

**REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, N.J.
November 19, 2012**

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; 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 Councilwoman Albanese.

Council President Whiting directed roll call:

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

Mayor's Presentation: Recognition of Hurricane Sandy Recovery Efforts

Mayor Bonaccorso: Thank you Madame President...good evening ladies and gentlemen and Members of Council, thank you for being here this evening. Tonight we have a few presentations and it has to do with Hurricane Sandy. I don't think I have to get into the time we've spent throughout this State and throughout a portion of America on what a horrific storm this was and how it has left many, many people homeless, dead and injured. It was a really terrible time in this Country's life right now and hopefully we will be building and getting better as the weeks and months go on. Some people will never be able to rebuild the loss of a family member or dear friend and it's a very difficult time. And in Clark Township we too were hit with a very, very, very bad part of Hurricane Sandy.

Tonight I want to give thanks to all the departments that have worked with me, this council, and administration so close through that time. And I'm just going to take a minute or two to reminisce (about) some of the days (leading) up to it. The storm I guess was going to hit on Monday. And on Thursday we started really preparing bearing down; hearing what was going to really come our way and it could be the storm of storms and etc. and so on. So of course we

started mobilizing our personnel to get us ready. One of the comments I kept saying to Scott McCabe, Joe Bonaccorso, Jerry Fewkes and few of them said “but what are we getting ready for” because if it’s to this magnitude we’ve never seen anything like that. And that’s one of the hardest things to prepare for. If they were calling for thirty inches of snow, well we’ve been there, we’ve done that. But we understand that there are going to be falling trees and some power lines down and we are going to have to deal with snow and icy conditions, we’ve been there. But I don’t think anybody could have really prepared for this storm because we never saw anything like that before. But I will say this township was as prepared as any township could be. And tonight... you know when I was growing up as a young boy living at home and then working for my father he told me one thing, “I’m not going to thank you for doing your job, that’s what I pay you for”, and one day he went to hand me my paycheck when I first started working with him and I said “thanks Dad” and he said don’t thank me you worked for it. But I’m not going to sit up here and tell you about our employees who are good people and hard workers everyday throughout the year and our Department Heads and our staff. I’m not going to bring them in here for a plaque once a year and tell them they did a good job. But what I’m going to do tonight is to present the Department Heads with a plaque for their department. I probably would have had to hold the meeting at the football field if we were to bring all those people in from police, fire, first aid, DPW, emergency management and building...I mean right on and so forth and we will go through the names as I do this. But I want them to know on behalf of the citizens of this town that they went above and beyond their call of duty, above and beyond. And that’s why I’m here tonight to thank them for it on behalf of this community. The hours that these people spent preparing, living threw it; I was out there with them and it was amazing. I was out during Hurricane Irene; I was out doing the snow storm last October in the middle of the night and my trusted pal Chief Scherb riding around and going through all this, going on police calls, fire calls, first aid calls and I thought it was pretty scary. But I have to tell you something, this was absolutely scary out there. I think it was about 10:30 at night Al we talked and we pulled the police department, the fire department and the DPW off the street because it was that dangerous and told them to go back to their respective areas to wait and see what happens. And of course within 45 minutes there was an electrical panel caught on fire and everybody had to empty out and go down to one of the streets in town. And thank God our fire department put that fire out quickly and saved the house and no one was injured. But it was a scary, scary time out there, and remember I want to remind you too that a lot of the people that we are going to be thanking tonight are paid personnel and a lot of them are from the volunteer fire department, the volunteer first aid squad and Jerry and Mike from emergency management, they are volunteers. They come out here because they really care and love this town and love you. And I’ll tell you if I live to be 100 and I hope I do, I’ll never forget this group in that storm...not only about the workmanship that was great but how much they care for this town. And it moved me; it really, really moved me.

Mayor Bonaccorso presented plaques to: Chief TJ McDonald and the entire fire department, Building and Grounds John Kristof, DPW Director Joe Bonaccorso, Scott McCabe and the entire DPW workers, the Volunteer First Aid Squad members, Jerry Fewkes and Mike Nenortas from Emergency Management, Construction Official Mike Khoda, Health Officer Nancy Raymond, Chief Scherb and the entire police department; (and thanked) Township Clerk Edie Merkel, Mayor’s Secretary Fran Flammia, and Business Administrator’s Secretary Donna Mazzucco.

John Laezza didn't cut any tree branches through the storm or save any lives but I'm going to tell you what John did. I took a town over twelve years ago that was basically broke and bankrupt. It was fiscally a mess and he built this town fiscally for us and brought the right practices here. This isn't a campaign commercial; this is just a plain truth. I didn't have to worry about spending money during the storm because we had a rainy day fund built in this town. We will call it the "windy day fund" now, okay, or "hurricane fund" maybe...the "Sandy Fund" I guess that's a good one. But the thing was I was able to tell our DPW bring the tree men, get the roll-offs in and I don't want to say money didn't matter, money always matters, because we are always careful on how we spend it. We didn't waste time spending money on oil tank jobs that made a fraud of this community...waste money and throwing money into the ground. We didn't waste money in this town under my administration and John's stewardship of our Budget by paying for tax maps that we never got worked done. We don't have to worry about answering the phones in Clark Township, and I remember this vividly when the secretary's couldn't answer to vendors because we didn't have the money in the Budget to pay those vendors who rendered services. Those days were gone. People who worked for this town got paid and are getting paid as they are submitting bills. We want them to understand that this is a community that if you work for and you come here and give us an honest effort and a day's pay for the job, we are going to give you that pay, we are going to pay you on time so the next time God forbid another Sandy rolls into town when we pick up the phone they are going to come running because they are going to want to serve this community, because they know they are going to get treated fairly. That's the things that John brought to this town and this council and to me as Mayor that we are very proud of. And to date we've spent about one hundred and fifty thousand dollars between trees and overtime and everything else we're doing. And we have that rainy day fund, windy day fund, or Sandy fund.

FEMA is going to cover some of it, not all of it ladies and gentlemen. And by the time we are going to see the FEMA check it's going to probably be at the end of next year hopefully, it doesn't come in the next month believe me when I tell you. So John I thank you for your stewardship in these Budgets and building that strong base and having that fund that the people of this town could count on during Hurricane Sandy and I thank you for all your diligent work, so thank you.

Mayor's Proclamation: Pancreatic Cancer Awareness Month
Mayor Bonaccorso invited Todd Cohen to join him a podium while Proclamation was read.

Mayoral Proclamation
Pancreatic Cancer

WHEREAS in 2012, an estimated 43,920 people will be diagnosed with pancreatic cancer in the United States and 37,390 will die from the disease; and

WHEREAS Pancreatic Cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 74 percent of Pancreatic Cancer patients die within the first year of their diagnosis while 94 percent of Pancreatic Cancer patients die within the first five years; and

WHEREAS of all the racial/ethnic groups in the United States, African Americans have the highest incidence rate of pancreatic cancer, between 34 percent and 70 percent higher than the other groups; and

WHEREAS approximately 1130 deaths will occur in New Jersey in 2012; and

WHEREAS there is no cure for Pancreatic Cancer and there have been no significant improvements in survival rates in the last 40 years; and

WHEREAS the Federal Government invests significantly less money in Pancreatic Cancer research than it does in any of the other leading cancer killers; and Pancreatic Cancer research constitutes only approximately 2 percent of the National Cancer Institute’s federal research funding, a figure far too low given the severity of the disease, its mortality rate, and how little is known about how to arrest it; and

WHEREAS the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the Pancreatic Cancer community in Clark and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for Pancreatic Cancer; and

WHEREAS the Pancreatic Cancer Action Network and its affiliates in Clark support those patients currently battling Pancreatic Cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS the good health and well-being of the residents of Clark are enhanced as a direct result of increased awareness about Pancreatic Cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, BE IT RESOLVED that I, Mayor Sal Bonaccorso and the Township Council designates the month of November 2012 as “Pancreatic Cancer Awareness Month” in Clark.

Todd Cohen: I work in a Middle School, I’m a Middle School teacher and I’ve been to a number of council meetings and all of the council meetings have started pretty much the same way with thanking the community and I thank you guys for your efforts. I tell my students that it’s so important to do something positive in one thing every day. And what everyone seems to be doing in all of the communities is coming together and doing so much positive stuff that it’s making the world a better place. And it’s kind of like why I’m here today and Mayor Bonaccorso I would like to thank you as well as the council...on behalf of the Northern New Jersey Affiliate of the Pancreatic Cancer Action Network I would just like to thank you for addressing the council. The Pancreatic Cancer Action Network is the only national organization creating hope

in a very comprehensive way through research, patient support, community outreach and advocacy for a cure. I'm here today because I lost my father to Pancreatic Cancer just over ten years ago, it's July 2nd of 2002 and it's a day I will never forget. It's a day that my family that's here will never forget. My brother, my sister and myself were all raised in Clark and my father was a big part of the local community, he was a member of the Clark Historical Society, he was a Little League Umpire, not always the best umpire in the Little League, my friends use to tell me that. And he also played the most important role which was our father. But he was taken from us without warning and just like so many of others who have been diagnosed with Pancreatic Cancer, the statistics are just overwhelming. He passed away about a year after his diagnosis and because there are no early dictation methods and no effective treatments, just over six percent of those diagnosed will die within five years. It's a staggering number and it's the only major cancer with a five year relative survival rate in the single digits, six percent, and when he passed away that number was five percent. So that number really hasn't changed much in the last ten years which is also very staggering. It's not my life and the lives of my family members who have been touched by this disease; it's a problem that can affect the entire community. I have two other families here that are from Clark, the Barr Family and the Summer Family that have also lost someone very close to them to Pancreatic Cancer. The incidents in death rate for Pancreatic Cancer are increasing and Pancreatic Cancer is anticipated to move from the fourth to the second leading cause of cancer deaths in the United States by 2020, possibly as early as 2015. An estimated one thousand sixty people will die from Pancreatic Cancer in New Jersey alone and in 2012 and it's estimated that almost thirty-eight thousand individuals will die of Pancreatic Cancer this year.

I just wanted to close my thanking the Town Council for your important contribution to this national fight against Pancreatic Cancer by declaring November 2012 to be Pancreatic Cancer Awareness Month in Clark. You are truly helping us to do the critical work of making the public aware of this disease. I am going to be here for a little bit if anyone wants (me) to answer any questions, our website is www.pancan.org and you can go there to learn about Pancreatic Cancer, the organization, the missions, the research we fund and the comprehensive no cost services that we provide. I just particularly want to thank Edie Merkel from the Clerk's Office who is an outstanding liaison and as always on top of things and also Councilman Brian Toal for helping facilitate this as well as the entire council and the Mayor as well for making this a possibility. One day we will find an answer, I will be here every year until we do and hopefully soon we'll know it, fight it, and end it. Thank you very much.

Motion to Resume the Regular Order of Business made by Councilman Kazanowski, seconded by Councilwoman Albanese

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

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP

OFFICERS: (Full Transcript available in the Clerk's office)

Mayor Bonaccorso: Yes Madame President thank you very much...ladies and gentlemen first off I would like to start out by thanking this community for your support on Election Day to return

me here as your Mayor for my fourth term along with my running mates. I appreciate the mandate you sent us back here with, it makes me very humble, it makes me very proud and it gives me a great burst of energy to want to serve this town for another four years.

The Mayor also discussed:

1. Branch clean-up related to the storm is over; The exception to that rule will be if you have a storm related item, a tree, a pine tree, shade tree or whatever went down in your yard and you haven't been able to get somebody to your house yet, if you call the Department of Public Works either Joe Bonaccorso or Scott McCabe will stop out to verify if it's part of storm related, they will make a note of that and then we will take that item away for you.

2. Leaf clean-up continues

3. November 25th holiday time; Christmas lighting and the Menorah lighting at town hall. It's starts off with breakfast with Santa, there's a 9:00 seating at the Gran Centurions, this is my 13th Annual Breakfast with Santa Claus and there is a 10:30 seating.

4. Fundraiser, November 30th at ALJ High School at 7:00. The Clark All Stars Basketball Team, they are going to be facing the Harlem Wizards; held by the Clark Education Foundation. Tickets \$12.00 info adiete@verizon.net.

Township Clerk: October police and fire reports and Quarterly Health Department Report received and on file.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Toal:

Historical footnote on this past election (Full transcript available in the Clerk's office)

Councilman O'Connor:

1. Thanked the Business Administrator for "the stewardship that he takes in this town and the pride that he takes in knowing the law better than the lawmakers" and for making sure the town is in the right position financially to handle storm related expenses

2. Thanked the Emergency Squad and all volunteers and asked for citizens to support them

Councilman Mazzarella:

Personal thank you to Public Works and the Police Department (as liaison) outstanding job during the storm

Councilman Kazanowski: no report

Councilman Barr:

Clark Volunteer Fire Department was called upon to respond to 64 emergency calls (storm) Thank you to the Chief and to his department.

Councilwoman Albanese:

1. Thanked the staff at the Library; cell phone recharging station; internet access, Wi-Fi access, electricity and of course heat (storm) Also the Mayor had a great idea, we extended the hours on Friday night and had a movie for families; So they were happy to be entertained and it gets a little tiresome every night sitting in the dark.
2. Activities at the Library, various internet classes, computer classes are going on, movies three times a week...so check out the Library website and the newsletter
3. Friends of the Library had a book sale raise (approx.) a thousand dollars
4. Children's movie at 1:15 called "Brave" (Sunday after Thanksgiving)
5. "Lightening Collection"...when best sellers come out people don't want to wait weeks and weeks to get these books, so now they have a "Lightening Collection" which you can take the book out for seven days and then be guaranteed that you'll get that book within seven days.

Council President Whiting:

1. Recreation: Thanked all those who helped with the "First Annual Haunted House" – over 600 attended
2. Annual Tree and Menorah Lighting Winter Festival will take place on Sunday, November 25th from 3:00 to 6:00 at the Rec Center; food, music, entertainment, rides, animals and of course Santa Claus. If you would like to help decorate the Municipal Building, come on Saturday, November 24th at 9:00 am at the Rec Center.
3. Indoor Soccer registration and a list of all Winter Rec Programs and classes will be sent through the school system in early December

Mayor Bonaccorso: Madame President may I please for a moment, I forgot something here in my packet. The Clark UNICO Chapter sponsored a coat drive for the victims of Hurricane Sandy, the drive included non-perishable food, cleaning supplies, sheets, pillows, diapers, water, warm weather gear and put it together in three days and obtained a ton of items. On Friday night the crew of 25 volunteers sorted and packed everything ready to go on Saturday morning, they chose Holy Spirit Church in Asbury Park two blocks from the beach, four truck loads caravanned down the shore to the drop off. The people at the shelter were so appreciative and thankful. The volunteers on Saturday were Glenn Gray, Jill Curran, Fran Parisi, Pete Zambardo, Ralph Bernardo, Nancy Ulrich, Karen Bernardo, and Chris Deloro. I also want to make a mention of a gentleman who lives here in town, many of you know him, Joe Killburg, and he works for

Verizon. Although not a part of our emergency management team, Joe saw me out there and stopped me and told me he purposely went to his immediate superiors and asked if he could stay in Clark Township to get back the people in touch with their phone lines as quickly as possible and he did do that, he really went out of his way for the community. Joe I want to say thank you for that and also to another fellow who helped us a lot, a former Clark resident but he is still around though, is Rocco Tropeano, again a PSE&G employee who went over and above and beyond. And the only other comment I want to make to the community, I don't want anyone to ever think that we are satisfied or we think we are perfect, we are going to be meeting to do a post storm, to go through all of the departments on things we can do better. We do understand that there are things we can do better, we will do better, but like you we experienced them for the first time. So that now concludes my report and I thank you.

ORDINANCES, APPROPRIATIONS AND CLAIMS:
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 \$172,947.03 for the period ending November 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:
(Full transcript available in the Clerk's office)

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's Hearing on the Agenda

Marge Berson, 7 Winters Court: Question regarding Cross River Fiber

John Laezza: Council President I will respond to the Cross River Fiber question because that's what's on the Agenda.

The Cross River Fiber Installation went before the Board of Public Utilities, and they got permission to put fiber optic in those communities as long as the communities gave consent. Cross River Fiber is for commercial use only, it's not a residential or an internet service per say. It's for commercial purposes. They do not have any specific location, if you read the resolution; the resolution by the BPU is we have no right to withhold permission. We do have a right to withhold to where they install it, so before they install anything they would have to present a plan to the Mayor and Governing Body as to where they intend to install it and for what its use, so that the response to that question.

John Laezza: (M. Berson, Verizon question) They will not put our TV 36 on their service. And so right now it's not a service that people would be able to watch these programs or any other public service on TV 36, so we only subject to Comcast. We've asked them will they give us that right to put it on our service and they indicated not until we have enough people in the community. So we are waiting just as you are.

Council President Whiting: So it sounds like you should go out and rally everybody up and try to get some interest. (discussion continued)

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

Council President Whiting directed roll call:

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

RESOLUTIONS:

Resolution 12-135

WHEREAS as a telecommunications utility, Cross River Fiber LLC, Cross River Fiber Inc. d/b/a Cross River Fiber NJ Inc. (collectively referred to herein as "Cross River Fiber") has been authorized by the Board of Public Utilities to provide local telecommunications services throughout the State of New Jersey; and

WHEREAS pursuant to such authority, Cross River Fiber may locate, place, attach, install, operate and maintain fiber optic facilities within the municipal, county and state right-of-way for the purpose of providing telecommunications services; and

WHEREAS in accordance with NJSA 48:3-19, Cross River Fiber has requested the consent of Clark Township to locate, operate and maintain fiber optic cable within the municipal right-of-way.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby grants Cross River Fiber its municipal consent for the non-exclusive use of the Public Rights-of-Way within the Municipality for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the Rights-of-Way Use Agreement subsequent to the filing of plans for approval by the Governing Body in the best interest of the Municipality and its citizens.

Moved by Councilman Barr, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

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

Resolution 12-136

BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby appoint Gail Paterno as an Alternate Deputy Registrar of Vital Statistics for the Township of Clark to fill the vacancy created by Patricia Korley effective this 19th day of November 2012 for the unexpired portion of the three (3) year term ending December 31, 2014, pursuant and subject to the provisions of N.J.S.A. 26:8-11 et seq.

Moved by Councilman Mazzarella, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

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

Resolution 12-137

RESOLUTION OPPOSING S-1534 AND A-2586 EXEMPTING PRIVATE UNIVERSITIES FROM THE MUNICIPAL LAND USE LAW

WHEREAS the State Senate passed S-1534; and

WHEREAS the State Assembly has introduced for consideration A-2586; and,

WHEREAS said bills are mirror-image measures that would exempt private universities from the New Jersey Municipal Land Use Law, NJSA 40:55D-1 et seq; and

WHEREAS planning and zoning by municipalities is of fundamental interest to municipalities, and their residents as an appropriate means to manage and control land use; and

WHEREAS exempting private universities from the Municipal Land Use Law would adversely affect land use controls that now protect municipalities, and their residents; and

WHEREAS exempting private universities from the Municipal Land Use Law would damage the self-determination of municipalities and inhibit the role and participation of residents; and

WHEREAS there is no rational basis to exempt private colleges and universities from the Municipal Land Use Law since it creates a disparity between these private institutions and non-profit institutions, private businesses and residents; and

WHEREAS shifting the authority to private colleges and universities in the determination of land uses further burdens taxpayers to meet the cost impacts incurred as a result of the additional, unbridled development.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Township of Clark that it strongly opposes S-1534 and A-2586 and hereby urges our State representatives vote against this legislation; and

BE IT FURTHER RESOLVED that copies be forwarded to the New Jersey State League of Municipalities, Senator Nicholas Scutari, Assemblyman Jerry Green and Assemblywoman Linda Stender, the members of the Assembly Higher Education Committee, the Speaker of the Assembly and the Governor of the State of New Jersey.

Moved and seconded by the Entire Council

Council President Whiting directed roll call:

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

Resolution 12-138

WHEREAS N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the year, when it has been determined it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may, by Resolution setting forth the facts, adopted by not less than two-thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2012 budget appropriations in accordance with the following schedule of transfers.

BUDGET APPROPRIATIONS 2012		<u>From</u>	<u>To</u>
Current			
31-435-223	Street Lighting	80,000.00	-
31-460-223	Gas & Diesel Fuel		20,000.00
26-290-200	Streets & Roads	_____	60,000.00
Total		80,000.00	80,000.00

Moved by Councilman O'Connor, seconded by Councilman Barr

Council President Whiting directed roll call:

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

CONSENT AGENDA RESOLUTIONS:

Resolution 12-139

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby authorizes the Business Administrator and Health Officer to enter into an Agreement between the Union County LINCS Agency and the Clark Health Department for Public Health Preparedness and Response to Bioterrorism Outbreaks of Infectious Disease and other Public Health Threats and Emergencies effective this 19th day of November 2012.

Resolution 12-140

BE IT RESOLVED the Township Council of the Township of Clark does hereby approve the Meeting Calendar for the Year 2013 outlined below.

CLARK MUNICIPAL COUNCIL 2013 MEETING DATES

Reorganization Meeting January 1, 2013

315 Westfield Ave. - 12:00 Noon

WORKSHOP MEETINGS 7:30 P.M

430 Westfield Avenue
Room 30

PUBLIC MEETINGS 7:30 P.M.

315 Westfield Avenue
Council Chambers

January 7
February 4
March 4
April 1
May 6
June 3
July 15 (7:00 p.m.)*
August 19 (7:00 p.m.)*
September 3 (Tuesday)
October 7
November 4
December 2

January 22 (Tuesday)
February 19 (Tuesday)
March 18
April 15
May 20
June 17
July 15
August 19
September 16
October 21
November 18
December 16

* Council Chambers, 315 Westfield Ave.

Resolution 12-141

BE IT RESOLVED by the Governing Body of the Township of Clark that the following dates, in addition to one floating holiday of each employee’s choosing, will constitute the official Township employee holiday calendar for the year 2013.

New Year’s Day	Tuesday	01/01/2013
Martin Luther King Jr. Day	Monday	01/21/2013
Presidents Day	Monday	02/18/2013
Good Friday	Friday	03/29/2013
Memorial Day	Monday	05/27/2013
Independence Day	Thursday	07/04/2013
Labor Day	Monday	09/02/2013
Columbus Day	Monday	10/14/2013
Veteran’s Day	Monday	11/11/2013
Thanksgiving Day	Thursday	11/28/2013
Day after Thanksgiving	Friday	11/29/2013
Christmas Day	Wednesday	12/25/2013

Resolution 12-142

BE IT RESOLVED by the Governing Body of the Township of Clark pursuant to N.J.S.A. 40:8A-1 et. seq. does hereby enter into an Interlocal Services Agreement with the City of Linden Board of Health, 301 North Wood Avenue, Linden, New Jersey 07036 for Animal Control Services for a fee of \$23,400.00 per annum, to be effective January 1, 2013 through December 31, 2013.

Resolution 12-143

BE IT RESOLVED by the Governing Body of the Township of Clark that the Health Officer is hereby authorized to enter into an agreement between the Township of Clark and Visiting Nurse and Health Service (VNHS) for the period commencing January 1, 2013 and terminating on December 31, 2013, pending the approval of the 2013 Municipal Budget.

Resolution 12-144

WHEREAS the Governing Body of the Township of Clark advertised on October 18, 2012 and received one (1) bid for the Collection and Disposal of Grass on November 8, 2012 at 10:00 a.m.; and

WHEREAS Giordano Company, 142-156 Frelinghuysen Avenue, Newark, New Jersey 07114 was the sole responsible bidder with a lump sum bid of Eighty One Thousand Dollars (\$81,000) for 2013 and Eighty Five Thousand Dollars (\$85,000) for 2014; and

WHEREAS the Business Administrator has reviewed all the documents required by the bid specifications and recommends award of contract to Giordano Company of Newark, New Jersey in the above stated amount; and

WHEREAS the Chief Financial Officer has ascertained funds will be available subject to the adoption of the 2013 and 2014 Municipal Budgets.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby award a contract to Giordano Company in the amount of \$81,000 for 2013 and \$85,000 for 2014 subject to review of the bids by the Township Attorney who will draw up the contract; and

BE IT FURTHER RESOLVED that the Business Administrator is hereby authorized and directed to execute said contract.

Resolution 12-145

WHEREAS the Clark Special Events Committee in conjunction with the Department of Recreation desire to conduct a Community Bonfire; and

WHEREAS the Township has received a Certificate of Insurance for this activity under the Township’s Community Insurance Policy along with the required consent and approvals of the Board of Education, Fire Department and Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that the Clark Special Events Committee and the Department of Recreation are hereby authorized to conduct a Community Bonfire under the supervision and control of the Clark Fire Department and the Police Department at the Arthur L. Johnson High School Girls’ Softball Field on Wednesday, November 21, 2012 at 6:00 pm.

Resolution 12-146

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Mayor and Township Clerk to execute a Developer’s Agreement with Quick Chek

Corporation, a corporation having its principal office located at 3 Old Highway 28, Whitehouse Station, New Jersey 08889, to keep and maintain the property designated as Block 133 Lot 15, with a street address of 182-184-190 Westfield Avenue, Clark, New Jersey, free of litter, weeds and debris in accordance with all applicable Township Ordinances.

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

Discussion:

Councilman Kazanowski: For John...for the grass pick-up, is it basically the same like this year, starting times and all that.

John Laezza: Yes it will be from April to October.

Councilman Kazanowski: Thank you.

Councilman Toal: I have a question on #12 with regards to the Quick Chek and the Developers Agreement...continual maintenance of the back of the property; I still have residents on that issue.

John Laezza: That's covered.

Councilman Toal: Okay I just want to make sure that those residents understand that in back of that property that it will be taken care of.

John Laezza: We have their corporate headquarters and there store manager names for any maintenance problems.

Councilman Toal: Thank you very much, I appreciate that. As you know the concern of those residents back there, we want to make sure they are taken care of immediately, thank you.

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 meeting to the public

Marge Berson, 7 Winters Court: Ordinance regarding construction (Senior Housing site); cannot begin before 7:00 am Monday thru Friday, before 8:00 am on Saturday and 9:00 am on Sunday.

John Laezza: Mrs. Berson you are correct and I wish I had known that because they didn't get permission to do it before 8:00 either. So we will let them know immediately.

Marge Berson: Thank you very much.

Joe Pubchara, 594 Quinton Ave., Kenilworth: 1. Congratulated the Mayor and his team
2. Thanked Target and Shop Rite for the services that they provided during the storm
3. Radio station that gave us the news was 101.5 the New Jersey Channel, because I couldn't get anything anywhere else.
4. I was impressed with the clean-up of this town
5. Election Day; in the afternoon there was an incident that occurred and I wound up having the privilege at Kumpf School witnessing an outstanding performance by the police department (full transcript available in the Clerk's office)

Council President Whiting: Thank you Joe...actually when we had our workshop meeting that I did bring up the subject of Target that I was just amazed at how they opened up and put electrical strips and let people plug into them and put tables in the front. I just thought it was very warm and hospitable and it was very nice to extend the whole building. There were people sitting under racks of clothes plugged in behind it, so it really was wonderful to see. So I totally agree with you and I'm glad you came up and brought it up.

Seeing no one else coming forward Councilman Kazanowski made a motion to close the public portion of the meeting, seconded by Councilwoman Albanese

Council President Whiting directed roll call:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Yes thank you Madame President...a gentleman that lives on Westfield Avenue across from the high school I also wanted to mention that he saw during the storm the American flag was blown off the pole at the high school and he wanted me to tell everyone he saw these two young gentlemen walk up and saw the flag and he said they must have been boy scouts because they knew how to properly fold the flag and put it at the base of the pole, because basically the building obviously wasn't opened. And those are some of the nice little stories that you hear out of this Hurricane. It was very nice and whoever those boys were out there God Bless you for taking care of our American flag.

Ladies and gentlemen Thanksgiving is coming up in a few short days, it's a family time of year, think about your loved ones, think about your friends and people you care about and give thanks for those friendships and those people in your lives. We also have to think about those who are less fortunate than us right now which of course would be all the victims of Hurricane Sandy and of other tragedies throughout this world. We also have to think about our friends of the Jewish community of this town who have family over in Israel who are witnessing a horrific tragedy in that great country so let's give our thoughts and prayers to those fine folks. It's been really a time to make you wake up and think about what's going on out there, whether it's here or whether its abroad, you pick up the paper and you turn on the news channel I want something good to go on

sooner or later. So let's think about all those people who we are fortunate to have with us and those who are not here and those who are put in harm's way whether it is through acts of war or acts of Mother Nature. It's a time of year that we should be very thankful for what we have. And let's all do that please.

Also I want to remind everyone that the Thanksgiving Day game between Johnson Crusaders and Rahway Indians is scheduled for right here at ALJ on Thanksgiving at 10:30 am. Thank God we are the home crowd because half the bleachers were blown down during the storm, so we get our seats first. But anyway our neighbors in Rahway will be coming in and it should be a fine ballgame. So enjoy the day, enjoy the week, enjoy the holiday season and let's pray for those who are less fortunate. Thank you very much and have a wonderful holiday.

Councilwoman Albanese: Thank you...as we did earlier I want to again thank the department heads and all the employees of the township for their tireless efforts during the storm, actually before, during and after the storm. As the Mayor said we are going to look at the lessons learned. I think as individuals it was helpful to me to have those UC alerts, those texts coming in about where you could go get your phone charged and what was going on because you were a bit isolated unless you had a transistor radio like I usually do listen to each day. Also it's very important as we learn later on to make sure you call PSE&G, you think it's obvious that they know that you have no power and the tree pulled your lines out but that was something we learned. I know that AT&T is issuing and you don't have to call them, they are issuing credits to their customers because the service got more and more poor really several days after the storm because they were all on generators.

This past Saturday I went to the ALJ play "Crimes of the Heart" and I want to congratulate Peter Nevargic, all the administration, the staff and especially the students for their hard work. This spring they will be performing "Godspell the Musical" and hopefully most citizens will come out and support the students. It takes months of preparation and it only lasts a few nights. So if you can get out there that would be great.

Also I want to thank the voters of Clark for their support on Election Day. I can only echo the words of the Mayor when he said; we are humbled, energized and just ready to serve the citizens of Clark to the best of my ability, so thank you.

For Thanksgiving I think we should all and I'm reflecting on the abundance in our life, our families, and our friends and give thanks. I wish everyone a Happy Healthy Thanksgiving, thank you.

Councilman Barr: Thank you Madame President...I believe most of you in the past have heard when the Mayor spoke about the American flag that these scouts evidently picked up and you know I'm kind of a bug on that too. I've been around a long time and I've seen many conflicts and I've talked about houses having flags on them and just as I did many people put there flags in because of the Hurricane, it's over so let's put the flags back out and let's see if we can get more houses with flags on them. Don't ever forget 2001.

Councilman Kazanowski: Yes thank you...I would like congratulate Mayor Sal and your running mates for your victory this past election. I would also like to thank all the workers and the volunteers that helped the township people during this past crisis with Hurricane Sandy. And Scott you did a great job with the trees out there. I have to compliment DPW; the guys with those big jaws were out there all the time jawing away at those trees and everything else, excellent job. And I would also like to wish everyone a Happy Thanksgiving and hope it's very filling for everybody, thank you.

Councilman Mazzarella: Thank you...I hope all of us could reflect back on those individuals that have lost a great deal. And I hope we can reflect on to give thanks on what we have. As tragic as some of us may think that we've had in our community and we're rebounding quite nicely, but if you look at those individuals that were devastated with the storm, it makes you do a lot of soul searching, at least for me it was. But with that I would like to wish everyone a Happy Healthy and Safe Thanksgiving.

Councilman O'Connor: Thank you...in the interest of not being redundant I would like to thank everyone who has been thanked. I would like to congratulate the Mayor, Angel, Al as well as Bill on your election win, good luck and congratulation. And I would also just like to say to the community Happy Thanksgiving, may it be safe and enjoy the time with your family, thank you.

Councilman Toal: Thank you Madame President...thanks to Todd Cohen for coming out, he does what I call a saint's work on behalf of Pancreatic Cancer. I knew Todd's father Richard Cohen, Professor Cohen from Union College. I was their paper boy and the whole family when they moved into Clark in late 1973 and Richard Cohen was a wonderful man. Linda Cohen who still calls me and emails me and texts me about town issues every week and then I relay them onto the Clerk to the Mayor and to the Business Administrator. So to Todd continue the work of the saint's work because that's what he is doing.

To Bill Smith congratulations, another fourth ward resident joining the town council and we'll have a lot of fun doing the people's work.

A couple things...those we have lost in the last month. I bring this up because we must take note. Thomas Dunn, Jr. father of Keith Dunn, Clark Police, Mr. Dunn was a longtime Newark Police Officer and he also was a Public Safety Director under George Nucera, he served the township and he served the City of Newark for many years and our deepest respect. Bill Tevlin lived on Prescott Turn, Mr. Tevlin worked for the Clark Public Works Department for many years but Mr. Tevlin was the one guy who would come to you grab you by the shoulder and would say to you exactly what he felt and he was the most honest man I've ever met. He would just tell you this is the way it should be done, do it and don't let us down. And that kind of honesty stayed with me for years and I'm talking about I've known this man since 1985. To his lovely wife Pat and to his son John we will always be there for you, your father and your husband has given so much time to this town and it was just an inspiration to us all and we will miss him very much. Growing up on Fan Street which is off of Gertrude Street I had a neighbor and her name was Ester Ziobra. Mrs. Ziobra was somebody who was always like a second Mom to me. And growing up in Clark as a small child you are always out venturing into different areas and she always looked out for us. And to Mr. Ziobra, to Gerard, Robert, Kaz and to the entire Ziobra

Family our deepest condolences. She was someone who really just meant a lot to me and to our family, the Toal Family, and we will always miss her and thankful for just having a wonderful person in our lives.

I ran into a gentleman who lived in Clark for many years, his name was John Sarafin. Mr. Sarafin owned the gas station on the corner of Central and Raritan Road. And I ran into him and the first thing I asked him was “what’s going on with the old Getty Station” that he stills owns the property, and he says well Getty went bankrupt, they had to shut down but I still own the land and I’m trying to find a new tenant but Getty owes him a lot of money. So the old store which was actually redone in the 1970’s which was the third gas station sits there. So I turned around and said to him you have to help me out on this; I’ve also wanted a picture for the history room for the township historical archives, I also wanted a picture of the old “Flying A” sign which the original gas station there was built in 1958 and it was called the “Flying A” and it worked into what was called Getty Gas. And Mr. Sarafin showed up back at my door two days later with a picture of the gas station on Central Avenue and Raritan Road when it was a two lane highway. Back then they didn’t have traffic lights, they only had a stop sign that was controlled by a Clark Police Officer who stepped out of an old box which use to be in the center aisle and the officer would step out and stop traffic and direct traffic when it got to be too congested.

One more thing in history which I want to finalized on this...in history most people remember the bad things; assassinations, fires, storms like storm Sandy and storm Irene the ice storm on Halloween 2011, that will also be in people’s minds but then we have to remember the good things and the accomplishments of many people like the Mayor. So go out and make memories and I would just like to end by saying Happy Thanksgiving to all, may you all have a Blessed holiday season and we’ll see you next month.

John Laezza: No comments.

Township Clerk: Happy Thanksgiving.

Attorney Triarsi: Happy Thanksgiving to all.

Rich O’Connor: Happy Thanksgiving.

Chief Scherb: Happy Thanksgiving.

Council President Whiting: Well I would like to say to all the people who helped with Sandy thank you. I’ve been a little consumed with the shore and that turned into a war zone. And one of my girlfriends said “well that’s what you get for trying to move out of Clark”. I moved out of Clark or I tried to move out of Clark and tried to go to the shore and now you are right back in Clark again. So you know what’s going to happen. This year went very fast, next month is my last council meeting. I never thought I would be saying this, congratulation’s Billie, good luck, Mr. Mayor good luck to you, Angel and Al it’s been my pleasure. With that being said Happy Thanksgiving to everyone. I will see you next month for my last council meeting.

ADJOURNMENT: