

**REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, N.J.**  
**May 16, 2011**

**ROLL CALL:**

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

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 Mazzarella. He 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.

**COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP**

**OFFICERS:** Transcript available in the Clerk's office

**REPORT OF COUNCIL COMMITTEES:** Transcript available in the Clerk's office

**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 \$345,642.82 for the period ending May 10, 2011, seconded by Councilwoman Albanese

Council President directed roll call:

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

**CITIZEN HEARING ON 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 opened the meeting to the public regarding agenda items only

Seeing on one coming forward Councilman Kazanowski made a motion to close this portion of the meeting, seconded by Councilwoman Albanese

Council President Mazzarella directed roll call:

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

**RESOLUTIONS:**

**Resolution 11-73**

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the waiver of Section 7-42, 23-1, 23-2 and 34-6.6 D & I of the revised General Ordinances of the Township of Clark, upon the recommendation of the Township Engineer, in order to permit the owners of property known as Block 38.10, Lot 9, 187 Jupiter Street, Clark, New Jersey, Paul Van Natten, to allow the newly constructed vinyl fence within the Township’s right of way.

Moved by Councilman Toal, seconded by Councilwoman Whiting

Council President Mazzarella directed roll call:

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

\*\*\*\*\*

**Resolution 11-74**

**WHEREAS** the County of Union is repaving Brant Avenue from the Parkway Circle to Westfield Avenue in Clark Township; and

**WHEREAS** the Township of Clark has requested that the County of Union continue the Paving project onto Westfield Avenue From Brant Avenue to the Police Station on Westfield Avenue; and

**WHEREAS** the County of Union has prepared an estimated cost to complete said project at approximately \$135,000 (exclusive of Police Protection and Asphalt Price Adjustment); and

**WHEREAS** this affirms that the Township hereby authorizes the County to perform the work and the Township will reimburse the County for the cost to complete said project; and

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinance 11-12 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 Mayor and/or Business Administrator to finalize the completion of this project.

Moved by Councilman Toal, seconded by Councilman Kazanowski

Council President Mazzarella directed roll call:

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

**CONSENT AGENDA RESOLUTIONS:**

**Resolution 11-75**

**BE IT RESOLVED** by the Governing Body of the Township of Clark upon the recommendation of the Mayor of the Township of Clark that Josephine Burkhardt residing at 16 Lincoln Boulevard and Robert Tarantino residing at 25 Blake Drive be and the same are hereby re-appointed as Constables in the Township of Clark to serve for a term of three (3) years the term to commence upon the swearing in and the posting of a constable's bond; and

**BE IT FURTHER RESOLVED** that the aforementioned persons shall be required to comply with N.J.S.A. 40A:9-120 *et seq.* which statute regulates the appointment, authority, duties and responsibilities of appointed constables.

\*\*\*\*\*

**Resolution 11-76**

**WHEREAS** in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2011 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.

**CLARK TOWNSHIP  
SEWER REFUNDS - 2011**

REF	#	Account #	Name	#	Address	Reason	Refund
11R	8	3905-0	Luis & Marie Esteves	84	Georgia Street	overpayment	\$ 27.50
11R	9	4185-0	Theodore Sattur	242	Valley Road	overpayment	\$ 502.50
11R	10	3598-0	Zbigniew Baran	119	Broadway	overpayment	\$ 788.88
							\$1,318.88

\*\*\*\*\*

**Resolution 11-77**

**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:

\*\*\*\*\*

**Resolution 11-78**

**WHEREAS** in accordance with a request from the Tax Collector for authorization to refund overpayment of 2011 taxes; 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 Chief Financial Officer is hereby authorized and directed to make the following refunds:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND
30.04	58		Harrington, Kyle & Michele		Corelogic	2,258.77
					Attn: Refunds DFW 1-3	
				1	Corelogic Drive	
					Westlake, TX 76262	
38.07	1		Zych, Robert V.		same as above	2,323.10
52	4		Kniss, Gregory		same as above	2,003.23
67	33		Halat, Tadeusz		same as above	3,007.52
73	2		Mucha, E & C		same as above	2,800.23
88	89		Noone, Michael		same as above	1,678.00
120	17		Sarro, Nathalia		same as above	500.00
149	13		Ridente, Tara L		same as above	125.09
159	6		Reynolds, Joanne		same as above	1,570.78
165	27		Banta, Henry H		same as above	2,192.65
177	4		Papica, Juan P III		same as above	85.78
196	55		Linder, Jon		same as above	1,608.30
197	6		Testa, Andrea N		same as above	1,801.30
159	13		Matie Junas, Charles		BAC Tax Services Corp.	313.84
					{P O Box 10211	
					Van Nuys, CA 91499-6089	
31.03	122	C-122	Bracher, James		same as above	1,131.17
196	14		Jennings, Theresa		32 Neptune Road	1,565.42
			<b>Refund amount</b>			<b>23,069.17</b>

\*\*\*\*\*

**Resolution 11-79**

**WHEREAS** the Township of Clark wishes to purchase one (1) vehicle for the Construction Department through an authorized Cooperative Pricing System; and

**WHEREAS** the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJSA 40A:11-10; and

**WHEREAS** Warnock Fleet, 175 Route 10, East Hanover, New Jersey 07936-0524 has been awarded a contract by the Cranford Cooperative Pricing System, System Identifier 47-CPCPS; and

**WHEREAS** the Business Administrator recommends the utilization of this contract on the grounds that it meets all industry standards for use by the Construction Department; and

**WHEREAS** the actual cost for the purchase of the one (1) 2011 Ford Crown Victoria is expected not to exceed \$27,814.95; and

**WHEREAS** the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the amount of \$27,814.95 funded by the 2011 Municipal Budget, Construction Official, Other Expenses account 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 2011 Ford Crown Victoria from Warnock Fleet, of East Hanover, New Jersey through the Cranford Cooperative Pricing System.

Motion to adopt the Consent Agenda made by Councilman Barr, seconded by Councilwoman Albanese

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

**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 Mazzarella opened the public portion of the meeting

Marge Berson: Question regarding consolidation of services  
Mayor Bonaccorso: Transcript of the Mayor’s answer is available in the Clerk’s office

Council President Mazzarella: Transcript of the Council President’s comments is available in the Clerk’s office

Joseph Pubchara: Comments regarding 1. Summonses for debris in the street when it shouldn’t be there 2. Shared services 3. Terminal Avenue where the old Tyco property; soil testing and construction

Mayor Bonaccorso: Transcript of the Mayor’s answer is available in the Clerk’s office

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 Mazzarella directed roll call:

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

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

Transcript of the Mayor, Council and Professional Comments is available in the Clerk’s office

**ADJOURNMENT:**

Motion to adjourn made by Councilman Kazanowski, seconded by Councilman O’Connor

Council President Mazzarella directed roll call:

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

APPROVED

\_\_\_\_\_  
FRANK G. MAZZARELLA  
Council President

ATTEST:

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

