

**SPECIAL COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ  
October 3, 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 Special 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 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.

**INTRODUCTION OF PROPOSED ORDINANCE:**

**AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM  
AND MAXIMUM SALARIES**

**WHEREAS** said Ordinance reflects a change in salary to be paid to the Certified Finance Officer of the Township for the years 2011 and 2012.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Township of Clark that the proper officer or officers of the Township of Clark be and they are hereby authorized and directed to execute and deliver checks on Township funds for the purpose of paying the following annual salary within the range as set forth below opposite the job classification as in such case made. The salary hereinafter set forth shall be effective as of January 1, 2011.

	MINIMUM	MAXIMUM
Certified Finance Officer	\$ 50,000.00	\$ 200,000.00

Any Ordinance inconsistent with the provisions contained herein is hereby repealed to the extent of such inconsistency.

This ordinance shall take effect immediately upon final passage and publication according to law.

Moved by Councilman O'Connor, seconded by Councilwoman Whiting

Discussion: None

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

Public Hearing October 17, 2011

**RESOLUTIONS:**

**Resolutions 11-139**

**WHEREAS** the Township of Clark requested assistance from the County of Union to remove debris caused by flooding and to perform other services as may be required to assist in the recovery from Hurricane Irene; and

**WHEREAS** the Township of Clark and the County of Union have agreed to work together in the recovery efforts; and

**WHEREAS** the Township and the County of Union wish to enter into an agreement defining the responsibilities and expectations of the parties, mainly in the form attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby authorizes the Mayor to enter into a Mutual Aid Agreement, between the County of Union and the Township of Clark within the County of Union, mainly in the form attached hereto and made a part hereof, to define the responsibilities and expectations of the parties for the removal of debris caused by flooding and the performance of any services to assist in the recovery from Hurricane Irene; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the County of Union; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Moved by Councilwoman Whiting, seconded by Councilman Barr

Discussion: None

Council President Mazzarella directed roll call:

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

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**Resolution 11-140**

**WHEREAS** in anticipation of Hurricane Irene, Governor Chris Christie declared a State of Emergency on August 25, 2011; and

**WHEREAS** the Township of Clark's workforce and resources were deployed prior to Hurricane Irene to protect the public health, safety, and welfare of Clark; and

**WHEREAS** on Saturday, August 27, 2011 and Sunday, August 28, 2011, the Township of Clark experienced catastrophic flooding from Hurricane Irene causing extensive flood damage to residential dwellings throughout the Township of Clark, and Township-owned buildings, offices and properties; and

**WHEREAS** said hurricane caused extensive damage throughout the Township of Clark affecting the public health, safety and welfare of the community and the immediate delivery of goods or performance of services pursuant to N.J.S.A. 40A:11-6; and

**WHEREAS** the Township of Clark has received mutual aid assistance from other municipalities and governmental agencies in the aftermath of Hurricane Irene; and

**WHEREAS** on September 4, 2011, Union County received a declaration as a major disaster area by the Federal Emergency Management Agency (FEMA) for Hurricane Irene; and

**WHEREAS** FEMA provides supplemental Federal disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement or restoration of disaster-damaged, publicly- owned facilities; and

**WHEREAS** the Federal share of assistance is not less than Seventy-Five (75%) percent of the eligible cost for emergency measures and permanent restoration; and

**WHEREAS** the remaining Twenty-Five (25%) percent of costs not covered by FEMA is the responsibility of the Township of Clark.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Clark hereby urges the Governor and Legislators to provide funding to cover the remaining Twenty-Five (25%) percent of costs related to Hurricane Irene that would not be provided by FEMA; and

**BE IT FURTHER RESOLVED** that reimbursement of the remaining Twenty-Five (25%) percent of costs be provided to the Township of Clark and those governmental entities that provided mutual aid to Clark.

Moved and seconded by the Entire Council

Discussion: None

Council President Mazzarella directed roll call:

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

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**Resolution 11-141**

**BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize payment due on October 12, 2011 in the amount of \$2,000.00 to PASR Financial Committee in connection with the matter of the NJ DEP et al vs. Occidental Chemical Corporation, et al., Docket No. ESX-L-9868-05- (PASR).

Moved by Councilman Barr, seconded by Councilman O'Connor

Discussion: Transcript available in the Clerk's office

Council President Mazzarella directed roll call:

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

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**Resolution 11-142**

**WHEREAS** the Governing Body of the Township of Clark advertised on August 25, 2011 and received two (2) bids for the 2011 Capital Roadway Improvement Program (Municipal Parking Lot – Standard Design and Green Design, DPW Vehicle Wash) on September 14, 2011 at 10:00 am; and

**WHEREAS** the Township Engineer recommends that the bids be rejected in the best interest of the Township due to a lack of clarity in bid specifications.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby rejects the bids for the 2011 Capital Roadway Improvement Program (Municipal Parking Lot – Standard Design and Green Design, DPW Vehicle Wash), and authorizes the Engineer to develop specifications for new bids.

Moved by Council President Mazzarella, seconded by Councilman Kazanowski

Discussion: Transcript available in the Clerk's office

Council President Mazzearella directed roll call:

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

**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 Mazzearella opened the meeting to the public

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

Council President Mazzearella directed roll call:

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

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

Transcript available in the Clerk's office

**ADJOURNMENT**

A motion to adjourn made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council President Mazzearella directed roll call:

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