

**SPECIAL COUNCIL MEETING, 430 WESTFIELD AVE., CLARK, N.J.
February 6, 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 Special 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 sending written advanced notice of at least 48 hours to the Union County Local Source, NJTODAY.NET and Star Ledger, by posting such Meeting Agenda 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.

RESOLUTION:

Resolution 12-29

**Establishing the Election of Members of the Clark Board of Education
as the First Tuesday after the First Monday in November**

WHEREAS P.L. 2011, c. 202 authorizes changing the election date of the school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

WHEREAS Such action requires the adoption of a resolution by a school district or the municipality or municipalities constituting such district, as set forth in P.L. 2011, c. 202; and

WHEREAS P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

WHEREAS P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the

statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

WHEREAS P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

WHEREAS The Mayor and Governing Body believe that the financial interest of its constituents is safeguarded by the state’s tax levy cap and the thorough review of the proposed school budget by the Executive County Superintendent and the Executive County School Business Administrator; and

WHEREAS The Mayor and Governing Body believe that more citizens will participate in the selection of school board members at the General Election than on the third Tuesday in April and that the higher level of participation will foster positive interest in our public schools; and

WHEREAS The Mayor and Governing Body are committed to the non-partisan status of school board membership and the non-partisan conduct of school elections, and believes this principle will not be compromised by conducting board member elections in November.

NOW, THEREFORE, BE IT RESOLVED

That pursuant to P.L. 2011, c. 202 Governing Body of the Township of Clark hereby changes the annual election date for school board members from the third Tuesday in April to the November General Election, beginning in 2012; and

BE IT FURTHER RESOLVED

That pursuant to P.L. 2011, c. 202, the annual organization meeting of the Clark Board of Education will take place in the first week of January following the November General Election and that the board of education’s next organization meeting will take place in the first week of January 2013; and

BE IT FURTHER RESOLVED

That pursuant to P.L. 2011, c. 202, members of the Clark Board of Education whose terms would have expired by May 2012 will continue to serve in office until the January 2013 organization meeting; and

BE IT FURTHER RESOLVED

That this resolution be transmitted to the Union County Clerk; the Union County Board of Elections; the Department of State, Division of Elections; the Department of Education’s Executive County

Superintendent; and the Department of Community Affairs, Division of Local Government Services; and

BE IT FURTHER RESOLVED

That a copy of this resolution also be provided to the New Jersey School Boards Association and New Jersey State League of Municipalities.

Moved by Councilwoman Albanese, seconded by Councilman Barr

Discussion: Transcript on file in the Office of the Municipal Clerk

Council President Whiting directed roll call:

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

ADJOURNMENT