

REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, N.J.
April 21, 2014

ROLL CALL:

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

Also Present: Mayor Sal Bonaccorso, John Laezza, Business Administrator; Howard Lesnik, Acting 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 Toal. 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.

Motion to Suspend the Regular Order of Business was made by Councilman Kazanowski, second by Councilwoman Albanese

Council President Toal directed roll call:

Aye Albanese, Barr, Kazanowski, Mazzarella, O'Connor, Smith, Toal

Police Department - Swearing in of a new Police Officer; Brandon M. Pitts

Mayor Bonaccorso directed Brandon Pitts along with his family to come up to the dais to be sworn (in) to become a Member of the Police Department.

Mayor Bonaccorso: Good evening ladies and gentleman, welcome everyone. Tonight we are going to be swearing in a new patrolman to the Clark Police Department. Chief Scherb will give you a few moments on his background. It is a family affair; he is a cousin of our Sergeant Danny Pitts. When he came in to see me he wouldn't tell me his last name. Then he asked me if I knew a sergeant named Danny. I said, "Pitts?" and he said, "Yes" He said, "Do you like him?" I said, "Yeah, he is a nice guy, why?" he said, "I'm Brandon". He wanted to see my reaction I think. I am only teasing you. We have had some family here in the past and it is a nice thing. I will say that Brandon comes very highly recommended. We heard some great things about him and we are really looking forward to having you serve here. Before we swear you in I am going to have Chief Scherb say a few words.

Chief Scherb: Officer Pitts came to us from the Intergovernmental Transfer Program. He was an officer with the Union County Police Department for several years. Under the Intergovernmental Transfer he

elected to transfer to us and we accepted him. Tonight I am honored to swear him in as a Clark Police Officer, where he will be assigned to the patrol division.

Mayor Bonaccorso administered the Oath of Office to Patrolman Brandon M. Pitts.

Mayor Bonaccorso: We are going to wish Brandon lots of luck with is new department. He does come here with experience. If you notice we have been having a lot of swearing in’s lately. A lot of men have been retiring. We miss some of the guys that were here but we have some new blood coming in to take over and give us twenty-five or thirty years of their best. We wish you guys all the best of luck. We are here for you with anything that you need. You have a good department, and Brandon, I think that you will be very happy. Thank you.

Council President Toal: Before we start I have a letter here from John DeSimone our Public Safety Director to Brandon. Mr. DeSimone wishes you the best of your tour of duty as a Clark Police Officer. Again, the lines of communication are always open, from the Public Safety Director, to the Mayor’s Office, to the Township Council. On behalf of the Town Council we wish you a very safe tour of duty and an enjoyable one. We appreciate you picking Clark.

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

Council President Toal directed roll call:

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

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor Bonaccorso: Good evening everyone, I hope everyone had an enjoyable Easter and Passover and any other holiday time here in our lives. I hope it was a good time for everyone in town.

Spring Clean-up is ending at months end. The DPW and the Township have given you a significant amount of time to get your leaves out, your branches, anything from the lawn, we are happy to take. A lot of you have participated and branches were included in that. As of the end of the month Spring Clean-up has ended, and we will no longer be picking things up after this week. We will probably go around on Monday and Tuesday to end the month and sweep the town. After that the only thing that you can put into the street will be branches on the third week of the month and we will pick them up promptly on the fourth week of the month.

Grass Clean-up will begin the second Wednesday in May. Please use the appropriate containers to put your grass clippings in. Buying ones that are too big can cause harm to the people who have to pick them up. If you have any questions about this you can go on to our website, www.ourclark.com, or of course you can call the DPW and they will be happy to let you know what to do, especially for the new residents. The residents that have been here are all veterans at this, you should know that.

I do have some good news. Plans have been submitted to the Construction Department for the Jack’s Tavern property. That means that they will be going in front of the Board for their approval and we will see what happens. Hopefully things can work out for that site; it has been a long time. Also the old A&P property on Westfield Avenue has been sold and the new buyers will be taking over shortly. They are

looking to renovate the building and put something in there. As for the speculators out there and the Forums hounds, if I don't know then you don't know. So before we hear that there is going to be a Walmart or a Home Depot, or a Trader Joes, it is sold. They will approach the town with their plans and at that time we will be glad to share them with you. They will go through the course of public scrutiny at one of the appropriate Planning or Zoning Board, just like the Jack's Tavern property will. The good news to share is that there is play on those properties and that is a great thing. They are two eyesores to the community; we have been after both ownerships for a long time. Folks, again, like I try to tell people, it is private property and as long as they are staying within the town laws of keeping it presentable there is not a lot that we can do, we can't force anybody. The A&P was pushing us pretty good but now we are hoping that this will come to fruition shortly and we will have some nice plans to talk about. Hopefully people will be able to start using those sites soon enough.

The other thing that I would like to remind everyone is that spring is here. Please drive cautiously throughout the roads, children are out, bicycles, people walking, please folks be careful out there. We don't need any motor vehicle fatalities and people running into children on bicycles. It is a very sad time when that happens. It is the change of winter into spring, if there will be a spring in New Jersey, hopefully there will be shortly, we may go from winter right into summer. Either way, it is going to get nicer out and we just ask you to take extreme caution with your motor vehicles. That concludes my report for tonight, thank you Mr. President.

Township Clerk: Thank you. I have received the police, fire and first aid reports for the month of March and they are on file in my office (Clerk's Office), if anyone would like to view them.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: Thank you Mr. President. As far as the library, I wanted to mention two programs that are coming up. One is sponsored by the library; it is an author, a local author Michael Cupo. He spoke at the library last year and he is back again. This will take place Thursday, May 8th at 7 pm. Michael Cupo is a Clark resident. He wrote a self-memoir, It Is Monday Only in Your Mind. Although if you think, and you know his family situation, you would think that he had it all. He struggled with addiction with drugs and alcohol and gambling. He will discuss how he managed his life by breaking free from conditioned mind patterns and how you can improve your life through the simple act of changing your thinking. So that again is on Thursday, May 8th at 7:00 pm.

This Saturday, April 26th, the Friends of the Library is having their "April Friendly." It is a drive to get new members to join. They will have speakers, balloon artist, refreshments and raffles throughout the day, also, a book sale. That will be held from 1:00 to 4:00 pm, Saturday, April 26th. I encourage everyone to go out and support the library. Although a significant amount of tax dollars go to support the library there are always other needs and they would appreciate your support. That concludes my report.

Councilman Barr: Thank you Mr. President. Last month the police dispatcher had the Clark Fire Department respond to 56 calls. In a month that has 31 days that shows a very, very busy fire department. What you have to realize is that first of all many of those calls were between midnight and 5:00 am in the morning. After they are through, whether it is a false alarm or a fire, they go to work. You have to understand that it is a very difficult, a very tedious job. They also have training which

makes for a very good fire department. I want to say kudos to our Chief that is sitting back there. That concludes my report.

Councilman Kazanowski: No report this evening.

Councilman Mazarella: Thank you Council President. I have two small reports. One from the Police Department for March 2014. There were a total of 2,757 calls for service of which 75 were ambulance requests, 10 were fire department requests, 93 were alarm calls, 44 were motor vehicle accidents, and 2,509 were miscellaneous calls.

For our DPW report, the mayor touched on the Spring Clean-up and when it will be ending. He touched on the Branch Pick-up. But please ladies and gentleman, put the branches out the third full week of the month and it will be picked up on the fourth week of the month. Please do not place the branches out earlier than the third week.

Mulch is available to Township residents, delivered to you free of charge. Please call the Department of Public Works at townhall.

Bulky Pick-up, an appointment is required. Please do not put your bulk items out until the weekend before your scheduled pickup, call Public Works Department at townhall to schedule it or email at DPW@ourclark.com.

Electronic and used motor oil drop off will be this Saturday, April 26th from 9:00 am till 12:00 pm. Thank you, that is the end of my report.

Councilman O'Connor: Thank you. From the Clark First Aid Squad for the month of March, there were 118 ambulance requests, 99 were from Clark, and 19 were mutual aid. There were 12 motor vehicle accident requests, 11 sick person and 10 for breathing problems.

From the Finance Committee, tonight we will be adopting the budget and I will keep my comments until then.

Councilman Smith: Thank you Council President Toal. I have two topics to bring up tonight. The first one is the Clark Pool; it is celebrating its 40 anniversary this year. I have been mentioning it the past few meetings. We want to make sure that the residents who are members renew their memberships and anybody new who is interested please come out on Saturday, May 17th, which is our open house. At that time you can fill out the paperwork, make your payment and tour the pool and all the facilities and some of the upgrades that we have done over the past year. There is a lot going on at the pool, swim lessons, adult swim, and night swim. There are a lot of activities, classes and a swim team there, come out and take advantage of it.

Summer Recreation Camp is fast approaching so we ask (that you) do not wait for the last minute to register your kids. There are over 1000 kids who register each summer. On a daily basis there are over 550 children at the camp. It is only \$35.00 for a 6 week program which is a minimal amount of money. And it is a tremendous opportunity for you to get rid of the children for a few hours and also for the children to interact with their friends. You can stop by the Recreation Department and see Ralph, he has all the paperwork.

Also, there is still time to register for spring classes which ends soon. The summer classes will start registration. There is a summer tennis camp again this year and there are some adult activities; woman’s softball, and adult tennis. And there is also going to be adult bocce, at the new bocce court that was put in behind the municipal building.

Lastly, the Easter Egg Hunt was last Saturday, April 12th. There were over 600 kids in attendance who received free pails, shovels; there were cookies, juice, candy and photos with the Easter Bunny. Six children won brand new bicycles and forty children won huge filled Easter baskets. All of this was donated free. Ralph went out and received donations from Clark UNICO, Clark Travel Basketball, Clark Girls Softball, the Clark Soccer Club, Investors Bank, Vaccaro’s, ShopRite, L’Oreal, Lenny’s Plumbing and Heating, Molly McGuire’s, Century 21 Bank, Budget Print, Keith Dolan Memorial Outing, Jobs Personal Stitch, Retro Fitness, The family Lun Wah and also the ALJ Key Club who had the students there assisting Ralph. There were over 5000 eggs for the Easter Egg Hunt. That was all donated free. It was another tremendous success that Ralph and his staff pulled off for the Easter Egg Hunt. That concludes my report this evening.

Council President Toal: Thank you Councilman Smith. It really does your heart good to hear that the Township of Clark welcomed the Easter Bunny. We do love that the Easter Bunny took good care of our Clark kids.

ORDINANCES, APPROPRIATIONS AND CLAIMS:
PUBLIC HEARING ON PROPOSED ORDINANCES:

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

Ordinance 14-05

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A NEW ENTRANCE ROAD AND THE MAKING OF PARKING IMPROVEMENTS AT VALLEY ROAD SCHOOL FOR JOINT SCHOOL AND MUNICIPAL USE AND PUBLIC SAFETY PURPOSES IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Council President Toal opened the Public Hearing on Ordinance 14-05

Pravin Raghuwanshi, 231 Valley Road: I support, and I thank you, for it is a long time due. You did a good job.

Seeing no one else coming forward, Councilman Kazanowski made a motion to close the Public Hearing, seconded by Councilman O’Connor

Council President Toal directed roll call:

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

Ordinance was moved and seconded by the Entire Council

Discussion:

Council President Toal: The Mayor would like to make a presentation of what exactly we are talking about here ladies and gentleman. The Mayor is going to come up and give you an explanation and a little bit of information about what the Township and the Board of Education are looking to do.

Mayor Bonaccorso: Everyone knows that on the streets of Schmidt, Blake and Clauss that we have a tremendous amount of congestion due to our school traffic. Unfortunately the school was built somewhere in the 50's...

Council President Toal: '49

Mayor Bonaccorso: 1949, back then most families had one car.... I don't have to go through the history with you because you know it like I do. Over the years Valley Road has been a very, very big concern. People are trying to get their children to school and they have a right to do that. And the people that are living there have a right to some kind of peace and tranquility to a degree. It is a zone that is a drop off at the school that gets tied up in the morning for a half hour. Through public safety road improvements we are able to present this plan. (Mayor Bonaccorso presented proposed changes to traffic and parking improvements to Valley Road School) We have the blessing of the Superintendent and the blessing of the Board of Education. I presented this to council at the workshop meeting and I am confident in their support here tonight. (Mayor continues presentation). Through our Capital Improvement Project we are going to be funding this program, it has to do with public safety and traffic conditions. We believe that this is long overdue. I know right now the feedback from the Principal at the school and the people that I spoke to is very positive. They are very willing and happy to see this happen. (Mayor continues about access with swipe cards). Council, I thank you for your support on this project, I think that it is being welcomed throughout the Valley Road community and the school. I met with the faculty and they were excited to see this plan. Hopefully it will work out as well as we are saying it will, thank you.

Council President Toal directed roll call:

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

Ordinance Adopted

Ordinance 14-06

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Council President Toal opened the Public Hearing on Ordinance 14-06

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

Council President Toal directed roll call:

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

Discussion:

Mayor Bonaccorso: Before you adopt this Ordinance let me explain what this is. Basically this is security, suspenders and a belt, process in case we have another storm like Sandy or Irene where we have to have an appropriation to exceed the basic premises, this give us the ability to accommodate that.

A motion to adopt Ordinance 14-06 was made by Councilwoman Albanese seconded by Councilman Kazanowski

Council President Toal directed roll call:

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

Ordinance Adopted

Ordinance 14-07

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND
CHAPTER 248, SECTION 248-20 OF THE CODE OF THE TOWNSHIP OF CLARK
ENTITLED “PROHIBITED ACTS” ADOPTED FEBRUARY 18, 2014**

Council President Toal opened the Public Hearing on Ordinance 14-07

Maryann Disporto, 925 Lake Avenue: Mr. Laezza could you let us know what this is about?

Mr. Laezza: Basically, we passed an Ordinance for solicitation from dawn to dusk, however we neglected to indicate that we do not want solicitors on Sundays. Basically this doesn’t permit solicitors to canvas on Sundays.

Councilman O'Connor made a motion to close the Public Hearing, seconded by Councilman Kazanowski

Council President Toal directed roll call:

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

Ordinance moved and seconded by the Entire Council

Discussion: None

Council President Toal directed roll call:

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

Ordinance Adopted

Ordinance 14-08

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF
CHAPTER 347 OF THE CODE OF THE TOWNSHIP OF CLARK
ENTITLED “VEHICLES AND TRAFFIC”**

Mr. Laezza: This Ordinance has three sections to it. It names streets where there will be no parking during snow incidences of over three inches of snow. These are the streets that were omitted when we originally put the Ordinances together or they were streets that were not here when the original Ordinance was put together.

The second section is a parking restriction by Hehnly School from 8 to 9 in the morning and from 2 to 3 in the afternoon on both sides of the street on Acorn Drive because it is difficult for the children to get in and out of school with the cars parked on both sides and the inability of cars to pass each other. So we are trying to avoid a tragedy in that specific area. It is only going to be in effect the start of the school year, September through June of the school year.

Lastly, parking prohibited on one side of the road on Miller Avenue. The road is too narrow for cars to be parked on both sides, also, for our fire trucks or our DPW trucks or ambulances to go through that area.

Council President Toal opened the Public Hearing on Ordinance 14-08

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

Council President Toal directed roll call:

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

Mayor Bonaccorso: Mr. President, one second please, I want it to be noted for the record that up in the Hickory Area, Miller Avenue, we had some concerns through our police department about the snow, the road is getting narrow. As Mr. Laezza just said the police, DPW, fire apparatus try to get though there safely. We did have the Traffic Coordinating Committee to have a meeting with those people. Councilman Kazanowski was in attendance. We talked to them and we expressed our desire and listened to their concerns and I think that we struck a happy medium. By Hehnly School, there are only a few houses on Acorn; we brought those folks in too. The other thing that we were noticing through our traffic department was the school buses, because the cars park along the curb, literally have to go on the other side of the yellow line to be able to come in and make a turn into the parking lot. We spoke with those people, we accommodated the summer months because obviously there is not school traffic that period of time. The people up there, I believe, are satisfied as well as they can be.

Lastly, we have the snow plowing ordinance this year about certain streets that we have in town. Folks, you know I always believe the one problem in government is you get a bunch of people in a room, legislators, and they sit down and make laws. A lot of time they make laws that are very beneficial and a

lot of time there are laws that are not so beneficial. From our State House, maybe from Washington D.C. right on down to council, people like to pass laws without thinking of the consequences. They like to levy fines on people; you know the same people that are struggling to put bread on their tables in tough times are subject to this. We here at the Clark Township have made a very, very conscience decision fourteen years ago when I became Mayor, was to make laws for the community but to also try to use discretion at times of emergency to be fair, reasonable and honorable to people. The snow that we had this winter was devastating; there was literally nowhere to put the snow. We do understand that some of the houses in this town were built in the 30's, 40's, 50's, and 60's with one or two cars in mind. Parents bought those houses and they have two or three children and it is going to show, "What do I do?" "Where do I put my car?" Well if they put it on the street they will get fined, get a ticket, get towed. We are not trying to cause hardship to you, believe me when I tell you that. If you fall within that area you really have to think about this prior to when the weatherman says that it is starting to snow out. I don't have the answers all the time for you on things like this but we need to be able to get our equipment down the roads to plow your roads and open up your roads so Police, Fire and First Aid can safely get down the street to respond to emergency calls. We tried to put a lot of thought in this to make it work and we try not to be heavy handed. We do understand that there are towns that adjoin us that are our neighbor in Union County that when they say that your car better be off the street, you better take your car off the street or they come down with a flat bed and tow it out. We are just asking to use discretion. You know we always try to plow curb to curb. And if you are going to park there then we are going to ask you when the plows go through, and we are not coming back after a while, then you are going to have to shovel that area so your car can stay appropriately next to a curb. What I am trying to say is that we are passing these Ordinances, we are trying to enforce these Ordinances, we want to use common sense in doing it but we also need your help. Please think about this after this snow season that if you are tight in your driveway and we are getting snow and we are getting the snow again next winter like we had this one, God forbid, what alternate plans are you going to have? Where can you park your car? Do you have a senior living next door to you with one car? Well, it might not be a bad idea to ask if you can park your two cars in there and be a nice guy and shovel out the driveway. It can work if we all work together. So Council again, I want this community to know what these three areas of this Ordinance we put in a lot of time and dialog in with the people, especially two out of the three areas. I think that it is going to work out fine. Thank you again.

A motion to adopt Ordinance 14-08 was made by Councilman Mazzarella, seconded by Council President Toal

Discussion: none

Council President Toal directed roll call:

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

Ordinance Adopted

Ordinance 14-09

**AN ORDINANCE TO AMEND CHAPTER 310, SECTION 32
OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
“FAILURE TO COMPLY”**

Council President Toal direct Business Administrator to summarize the Ordinance.

Mr. Laezza: This is very interesting. This has to do with shoveling your sidewalk after 24 hours of a completion of a snowfall. The old Ordinance had the enforcement as the Department of Public Works and Engineering and we changed it to the Police Department since that had been the group that has been enforcing this for us. We just decided to put it in writing properly.

Council President opened the Public Hearing on Ordinance 14-09

Maya Rajhuwanshi, 231 Valley Road: My question is when we are out of the house or on vacation and the snow occurs?

Mayor Bonaccorso: You have 24 hours.

Maya Rajhuwanshi: I went to India for three weeks...

Mr. Laezza: When you do leave in the winter you should advise or hire someone to take care of your property while you are gone. We can't have the snow accumulating where people can't walk on your sidewalk. It is your responsibility to have it removed one way or another. If you are not there you have to get somebody to do it.

Mayor Bonaccorso: A snow plow contractor. The other problem is that you are right in the school zone and people walk there. That is why it is stricter in those areas because you still have people walking. That would be the best thing you could possibly do. This is another Ordinance that kind of gets me a little bit, and I will be honest with you, because I try to be realistic. Most of the secondary streets are fine with this but I notice down by our business districts, Westfield Avenue, Central, Raritan Road and not to knock them they do a phenomenal job, but sometimes the County gets a little zealous and they are blowing wet snow back over to your walkway. I don't think that the town trucks get it that far, I know that we block it in aprons because we hear about it all winter long. We have no other way to plow the snow. I notice by the amount of salt that Union County puts down that they get a lot more slush than we do on the major roadways and they push it up onto the sidewalks. So people might clean their sidewalks at 7:00 or 8:00 at night, businesses have people do it, and then they go home and go to bed and the next morning there is a bunch of slush that is just frozen and they can't break it. I just want to remind those people in those areas that the best thing that you might do is to put down some Calcium Chloride or rock salt before the snow starts accumulating so it really gets a melt underneath and you are able to break it. The other thing is that if they do push the snow back into your walkway all you have to do is clear a path. Even if there is some snow compacted/frozen onto the walkway as long as you clear a path you are complying with the law. I saw some people out there trying to chop ice with a pick and I felt bad for them and I even stopped and said, "Hey look just clear it and you're complying". Sometimes Mother

Nature doesn't work with us. So that would be the best advice that we could give to you folks. Thank you.

Seeing no one else coming forward Councilman Kazanowski made a motion to close the Public Hearing, seconded by Councilman O'Connor

Council President Toal directed roll call:

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

A motion to adopt Ordinance 14-09 was made by Councilman Barr, seconded by Councilman O'Connor

Discussion: None

Council President Toal directed roll call:

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

Ordinance Adopted *****

Ordinance 14-10

CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE IMPROVEMENTS AND ACQUISITION OF EQUIPMENT TO CLARK SWIM POOL FACILITIES, INCLUDING IN GROUND VOLLEYBALL COMPLEX; ELECTRICAL REPLACEMENTS; UMBRELLAS AND TABLES AND GAME TABLES AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$21,969.55 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL OUTLAY OF THE TOWNSHIP OF CLARK SWIM POOL UTILITY

Council President Toal opened the Public Hearing on Ordinance 14-10

Seeing no one coming forward Councilman Kazanowski made a motion to close the Public Hearing, seconded by Councilman O'Connor

Council President Toal directed roll call:

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

A motion to adopt Ordinance 14-10 was made by Councilman Smith, seconded by Councilman Kazanowski

Discussion: None

Council President Toal directed roll call:

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

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 \$238,417.69, for the period ending April 16, 2014, seconded by Councilman Smith.

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

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 Toal opened the Citizen Hearing on the Agenda

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

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

RESOLUTIONS:

Resolution 14-58

WHEREAS at 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 Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, O’Connor, Smith Toal

Resolution 14-59

Municipal Budget of the Township of Clark County of Union for Calendar Year 2014

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014:

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2014**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.40A:4-45.2)		15,836,501.00
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.40A:4-45.3 as amended)		4,719,758.80
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAP" (Item O, Sheet 29)		4,719,758.80
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated <u>98.49</u> Percent of Tax Collections		862,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2014 \$ _____ for Schools –State Aid 2013 \$ _____		21,418,259.80
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		5,923,833.80
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)		14,710,879.92
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(c) Minimum Library Tax		783,546.08

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 3, 2014; and

BE IT FURTHER RESOLVED that said Budget has been published in summary in the Union County LocalSource in the issue of April 3, 2014; and

BE IT FURTHER RESOLVED that a Regular Meeting for the hearing on the Budget and Tax Resolution was held at the Municipal Council Chambers, 315 Westfield Avenue, on April 21, 2014 at 7:30 pm at which time and place taxpayers or other interested persons were given an opportunity to present objections to said Budget and Tax Resolution for the year 2014.

Councilman O'Connor: This is the Public Hearing on the 2014 Municipal Budget.

At the outset I want to present the 2014 Municipal Budget for the Township of Clark.

The Township of Clark is a 2.3 plus Billion Dollar Corporation, and as such, we the council are your Board of Directors. Our Mayor is the CEO (Chief Executive Officer) and Mr. Laezza is our Chief Operating Officer.

The budget this year is once again with the mandated statutory guideline of a maximum 2% cap levy, put into effect by the State of New Jersey. The property tax increase for municipal purpose is 1.97715%. This computes to a \$41.00 increase for a home assessed at \$100,000. The average assessed home in Clark is assessed at \$120,000, so the tax increase on an average home is \$49.

The hearing tonight is on a budget of \$21,369,651. Compensation, including overtime, pension and health benefits accounts for 54% of the entire budget or \$11,669,850. Paying off debt service or the mortgage as homeowners recognize this is 14% or \$3,015,272. The balance is for such items as Construction Code Enforcement, legal fees, Planning and Zoning Board Enforcement, Health matters, Streets and Roads, Fire and Emergency Enforcement Matters in the amount of \$6,684,529 or 32%.

The revenues we receive from other than property taxes is \$6,658,771 or 31% with the balance of 69% coming from property taxes.

We on Council have reviewed the budget as presented by the administration. We accept it has being sufficient to meet our responsibilities to adopt a budget that provides the services to our citizens have come to expect while staying within a reasonable increase.

Council President Toal opened the Public Hearing on Resolution 14-59, 2014 Municipal Budget

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

A motion to adopt the Budget Resolution was made by Councilman O'Connor seconded by Councilwoman Albanese.

Discussion:

Council President Toal: I just want to say for the record that anytime we as a member of Council elected by you, we have to ask you for more money, it is very difficult. We make a lot of decisions here from buying a dump truck but when we have to ask and make decisions on your hard earned money is very difficult, because giving more is not easy. But to keep this town safe, clean and resourceful and a better place to live, hard decisions need to be made. I will be voting in favor of this tonight.

Mayor Bonaccorso: Mr. President, thank you for your words and to council for your work on the budget, and of course with Mr. Laezza. I just want to note for the record that it is a small increase; again, any increase I guess is not a good increase, if you want to put it that way. Being realistic, I think that those of us who are in government and those of us who sit out here and pay the bills are realistic to know that no one is decreasing taxes. What I will proudly say is about a month ago in the Star Ledger...since 2003 to 2013 Clark Township has gone up the least of all the municipalities throughout Union County. I was pretty proud of that. I do know for a fact that we offer probably more services consistently than any town in Union County. The other thing is we get a very, very minimal part of state aid through Trenton.

Some of the towns in Union County have gotten a tremendous amount of aid due to the makeup of their communities and do not offer what we have to offer here. We are proud of it, it is a minimal increase. Most of our increase this year is going to pay off debt that we use to reconstruct roads and buy equipment to run our community. We have been the first administration in many, many years here to pay debt down. We have borrowed money but we are also paying it off....Walking the fine line with the Council to try to continue on giving you the best services possible. We talk about Spring Clean-ups, we talk about Branch Clean –ups, Grass Clean-ups, folks this is all things that we could cut out of a budget that would save you a little bit of money and give you great heartache. There are neighboring towns around us during Hurricane Sandy would not let you put your branches out onto the street you had to pay a contractor or a tree person to come and take those branches away. That is a silent tax as far as I am concerned. There are other communities, such as a little thing that was taken for granted here in Clark, is throwing our Christmas Trees out at the curb at Christmas Season. We come by and pick them up and grind them up. Other communities charge you for that. We have a recreation program for the kids in the summer that is basically free for the amount of money that you’re charged for it. What is it \$35.00 Bill? Ralph takes all that money and just gives it back to the kids to try to make it just much more dynamic. We put tons and tons of rock salt down on this street. We do not cap the overtime in snow plowing because we want the men to give you the right job. My motto has been “I will pay you an hour or two more but I want a job done right.” We have a fire department that’s fully equipped, here to service you, that is volunteer. So we give them the equipment to keep those volunteers coming back. So we don’t have to put the two or three million dollars into the budget if you had to have a paid (department). Our police department and DPW are well equipped. We just purchased a beautiful roll-off truck that will probably outlast all of us and be with this town a good thirty years. It has three roll-off boxes that in an event like Hurricane Irene or Sandy we could serve you much better in getting your debris off the street. We will also use that for branch collection, leaf collection to get it done more efficiently. So there is a little bit of increase here, hey, we will apologize for any increase but to be realistic it is minimal, and we are the slowest growing tax town in Union County and our services are number one. When I got up two weeks ago at the Mayor’s Dinner in Union County I started my speech with “There is no town in this County that gives the services that we do” I didn’t hear one Mayor get up after me and say that I was wrong. The last time a mayor did that it was me telling Mayor Gregorio when he was alive in Linden the services that he gave to his community. I said, “John some day I am going to catch you” We are two towns that believe in that. Thank you for your cooperation Council on this budget. I know it is a big document and I am sure that you are not happy with every line in it but you take the greater good and you do it for the people, so thank you.

Council President Toal directed roll call:

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

Resolution 14-60

WHEREAS N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Clark has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that in accordance with N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officer’s certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Moved by Councilman O’Connor, seconded by Councilwoman Albanese

Discussion:

Mr. Laezza: Basically once every year, twice every three years the State authorizes Towns that are fiscally sound to review their budget and see that it conforms and complies with State Statutes.

Council President Toal directed roll call:

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

Resolution 14-61

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 21st day of April, 2014.

Christopher E. Mooney
1 Park Street
Clark, New Jersey 07066

Moved by Councilman Barr, seconded by Councilman Mazzarella

Discussion: None

Council President Toal directed roll call:

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

Resolution 14-62

BE IT RESOLVED by the Township Council as the Municipal Pool Utility that the following individual is hereby appointed as the Alternate II Member of the Clark Community Pool Advisory Board effective April 21, 2014.

Alternate II Member:

Lorrie Williamson 63 Cornell Drive 04/21/14 – 12/31/14 (1 year)

Moved by Councilman Smith, seconded by Councilman Kazanowski

Discussion: None

Council President Toal directed roll call:

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

Resolution 14-63

A RESOLUTION TO AFFIRM THE TOWNSHIP OF CLARK’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS it is the policy of the Township of Clark to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS the governing body of the Township of Clark has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED by the Township of Clark that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township’s business or using the facilities or property of the local Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township’s web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township’s commitment to the implementation and enforcement of this policy.

Moved and seconded by the Entire Council

Discussion: None

Council President Toal directed roll call:

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

CONSENT AGENDA RESOLUTIONS:

Resolution 14-64

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2014 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 refund(s) in accordance with the following schedule:

TAX REFUNDS - 2014

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	YEAR/QTR
60	65.01		M&T Bank	100	Commerce Place	\$14,779.34	2014/1

Resolution 14-65

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

WHEREAS the Business Administrator has reviewed 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.

SEWER BILLING ADJUSTMENT 2014										
CLARK TOWNSHIP										
REF	#	Account #	Name	#	Address	Reason	Original	Revised	Credit	Additional
14	14	3372-0	Carl Peterson	48	Malvern Dr	water issue	\$1,097.32	\$588.68	\$508.64	
14	15	4585-0	Robert Bothe	69	St. Germaine Dr	pool	\$1,305.00	\$337.00	\$968.00	
14	16	339-0	Jose Maza	1027	Lake Avenue	water issue	\$1,785.00	\$225.00	\$1,560.00	
14	17	4742-0	Louise Malgieri	78	St. Laurent Dr	SCD dis	\$100.00	\$225.00	\$0.00	\$125.00
14	18	407-0	Carmelina Giacobbe	205	Briarheath Lane	water issue	\$1,065.00	\$485.00	\$580.00	
14	19	2962-0	Ginesi Builders Inc	16	Bullman Ct	SCD dis	\$100.00	\$225.00	\$0.00	\$125.00
14	20	3371-0	Barbara Cosmas	56	Malvern Dr	scd	\$225.00	\$100.00	\$125.00	
14	21	615-0	Thomas Maul	44	McCollum Dr	fire	\$225.00	\$112.50	\$112.50	
14	22	4331-0	Kathleen Torpey	11	Spruce Street	plumbing	\$498.92	\$225.00	\$273.92	
14	23	792-0	Robert Jarembinsky	101	Meadow Rd	plumbing	\$705.00	\$345.00	\$360.00	
14	24	747-0	Letini & Son	97	Stonehenge Terr	no water	\$225.00	\$0.00	\$225.00	
14	25	2245-0	Anthony Araneo	1152	Raritan Rd	water issue	\$665.00	\$225.00	\$440.00	
14	26	1261-0	Robert Johnson	27	Sandalwood Dr	lawn issue	\$625.00	\$225.00	\$400.00	
14	27	3180-0	T F Malar	39	Loeser Avenue	SCD dis	\$100.00	\$225.00	\$0.00	\$125.00
14	28	2335-0	Larry Hutchinson	151	Lexington Blvd	SCD dis	\$100.00	\$225.00	\$0.00	\$125.00
14	29	1582-0	Patrick Grady	124	Dorset Drive	water issue	\$2,865.00	\$865.00	\$2,000.00	
14	30	1646-0	Vitor Soares	3	Partridge Run	water issue	\$5,625.00	\$225.00	\$5,400.00	
14	31	39-0	Matthew Casey	380	Willow Way	water issue	\$905.00	\$525.00	\$380.00	
						Total Adjustments			\$13,333.06	

Resolution 14-66

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2014 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 following schedule.

REF	#	Account #	Name	#	Address	Reason	Refund
14	4R	743-0	Desmond Hamilton	26	Stonehenge Terrace	overpayment	\$30.00
14	5R	1186-0	Brian Sheehan	16	Featherbed Lane	overpayment	\$24.57
14	6R	4830-0	Joseph Charles Svec	11	Durham Drive	overpayment	\$25.00
14	7R	367-0	Sadie Borenstein	267	Willow Way	overpayment	\$25.00
14	8R	4763-0	Joaquim Goncalves	91	St. Laurent Drive	overpayment	\$159.10
14	9R	4169-0	Patricia Hanni	30	Clauss Road	overpayment	\$75.00
14	10R	3561-0	Nathalia Sarro	115	Nassau Street	overpayment	<u>\$25.00</u>
					Total Refunds		\$363.67

Motion to adopt Consent Agenda made by Councilman Smith, seconded by Councilman O’Connor

Council President Toal directed roll call:

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

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 Toal opened the public portion of the meeting

Delia Collins, 72 Georgia Street: Good evening. I am here to discuss the Shared Services Agreement with the City of Linden through their Animal Control. There were several of us at the City Council Meeting for the City of Linden last week. There have been several issues at the shelter, not at Folas, the actual Animal Control Shelter. There are conditions that will be brought up to you by another member of our group. I received a copy of the Shared Services Agreement. I am directing this toward the Township Attorney: Is this a contract or a Shared Service? Is a Shared Service Agreement another word for a contract?

Council President Toal: Delia we will direct that to Mr. Laezza.

Mr. Laezza: It is a contract.

Delia Collins: Can that contract be broken if the City of Linden Animal Control Division, through the Department of Health, does not adhere to the State regulations?

Mr. Laezza: Yes.

Delia Collins: Okay. There are some regulations that the Animal Control Division of the Linden Department of Health has not complied with. They are under investigation by the City of Linden. Several council persons in Linden have decided to go out. I see that in our Shared Service Agreement we are in conjunction with, and in consultation with, the City of Linden’s Health Department. Just to let

the people of Clark know that there is no overseeing of that by the City of Linden. That is done by the New Jersey Department of Health. There are unsanitary conditions.....

Mr. Laezza: Ms. Collins it is under investigation right now.

Delia Collins: Yes.

Mr. Laezza: When we complete the investigation we will come up with a report.

Delia Collins: Okay. Just to let the public know that we spend \$23,400.00 a year for the City of Linden to do our Animal Control. Ask the people of Clark to please have their animals micro chipped so that they don't have to wind up at the Linden shelter, not Folas. Thank you.

Council President Toal: Thank you Delia.

Pravin Raghuvanshi, 231 Valley Road: I have a small situation. For the last 35 years I have been teaching electronics. I am a life member of (tape inaudible) Association and we have had a lot of presentations there. One of the presentations was how to avoid problems during the storm like Sandy. One topic that was discussed was that most of the time a black out occurs because of the trees and transmission lines, they don't go together. Last year on Valley Road we planted the new trees and they are right under the transmission line. On the other side of the road there are no transmission lines. So I would appreciate it if someone would have thought of that and planted on the other side instead of right underneath. Within three or four years you will have to cut them and if you don't have a budget for it we will have other blackouts.

Mayor Bonaccorso: We as a town didn't personally plant those trees last year; we haven't planted shade trees in a few years due to budget. The County used to run a program and they stopped running it. We have replaced some throughout the community. PSE&G will come in and always trim those trees away from that. Why they are usually planted on both sides of the road is for aesthetics and that is why you see them throughout municipalities. I do understand what you are saying and you are correct in theory. People should think of it that way but they are planted all over that way.

Pravin Raghuvanshi: PSE&G... I am a member of (tape inaudible) and we deal with PSE&G. There is going to be a seminar in Edison at their plant and I am going to attend. They are saying that unless things break we don't have money to repair it, so we don't have money to trim the trees. They do try but they are also limited with their budget. So next time we should not plant right underneath the transmission line. Also, the sidewalk is the responsibility of the owner of the house to repair and those trees are also damaging to it. For example I had a tree on my property and it has damaged the sidewalk. If the Township has it in the budget they should look to repair the sidewalks which were damaged by the township trees.

Council President Toal: I understand what you are saying sir but there is an Ordinance that is in our books that specifically states that it is the homeowner's property. Again, we understand your point and well taken.

Robert Scutro, 300 West Curtis Street, Linden: I am here to back Delia up on her statement. Mayor I sent you a copy of the April 15th Council Meeting.

Mayor Bonaccorso: Yes.

Robert Scutro: That addressed the conditions of the Linden Animal Shelter. They run under 15 violations and I am here to request that you assist us in cleaning up the place. They have one Animal Control Officer on Thursday, Friday and Saturday that does not answer the phone and will not return your phone calls if your dog is missing. If your dog is lost, your dog will be put down in seven days, period. You cannot get your dog back. On the tape sir you have Nancy Koblis that says if your dog is hit by a car and is seriously injured, we will not vet, we will put it down in seven day because we are not going to spend taxpayers' money. This is what you are paying for.

Mayor Bonaccorso: We understand.

Robert Scutro: If your dog is injured it is going to be put down in seven days.

Mayor Bonaccorso: I did receive your letter. I did speak to another citizen from the town at a Little League game about it. We are fully aware of it and we have to go through the process. With all due respect we are not saying that you folks are wrong. Delia, in any way, we are not saying that. As a shared service community we have to let the due process take its course.

Robert Scutro: That is why I am here.

Mayor Bonaccorso: Yeah, again, I don't doubt you. I know that Delia has a great love for animals. Hey, I have two dogs myself and I care about animals.

Robert Scutro: We are just here for your support. We are citizens and the response, if you watch the tape, the response the Health Officer gave to Delia and Lorraine Burk, another one of your citizens...

Mayor Bonaccorso: Their Health Officer or ours?

Robert Scutro: I'm sorry?

Mayor Bonaccorso: Theirs? Linden, okay.

Robert Scutro: The response their Health Officer and the way that she acted toward your citizens was disgusting.

Mayor Bonaccorso: Yes.

Robert Scutro: They offered their assistance and her response was unbelievable. That is why I hope that you watch the tape. I just gave you a copy of the fifteen violations.

Mayor Bonaccorso: Okay, thank you.

Robert Scutro: Right now they are in the process of doctoring the kennels up. They don't euthanize them properly; they wash the cages with the dogs in them hitting them with their own feces and urine. The meeting happened on the 15th. I sat there over the weekend and watch three animal control officers still

wash the cages and hit them (the animals) with their feces and urine in their faces. Just keep in mind that one day it might be your dog in that cage being hit with their waste. I am asking for your support, because you sir, have a lot more power than I do.

Mayor Bonaccorso: We will be on it. I know that our Health Officer Nancy is involved and I know that she is a great animal lover.

Robert Scutro: I appreciate that.

Mayor Bonaccorso: We will look into it. I will have a conversation with Mayor Gerbounka.

Robert Scutro: The Mayor of Clark has assured me that he will take care of it, and like I said sir, you have a lot more power than I have.

Council President Toal: I want to make sure for the record that I can assure you that this Town Council supports animal rights and animals. As Delia knows I have been a big supporter of Nancy Larrimore on Lake Avenue, Noah’s Arc Animal Rescue, and will support you on this issue, absolutely.

Robert Scutro: The problem sir is that this one George is never there. They know it and they will not let him go, that is a problem. Call 908-474-8541, Thursday, Friday and Saturday sir, and you will not get a return phone call.

Council President Toal: Give that number to the Clerk. Again, we have to go through proper legal channels to get this issue resolved. We will bring it to the forefront at our Executive Meeting.

Councilman Kazanowski made a motion to close public portion of the meeting, seconded by Councilwoman Albanese

Council President Toal directed roll call:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: I just want to reassure Delia and the gentleman that we will look into what is going on. I know that our Health Officer is on it. We are in a Shared Services (Agreement). Animal Control is not vastly available throughout other communities. Linden has had this so we went with them; there is not real rhyme or reason for it other than the convenience to it. Some of the other ones are far out of the area. So if you have an animal out on the street they could take several hours for them to get out here. Believe it or not we have had that happen. We will continue to look into that.

Again, Council, thank you for your work and support on this year’s municipal budget. We look forward to delivering those services in the best fashion we know to the citizens.

Again, to reiterate very quickly, Spring Clean –up is over this week, no more. Branches go out the third week of May and get picked up the fourth week, Grass Clean-up put in drums, garbage cans in front of your home, please get them out properly. Make sure that you have the right size. If you are a new

resident to the community, and you are not sure, call the Department of Public Works, go on our website, between the two sources someone should be able to steer you in the right way. Thank you very much for your concerns tonight ladies and gentleman, and for participating so professionally in our meeting, we do appreciate it, thank you.

Councilwoman Albanese: I just want to mention one other point about what is available at the library, in particular, through the support of the Friends of the Library. There is an Intrepid pass available for families. You could go and visit the Intrepid, it is for four to eight people to go for free, and it could really save you hundreds of dollars. It is getting warmer out as the Mayor was saying, either spring or summer is coming, so it is a great place to go visit in Manhattan. Also, I wanted to mention that the Friends of the Library made a nice donation to support the library program this summer.

The Mayor mentioned it but I also want to mention it again, but before I do I just want to thank the Administration, in particular John Laezza and Terry O'Neill for their work on the budget. It really makes our job a lot easier because it is so well organized.

Most important as the Mayor said there was an article a few weeks ago in the Star Ledger about all the taxes in the County and of the 21 cities Clark was the lowest. It wasn't by a few percentage points, it was almost double when you look at Elizabeth, Linden which was mentioned, Kenilworth, Cranford, and they had almost double the increase that we had over a ten year period. It is nice for us to come up here and say these things each year but when you see it by a third party it really makes a difference. I am really pleased with that. That concludes my report.

Councilman Barr: Thank you Mr. President. Councilwoman Albanese just said everything I was going to say, so thank you. One other thing, you know many times people will say like when Councilman O'Connor reported that the average will be \$49 for the municipality, residents say that their tax bill was more than that. What you have to remember is that your tax bill has the municipal, school district and the county, and we are responsible for the municipality part of it. I think that we do very well and I also thank the administration. That concludes my report.

Councilman Kazanowski: I would also like to congratulate Officer Brandon Pitts for becoming our new officer in town. Things should work out fine. Thank you.

Councilman Mazarella: To the residents, be safe out there. It is springtime and we are going to be working in our yards so make sure that you hydrate yourself because it is going to start getting warm. Don't forget to recycle. Delia, the issue, we will be on top of this. After the investigations are completed if there is anything that we could do in helping to abate this and stop these unhealthy conditions, we will do whatever we can.

Councilman O'Connor: Thank you. One of the hardest things in finance is budgeting and forecasting. The Administration here again demonstrates their outstanding ability to do both. The difficult thing about that budget is that the end of the year you get a report card. Were you on budget or were over budget? Did you do it right or did you do it wrong? Every year we hear that Clark is financially sound and every year we have as Angel and the Mayor talked about one of the lowest tax increase in the County and that is due to our Administration, the Mayor, Mr. Laezza and Terance O'Neill, their ability to budget and forecast. Congratulations again on doing your job extremely well.

What is interesting is that the Mayor talked about the time of year now that kids are out and things happen. Nine years ago my daughter got hit by a car. What was interesting about that was within the next hour another child got hit by a car. Thankfully both children are fine, my daughter was fine and so was the other child. It just goes to show you that kids are out and about and there are a lot of new drivers out there. Do the speed limit and stay alert and please look out for children. If there is a ball in the street, slow down, it is better to be safe than sorry.

Bill talked about the 40 year anniversary of the Clark pool. I am 48 years old and I was born and raised here so I remember when the Clark Pool was the big thing in this town. My childhood was filled with days of just going to the Clark Pool. Jaws came out in 1975 and I was afraid to go in the ocean so I was happy that I had the Clark Pool. With that I will say good night and thank you all, and thank you Council President.

Councilman Smith: On April 5th we had the Clark Girls Softball and Clark Little League Parade, the joint parade that we have been doing the past three years. There were hundreds of people lined up on both sides of Westfield Avenue from the High School to the Municipal Building. We actually had NJ News 12; the Meteorologist Michele Powers was on hand for the festivities. She threw out the first pitch at the Clark Girls Softball Ceremonies and on the five o'clock news that evening before the weather report she spoke about what a great time she had in Clark; the reception, the kids, it brought her back to her childhood days. She is local, from Cranford and she wishes that they had those programs when she grew up. She showed some pictures and it was a nice little touch to the whole day's festivities. I also want to thank the Mayor, the Department of Public Works, the Police and Fire Departments for assisting us that day. They tossed the candy lightly this year and I think that went extremely well. We have some plans in place hopefully to keep the children a little further back from heading out towards the street. With all due respect I think that it was a great day, and again, I just want to thank you for allowing us to do it again.

Council President Toal: Delia, I have this to say to you young lady, and I have known you a long time, not in Clark, we are not going to let any animal be abused or neglected or hurt, not under this watch, okay? You know how I support Nancy and Noah's Arc and the animal cause. I hope everyone had a safe and healthy and happy Easter and Passover. If you need anything, remember to just give us a call, we are here to serve you and help you make a better Clark.

Mr. Laezza: Nothing, thank you.

Chief Scherb: Nothing.

Township Clerk: Nothing, thank you.

Howard Lesnik: Nothing.

Motion for adjournment was made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council President Toal directed roll call:

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

APPROVED

BRIAN P. TOAL
Council President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk