the Clerk’s office)

Township Clerk: 1. March police and fire reports 2. Clerk’s 1st quarter financial report on file and open to the public

Mayor Bonaccorso:

1. Congratulated the Girls Softball League and the Little League on their second annual joint parade and ceremony 2. Branch and lawn clean-up is still going until the last day of April that will end, then monthly branch clean-up which will be placed on the street in the 3rd week and picked up on the 4th week 3. Occidental Chemical Company lawsuit update

Attorney Triarsi: Explained third party defendants, of which Clark is one - have to make a decision as to whether we choose at this point in time to bring in our industrial users on the same basis that we were dragged in.

Mayor Bonaccorso: Explained why he is opposed to this action “I am not, I can tell you straight out, my decision, opinion is absolutely not, I wouldn’t do that to these people.”

Attorney Triarsi: We have a master who happens to be a retired Judge. She is a special master and she reviews everything before it gets to the Judge who is in charge of the case.

Mayor Bonaccorso: She reviews all of the three million documents that were filed at a cost of ninety to a hundred thousand dollars per month. Our conglomerate of towns who are defending themselves in this, and we’ve all bunched together; have not got one decision in her way... I told the DEP very definite and very exact that I will not go away, and I will not stop until Governor Christie indemnifies these communities. (complete transcript available in the Clerk’s office)

REPORT OF COUNCIL COMMITTEES:

Councilman Toal: Environmental Commission: we had some really historical storms and crazy storms, the Reservoir is littered. In celebration of Earth Day the Annual Rahway River Clean-up will be held on Saturday, April 28, 2012, with a rain date of Sunday, April 29, 2012.

rahwayrivercleanup@comcast.net

Councilman O'Connor: Legislative Committee will be meeting on Thursday, April 26th to review matters of potential legislation

Councilman Mazzarella: As your Commissioner of the Rahway Valley Sewerage Authority it is very frustrating what’s happening with this Occidental litigation. It seems that the only individual that’s making money on this is the Special Master; it’s like a career for her. I want to thank our Mayor for spear heading this. Without his initiative with this, this would have fallen through the wayside with the other communities. I’m quite upset that the other communities didn’t see their way of attending this meeting because I’m telling you it’s going to affect all of the communities. Mayor thank you very much for spear heading this and that’s all that I have.

Councilman Kazanowski: No report this evening.

Councilman Barr: 1. Memorial Day Parade on Monday, May 28th All invitations have been sent out please return your forms as soon as possible. Let us never forget the meaning of Memorial Day. 2. Brush fire alert due to dry weather – be careful when discarding cigarettes, matches, etc. (Full transcript available in the Clerk’s office)

Councilwoman Albanese: Library 1. New program for preschoolers with special needs called Rhythm and Rhyme. 2. Practice PSAT test 3. Frank Sinatra program for adults 4. “The Case of the Unknown Woman” - true crime story from the 1880’s that happened in Rahway 4. AARP Driver’s Safety Course (Full transcript available in the Clerk’s office)

Council President Whiting: 1. Recreation is having registration for summer camp as well as tennis. 2. Pool – preparing to open - go to www.ourclark.com there’s a link there for the pool, you can download your application or go see Ralph and he will take care of you.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

(No written objections were received in connection with the following Ordinance.)

Ordinance 12-05

AN ORDINANCE TO SUPPLEMENT THE CODE OF THE TOWNSHIP OF CLARK, CHAPTER 347, ENTITLED VEHICLES AND TRAFFIC SECTION 347-36a THEREOF, TO PROHIBIT LEFT TURNS FROM 162 CENTRAL AVENUE

Council President Whiting opened the Public Hearing on Ordinance 12-05

Seeing no one coming forward Councilman Kazanowski made a motion to close the Public Hearing, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

Motion to adopt Ordinance made by Councilman Mazzarella, seconded by Councilman Kazanowski

Discussion: None

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

Ordinance Adopted

PAYMENT OF CLAIMS: Councilman O'Connor, Chairman of Finance Committee made a motion to approve the payment of claims on current and capital expenditures in the amount of \$303,385.42 for the period ending April 16, 2012, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

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.

Council President Whiting opened the Citizen Hearing of the Agenda

William Caruso, 7 School St.: Budget question related to affordable housing – how much in the fund?

John Laezza: One dollar.

William Caruso: That's all you have one dollar, you haven't collected anything. I thought maybe there were some funds in there that...

John Laezza: If we had it we would spend it properly.

William Caruso: Was there any money in there?

John Laezza: Never.

William Caruso: So you had no reason to spend it properly.

John Laezza: We've never had any developers come in and pay for anything because they didn't conform to the COAH rules.

William Caruso: Oh is that what it is? Okay. If you should accumulate funds in the future, are there any guidelines of how you have to use that money if we per chance have money in the budget?

John Laezza: There are definite guidelines and they are spelled out in the development fee ordinance.

William Caruso: Alright, so in the developer's ordinance how it can be used. Okay, that was one of the major questions that I had tonight. The rest of the questions I would like to hold for the public portion, thank you.

Seeing no one else coming forward Councilman Kazanowski made a motion to close the Citizen Hearing on the Agenda, seconded by Councilman Mazzarella

Council President Mazzarella directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

RESOLUTIONS:

Resolution 12-54

WHEREAS as least one (1) week prior to the date of the hearing a complete copy of the approved budget was delivered to the free public library and made available for public inspection; and

WHEREAS an Affidavit of Receipt of the Budget as attached hereto and made a part hereof has been obtained from the Library pursuant to NJSA 40A:4-8; and

WHEREAS copies of the budget have been made available to each person requesting one at no charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that upon passage of this resolution by a majority of the full membership that the law has been met allowing the budget to be read by title.

Moved by Councilman O’Connor, seconded by Councilwoman Albanese

Discussion: None

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

Resolution 12-55

Municipal Budget of the Township of Clark County of Union for Calendar Year 2012

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012:

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2012**

General Appropriation For:

- 1. Appropriations within “CAPS”:
 - (a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2) 15,400,171.96
- 2. Appropriations excluded from “CAPS”
 - (a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended) 3,940,035.12
 - (b) Local District School Purposes in Municipal Budget (Item K, Sheet 29) -

Total General Appropriations excluded from "CAP" (Item O, Sheet 29)	3,940,035.12
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated <u>98.43</u> Percent of Tax Collections	850,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2012 \$ _____ for Schools –State Aid 2011 \$ _____	20,190,207.08
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	5,272,793.12
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)	14,074,664.96
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	-
(c) Minimum Library Tax	842,749.00

BE IT 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 on March 5, 2012; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County LocalSource in the issue of March 29, 2012; and

BE IT FURTHER RESOLVED that a Regular Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Council Chambers, 315 Westfield Avenue, on April 16, 2012 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by the taxpayers or other interested persons.

Council President Whiting: Before we open the meeting to the public I would like to have Councilman O'Connor make a brief statement please.

Councilman O'Connor: Thank you very much. Citizens of Clark, it gives me great pleasure to present the 2012 Municipal budget to each of you for this public hearing. The Administration in concert with the entire Council voted unanimously to approve this budget for the public hearing knowing full well that it reflects a 1.01 percent increase in our cap levy. Governor Christie and the legislators have mandated that the most that the levy could increase is 2% over the previous year. This budget does better than that, which the State allows.

We present this budget with the knowledge that we will continue to provide the services you have requested without having to take away jobs from our hard working employees. After reading the papers this is something we are proud to say.

What does this budget mean to each of you as it relates to your property tax? The 1.01 percent increase relates to a 2 point tax increase. Using that 2 percent point increase against your property tax assessment computes as follows:

- a. Assessment \$100,000.00 would mean a \$20.00 annual tax increase of your property for Municipal Tax purposes only. It does not include County or School taxes.
- b. The average house in Clark is assessed at \$183,000.00 so the average property tax increase is \$36.60 this year.

The salary budget for 2012 is \$7,297,085.96 vs. 2011 \$7,266,347.00 or an increase of \$30,738.96.

The other expense budget for 2012 is \$12,862,068.00 vs. 2011 \$12,732,018.71 or a net increase of \$130,049.29.

The major increases include the debt payments at \$77,202, Gasoline of \$35,000, Buildings and Grounds of \$29,000, Grass of \$15,000, Health Benefits of \$40,000, Streets and Roads of \$36,000, Engineering of \$27,000 and some other small amounts totaling \$259,202. It should be noted that those increases were offset by decreasing other appropriations by \$129,153.

A great deal of effort was put into this document and we will be happy to respond to each of your concerns.

Council President Whiting opened the Public Meeting on the 2012 Municipal Budget

Seeing no one coming forward Councilman O'Connor made a motion to close the public hearing, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Motion to adopt the 2012 Municipal Budget made by Councilman O'Connor, seconded by Councilwoman Albanese

Discussion:

Councilman Toal: Ladies and gentlemen it's very hard to make decisions on your hard earned money. You go out and go to work every day and you're trying to provide for your family. You heard what the numbers are. Sitting as your councilmen we were elected to these positions but to spend your hard earned money is one of the most difficult decisions to make as a councilman. We don't like to do anything involving your money, but we have to keep the town operating. As you can see the numbers are conservative, fiscally prudent, and we are trying to keep this town clean, safe, and green so it's a wonderful town to live in. I thank you Madame President. We are just trying to keep this town where it's not a major chunk out of your wallet but to keep the town continually moving in the 21st Century, thank you.

Councilman Kazanowski: Thank you Madame President. I will be voting in favor of the budget but like in past years I do have certain items on the budget which I don't particularly care for or like. But then you have to look at the bottom line, we are under the 2% Cap; we are offering the services for the township's people that they requested. All, and all, you look at the bottom line we are under the Cap and I will be voting in favor of the budget.

No further discussion

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Council President Whiting: Mr. Laezza, again from the entire council thank you for working so hard and so diligently, coming up with such a budget and I don't know how you do it. That's why you do and we don't.

Resolution 12-56

WHEREAS N.J.S.A. 40A:9-140.1 requires the appointment of a Chief Financial Officer; and

WHEREAS pursuant to N.J.S.A. 40A:9-140.2, Terance O'Neill, was appointed as Chief Financial Officer by the Mayor with the advice and consent of Council on January 7, 2008, Certification Number O-0487 and is qualified to be re-appointed as Chief Financial Officer; and

WHEREAS, pursuant to N.J.S.A. 40A:9-140.8, Terance O'Neill has served as Chief Financial Officer of the Township of Clark for four consecutive years and shall be granted tenure of office upon filing with the Township Clerk and the Division of Local Government Services a notification evidencing his compliance with said Statute.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. Terance O'Neill be and is hereby re-appointed Chief Financial Officer of the Township of Clark with Tenure of the Office granted herein.
3. This Resolution shall be effective retroactive to January 7, 2012.

Moved by Councilman Mazzarella, seconded by Councilman Barr

Discussion: None

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-57

WHEREAS the Clark Municipal Swim Pool Utility has solicited proposals for operating and maintaining the pool food concession stand for the 2012 season; and

WHEREAS two attempts were made to solicit bids by public advertisement with the openings scheduled in accordance with the Local Public Contracts Law on March 7, 2012 and April 4, 2012; and

WHEREAS no bids were received on March 7, 2012 and two bids were received in connection with this solicitation on April 4, 2012 which did not meet the minimum requirements of the Bid Specifications.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark as the Pool Utility that it does hereby reject the bids received on April 4, 2012 and authorizes the proper township officials to negotiate a contract in the best interest of the Township.

Moved by Councilman Kazanowski, seconded by Council President Whiting

Discussion: None

Council President Whiting directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-58

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that the following individuals are hereby appointed as Members of the Clark Community Pool Advisory Board effective April 16, 2012.

Regular Members:

Term

Kathy Prestinari 190 Dorset Drive 4/16/12 – 12/31/13

(Filling the unexpired term of Maria Rose Breien 01/3/12 – 12/31/13) (2 year)

Alternate I:

Ann Sener 49 Victoria Drive 4/16/12 – 12/31/13

(Filling the unexpired term of Kathy Prestinari 01/3/12 – 12/31/13) (2 year)

Moved by Council President Whiting, seconded by Councilman Kazanowski

Discussion:

Council President Whiting: We met this new member the other night, and she is a lovely lady, and she spends a lot of time at the pool. She had some very good ideas that she threw out at our last meeting, so we welcomed her to join us.

Council President Whiting directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-59

RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS while that right should be the exception, it has become the rule; and

WHEREAS by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State’s diversion of Energy Taxes has continued to grow; and

WHEREAS in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

Moved and seconded by the Entire Council

Discussion:

John Laezza: Thank you Madame President. Basically there are two sections in property relief that was sent by Trenton to local governments. When they were put together they usually were taxes that were paid by local governments as late as the early 80's. During the early 80's, the state government thought that they would be better served if they collected these taxes that the municipalities were getting and they would revert them back to the municipalities and everyone was going to be kept whole, that fell through the cracks immediately. Over the last ten to fifteen years billions of dollars have been diverted from local governments to balance state budgets. What we are asking the state government to do is to give local governments their fair share of the energy tax. They say they are but when they give us the fair share of the energy tax they decrease the other tax so that we are revenue neutral and that's what this is saying. We are getting five hundred and sixty-six municipalities trying to wake up the state legislators.

Council President Whiting: So basically it's fair to them and not fair to us as usually.

John Laezza: Correct.

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Toal, Whiting

Resolution 12-60

WHEREAS on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "Above all, our freedom endures because of the men and women in uniform who defend it," and that "... this generation of heroes has made the United States safer and more respected around the world"; and

WHEREAS the President, further promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

WHEREAS National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS this employment initiative can be New Jersey’s way of saying thank you to the men and women who made great sacrifices to protect our nation’s freedom; and

WHEREAS local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America’s over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up.

NOW THEREFORE BE IT RESOLVED on this 16th day of April that the Governing Body of Township of Clark recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED that in gratitude, the Township of Clark pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

Moved and seconded by the Entire Council

Discussion: None

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

CONSENT AGENDA RESOLUTIONS:

Resolution 12-61

WHEREAS the Police Department has requested that the Township Council authorize the appropriate Township Officials to approve the authorization of the purchase of one (1) 2013 Ford Police Utility Interceptor SUV for use by the Police Department; and

WHEREAS the Administration recommends an outright purchase payable upon delivery of the Police Vehicle:

Pricing of the Vehicle through the Cranford Police Cooperative Pricing System #101;
System Identifier 47-CPCPS

Dealer: Beyer/Warnock Fleet, 175 Route 10, East Hanover, New Jersey 07936-0524

Funded by: O/E Account 2-01-25-240-237
One (1) 2013 Ford Police Utility Interceptor SUV
Total equipment price \$27,017.00

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$27,017.00 funded by O/E Account 2-01-25-240-237 as attached hereto as a “Certification of Availability of Funds.”

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator to purchase One (1) 2013 Ford Police Utility Interceptor SUV from Beyer/Warnock Fleet, of East Hanover, New Jersey.

Resolution 12-62

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Mayor and/or Business Administrator to execute an Agreement with The County of Union enabling the Township to receive an Automatic License Plate Recognition System (ALPRS) from the County pending future funding from the Office of Homeland Security and Preparedness (OHS&P).

Resolution 12-63

WHEREAS Ample Permitting Service, 46 Reinman Road, Warren, New Jersey 07059 has requested a refund of Seventy Five Dollars (\$75.00) for voided Construction Permit #12-145 issued for 110 Amelia Drive.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, that the Chief Financial Officer is hereby authorized and directed to refund Seventy Five Dollars (\$75.00) to Ample Permitting Service.

Resolution 12-64

WHEREAS the Treasurer/CFO has certified that sewer utility accounts require balance adjustments; and

WHEREAS the Business Administrator has reviewed the attached list and approved the sewer fee adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Treasurer/CFO be authorized to apply the sewer account balance adjustments according to the attached schedule:

#	Acct #	Name	#	Address	Reason	Original	Revised	Credit	Additional
12	2321-0	Millennial Prop.	1019	Raritan Rd	Vacant	225.00	-	225.00	-
13	3199-0	Jennifer Gattullo	60	Lincoln Blvd	no scd	100.00	225.00	-	125.00
14	3199-0	Jennifer Gattullo	60	Lincoln Blvd	no scd	100.00	225.00	-	125.00 2011
15	3087-0	Frank Coon	45	Westfield Ave	water co	3,302.01	175.00	3,159.66	-
16	3087-0	Frank Coon	45	Westfield Ave	water co	1,687.56	225.00	1,462.56	- 2011
17	2924-0	Leslie Gaschler	9	Adams Street	no scd	100.00	225.00	-	125.00
18	2017-0	Edward Lubrano	14	Ginesi Drive	pool	1,385.00	225.00	1,160.00	-
19	2740-0	Hector Velez	2	Kathryn Street	no scd	100.00	225.00	-	125.00 2012
20	3647-0	Alberto Scalia	53	John Street	well	500.00	225.00	275.00	-
21	3747-0	Deborah Volosin	60	Union Street	no scd	100.00	225.00	-	125.00
22	3205-0	Demetrio Negrin	99	Hart Street	scd	225.00	100.00	125.00	-
23	3090-0	Susan Pavese	20	67 Westfield Ave	multi-use	5,105.00	2,025.00	3,080.00	-
24	2868-0	Daniel Grandal	31	Ivy Street	pool	738.28	225.00	513.28	-
25	1425-0	Frank Spallone	46	Mildred Terr	leak	945.00	478.32	466.68	-
26	4437-0	Judith Chadwick	201	Miller Avenue	no bill	-	225.00	-	-
27	466-0	Joseph Pipala	27	Acken Drive	pool	1,097.32	225.00	872.32	-
28	4250-0	Robert Tarantino	25	Blake Drive	pool	1,785.48	665.48	1,120.00	-
29	2978-0	Antonio Pacheco	54	Gertrude St	pool	625.00	225.00	400.00	-
30	5103-0	Stetson Et als	4	Alan Ct	no scd	100.00	225.00		125.00
31	2811-0	Michael Kotik	35	Kathryn Street	pond	2,265.00	385.00	1,880.00	-
32	4115-0	Jak Eskinazi	480	Parkway Dr	multi-use	6,004.20	900.00	5,104.20	-
33	4115-0	Jak Eskinazi	480	Parkway Dr	multi-use	1,994.92	900.00	1,094.92	-
34	2685-0	Adam Szelag	37	Prescott Turn	water co	1,635.88	666.46	969.42	-
35	1217-0	719 Raritan Rd	719	Raritan Rd	leak	1,635.88	225.00	1,410.88	-
36	3027-0	Elzbieta Mnich	33	Washington St	Vacant	225.00	-	225.00	-
37	1994-0	Marie Merwin	62	Hutchinson St	no scd	100.00	225.00	-	125.00
38	4776-0	Madelline Farrel	6	Georgian Drive	disallow scd	100.00	225.00	-	125.00
39	5219-0	Colony Manor	71-81	Broadway	multi-unit	4,568.04	1,800.00	2,768.04	-
40	1100-0	James Vagie	67	Victoria Drive	leak	947.72	307.72	640.00	-
41	2065-0	Anthony Araneo	805	Raritan Rd	multi-unit	5,545.00	2,475.00	3,070.00	-
42	324-0	Joe Casimiro	74	Briarheath Lane	leak	2,563.40	963.40	1,600.00	-
43	350-0	Joaquim Casimiro	172	Briarheath Lane	leak	905.00	225.00	680.00	-
						46,710.69	15,666.38	62,377.07	1,000.00

Resolution 12-65

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2010 and 2012 sewer fees; the Mayor has recommended to Council that such authorization be granted.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Treasurer/CFO is hereby authorized and directed to make the following refunds as per the attached schedule.

Acct #	Name	#	Address	Reason	Refund	
4206-0	Antonio Ferreira	318	West Lane Picton	overpayment	25.00	
3852-0	Pedro Matos	21	Street Westfield	overpayment	25.00	
3087-0	Frank Coon	45	Avenue	overpayment	2,789.51	2010
2828-0	Ravin Mads	54	Ivy Street Parkway	overpayment	25.00	
4115-0	Jak Eskinazi	480	Drive Clauss	overpayment	994.92	2012
4153-0	Michael Gennaro	7	Road	overpayment	25.00	
3387-0	Thera Rocco	50	Lupine Way Florence	overpayment	105.00	
3977-0	William & Carol Alborn	12	Drive	overpayment	25.00	
4921-0	Benjamin Jacobson	538	Valley Road	overpayment	43.50	
1574-0	Edward & Julia Duffy	198	Dorset Drive	overpayment	38.52	
					4,096.45	

Resolution 12-66

BE IT RESOLVED by the Governing Body of the Township of Clark that they hereby commit to a fireworks display presented by Bay Fireworks, 400 Broadhollow Road, Suite 3, Farmingdale, New York 11735 to be held on Wednesday, July 4, 2012 with a rain date of Thursday, July 5, 2012; and

BE IT FURTHER RESOLVED that the Mayor and appropriate officials of the Township of Clark are hereby authorized to enter into a contract with Bay Fireworks for 2012 as sufficient funds have been appropriated in the 2012 Municipal Budget under Celebration Events Account #30-420-223; and

BE IT FURTHER RESOLVED that when the Contract is signed by Bay Fireworks they must include the proper insurance certificate endorsing the Township of Clark and the Clark Board of Education as “additional insured” on the policy.

Motion to adopt Consent Agenda made by Councilman Toal, seconded by Councilman Barr

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

NEW BUSINESS ON THE CALENDAR: None

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.

Council President Whiting opened the public portion of the meeting

Bill Caruso, 7 School St.: 1. Senior Housing update: finally going through the final stages of the demolition – with a little bit of luck we may be able to get construction started and get the first building opened by Memorial Day of next year. That would be 100 units. Our list has exceeded 1,000 names. This is not a township project 2. RVSA Co-generation plant (Full transcript available in the Clerk’s office)

Councilman Mazzarella: Mr. Caruso, you have attended two meetings, and the Mayor has attended quite a few more, and he has been in the loop with this and he knows everything that is going on from start to finish. My suggestion to you is if you do have a suggestion for the Board, attend another meeting.

Bill Caruso: One other thing, I want to congratulate the council, the Mayor, and the Administration on the fine work they did with that budget, I like the numbers, and I think everybody did a great job. The people of this town have to understand that if they want services, they have to pay for them, the town is clean and green and they have to be very grateful. So you guys are doing a great job with that.

Seeing no one else coming forward Councilman Kazanowski made a motion to close the public portion of the meeting, seconded by Councilman O’Connor.

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Toal, Whiting

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Nothing, thank you very much Madame President, have a good night and I'll see you next month.

Councilwoman Albanese: Thank you Madame President, a few weeks ago I was invited to attend the Eagle Scout Court of Honor for Andrew Kamichoff. I just wanted to say that it was a pleasure to attend the ceremony and it was really interesting and it was very nice. They had invited all the Eagle Scouts and it was quite moving. Also for his project he selected an environmental project. He did some planting and some sprucing up of the grounds of the Kumpf School, which resulted in quite a large savings of dollars. Congratulations to Andrew and congratulations to his Mom and Dad, good job.

Bill, I just want to thank you on the update on the senior housing, I'm on that list, if I'm still on the list, so thank you for your hard work and efforts in that area.

Councilman Barr: Thank you Madame President, actually I really want to thank Bill Caruso for your informative report, reason being I am council liaison to the seniors. You can believe me when I tell you I get calls, when I'm in Shop Rite they come up to me, when I'm in the A & P they come up to me, and they always want to know what's happening. Pretty much I tell them just what's going on. Bill just gave me some more information which now I can tell them when they see me, or when they call. It is moving along, and it's going to be a beautiful place, and it's well worth the wait for the ones that are still here.

Councilman Kazanowski: Yes I just would like to mention that the fireworks company that we hired for \$15,000.00 is the same one from last year. Everyone claimed it was a great show, I was there and it was a great show. It would stand to anticipate that this year will be even greater, thank you.

Councilman Mazarella: Thank you. I for one would like to thank Mr. Caruso for coming up to voice his comments about the Sewerage Authority. It has been a very frustrating tenure that I have had there. I've been on now for 18 years and I can tell you that the Mayor has been very intimate every step of the way with the litigation process, where we've been, where we're going. There are certain things that I can't divulge because there is litigation; the Mayor is abreast of a lot of it. I can tell you by just his initiative very recently with the Occidental litigation that shows that the Mayor has spearheaded, and will continue to spearhead initiatives to try to lessen the burden on our residents. You or any citizen could attend any of our meetings, and you can voice any comment that you have, or any resident can voice any comment that they have. I keep on saying this that I really take my hat off to the Mayor because he is the only one, yes I realize Mayor Kennedy and Mayor McCormac were involved but because of our Mayor. He is the one that has been spearheading a lot of these initiatives, and he is frustrated, as well as I am frustrated. I am only one vote but I have been the vote against a lot of the initiatives that happened at the Sewerage Authority and the documents show that. I just wanted to make that point, but I thank you for attending the meeting and voicing your comments on that.

Mayor I would like to thank you for the overlay on Acken. The residents were truly happy with the curbing but when we got the overlay they were elated, I thank you for that it really looks good. To the residents until next month be well, and stay safe, thank you.

Councilman O'Connor: Thank you, I just want to again take this opportunity to thank the Mayor, the BA, and Administration Department Heads for their hard work that they put into our budget. It came out very, very well, and very, very fair. Thank you very much for all of your hard work.

Councilman Toal: Thank you Madame President. Andrew Kamichoff, a fourth ward resident, congratulations on your elevation to Eagle Scout. Your brother was your inspiration as well as your whole family. Martha, Kurt, again thank you for making Clark and being a part of Clark history and doing great things.

To the Ivy Street residents thank you for your patience while the street is still being finished up. It will be paved in the coming days. We appreciate all of you dealing with all of the dust and dirt but remember the street hasn't been done since 1969, so it's nice that we get it done and we appreciate your understanding.

Special congratulations to Pompeii Pizzeria. A few months ago I said some comments that were taken in the wrong direction or wrong vain. To Lou, you are a friend. The Patch, which is sitting over there, Jessica is in the audience, the Patch did a survey and a poll for the best pizzeria and pizza in town and Pompeii Pizzeria came out on top from the public opinion poll. I just want to note that and congratulate Lou on that glorious victory and well earned. You do a nice pie. There are a lot of pizzerias in Clark but Pompeii is one of the best.

Angel Albanese mentioned the murder of 1887, as Clark's Historian I can't miss this one...his name is Alan Shipley, Alan Shipley is the Rahway Historian and he has been an inspiration to me. I'm a little bit younger than him. Please come out to that lecture, it is going to be worthwhile, it is one of the most fascinating stories of 1887 what happened when this was all farms and how a young girl who worked at the Clark Felt Mill, Taylor and Bloodgood, she was on her way up to the Felt Mill on Valley Road walking up Central Avenue what is now Westfield Avenue and she was murdered. Please come out and learn all about this mysterious story and learn more good things at the Clark Library. Thanks Angel it's a great story. It was fascinating and Alan's book is called Rediscovery of Rahway which can be found at the Clark Public Library, and you will learn more about that wonderful story. But again local history, Clark history, Rahway History, thank you on that history.

Normally I don't get stopped in my tracks but this morning I did. When I heard that a dear friend of ours and a Clarkite, somebody who has always been there since he moved into Clark in 1974 and he became what I call the landmark people, people who always give of themselves. His name was Robbie Lerner. You might remember him as Robbie's Clark Camera over in the Clarkton Village Shopping Center right along the front next to the Clark Post Office. Robbie had a store there for years, for twenty-five years, from 1975 to 2000/2001. Robbie closed the store because the technology changed, he was originally a teacher and he moved to Clark and set up a camera store which was innovative at the time in the 1970's. And then Robbie closed the store because technology changed and everything became computer oriented and he went back to

teaching. But if you have ever been in the History Room at room 30 in the Brewer Municipal Building, we have the history room and we have the Dr. Robinson Museum but the history room which is also aka room 30 and there's a wall display in there, and that wall display has old archive photos of the Township of Clark looking back 150 years ago, that display was put together by four people and they are John Kristof, Paul Biss, Robbie Lerner and myself who put all those photos catalog them and we sat over there about three different Sundays, we sat and we create that entire wall and thanks to Robbie Lerner who spent all of his own money duplicating those photos. We bought frames and we made that display and that will be a legacy to Robbie because he always gave of himself and his family his three lovely daughters he made sure that all of them went to college and they are all teachers. He is one of our special people that passed away and we should take note and say to Mrs. Lerner and to your wonderful daughters that we will miss a wonderful man who gave of himself to this community and I will always miss a dear friend. Thank you Madame President I have nothing else to say.

Council President Whiting: And yes our condolences go out to Dyan Lerner, she has been a teacher in the high school for a long time and to her three daughters on the loss of her husband.

Township Clerk: Yes please I just have one comment...last month I don't remember if it was Mrs. Disporto or Mrs. Berson who mentioned that they would like to see the ordinances and resolutions more visible. We do of course put ordinances in the newspapers twice but now in addition to the agenda being online I've also put a section where every document that is to be voted on the agenda and all of the documents are on the website as well. If you click on government and then on the drop down menu you'll go to ordinances and resolutions and all the documents and agendas are there as well, so it should be a little bit easier.

Attorney Triarsi: I have no report this evening Madame President thank you.

Rich O'Connor: No report.

John Laezza: Thank you Madame President...I really wasn't going to say anything tonight but since Bill showed up. Being one of the people that was anti Rahway Valley Sewerage Authority from 1968 and I was much younger then, I have to say that under the present Executive Director we are now getting some good operational management as it relates to the operations. Regard to the debt service, we are stuck with a debt service that was a product of DEP, Rutgers Law School and a number of others who got involved on a project that was going to cost about ten million dollars in 1968 that came up to be three hundred and twenty million because Rahway Valley fought it and spent millions of dollars on a lost cause. But I have to say that the new Executive Director is someone who will listen, he doesn't have an almighty endowed Executive Director role and we are getting results. He gives us budgets to look at and to help and takes advice from the communities that want to give it to him and we are very vocal as a community. And the litigation that Frank talked about is ongoing and I'm sure we will get some compensation for the Co-Gen Plant, that's all I have to say thank you.

Captain Al Scherb: No report.

ADJOURNMENT:

Motion to adjourn made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzaella, O'Connor, Toal, Whiting