

**REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ**  
**August 18, 2014**

**ROLL CALL:**

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

Also Present: John Laezza, Business Administrator, Acting Mayor; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

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.

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

John Laezza: Council President and Members of Council, we just got a call that the Mayor was not feeling well this evening, so I have the role.

The important action that the Mayor would like to bring forth is the acceptance of the resignation of our Public Defender Stephanie Mitterhoff who has been nominated to the Superior Court. That's the third Judge that we've made out of our ranks of the attorneys that represent us. And he is asking to appoint Robert C. Rowbotham, II Esq. to the position of Public Defender filling the unexpired term until December 31, 2016. You need a resolution from the Governing Body confirming that appointment I think.

Township Clerk: Mr. Triarsi said it's not necessary.

John Laezza: This has been with the approval of the law director according with our administrative code.

Basically it's been a good summer season. It's been a nice summer for the working people, the people that are down at the ocean probably don't like it but it's been cool. The next meeting we will have, school being opened, so drive as if the kids lived on your block. That's about it thank you.

**REPORT OF COUNCIL COMMITTEES:**

Councilwoman Albanese: Thank you Council President, just a brief Library report...I just want to remind everyone that we have a few weeks left of the summer and of course the fall season to visit the Intrepid. The Library has a museum pass and it's available for free and you can have up to six people go onto the Intrepid Museum. It's really a great experience to find out the history of the Museum. They also have a nuclear submarine at the site, so it's a pretty interesting activity for all ages.

School is coming and we are going to get back into our fall activities. Starting with the first Sunday in September the Library will be open seven days a week for our citizens. And the Library summer reading programs are coming to an end and they will be awarding all the great prizes that I've mentioned to you, so congrats to all of those that enjoyed the summer reading and win those prizes. And that concludes my report.

Councilman Barr: Thank you Mr. President...the police dispatcher had the Clark Volunteer Fire Department respond to 48 calls in July. One item I would like to bring up, you know I'm always telling you how our fire department is constantly training. And one of the very important parts of their training is extrication; and it's happened a few times in July where time is of the essence to get somebody out of a car or vehicle that they can't and if they are hurt... So what I'm trying to get at is that I want to thank our Fire Chief. For this he told me that next week they are also going to have extrication training again and for all the training they do, they are doing a great job. And that concludes my report.

Councilman Mazzarella: Yes thank you Council President...I have two reports, one from the police department. For July 2014 the police department responded to a total of 2,543 calls for July for service of which; 89 alarm calls, 89 motor vehicles accidents, 2,194 were miscellaneous calls. That's a lot of calls that they responded to, to keep our community safe.

My DPW report; a lot is repetition from last month but I'll go over some of the points with you again so you can remember. Branch pick-up is August 25<sup>th</sup> and all branches should be out at the curbside the Sunday night August 24<sup>th</sup>. No electronic drop-off this month, next month drop-off will be September 27<sup>th</sup> from 9:00 am to 1:00 pm at the DPW yard. Grass pick-up continues on Mondays; please have your containers out before 6:00 am. Our recyclables are picked up every other Monday and they accept plastics #1 thru #7. On the bottom of the bottle you will see the number, also paper, cardboard, aluminum, tin and also Styrofoam. They all can be placed in the same container. And just another note, they take shampoo and conditioner bottles, they are all recyclable. Bulky pick-up by appointment, only please call DPW or email if you need a confirmation. DPW will not accept construction material, paints, food waste or electronics. Please visit [www.ourclark.com](http://www.ourclark.com) for a full list. The fourth week of September is the last branch pick-up for 2014. Leaf pick-up begins late in October. And thank you for calling on your catch basins that looked dirty or clogged. DPW cleaned over 50 catch basins this past month. Potholes can be reported to DPW. So far this year they have installed over ninety tons of patch material. Thank you and that's the extent of my report.

John Laezza: Council President I would like to indicate that we also do not pick up tires or mattresses.

Councilman O'Connor: Thank you very much...report from the Finance Committee, I'm happy to report that the township is on budget and that people for the most part are paying their taxes on time. So thank you.

From the Clark First Aid Squad for July there were 124 total ambulance requests; 116 to Clark, 8 mutual aid, and the most frequent calls were for fall victims, motor vehicle accidents, and sick persons. That's my report thank you very much.

Councilman Smith: Thank you Mr. President Toal...as Mr. Laezza alluded to it's been cooler than normal temperatures this year but the Clark Pool has had a banner summer. It kicked off with the 40<sup>th</sup> Anniversary bash and included a July 4<sup>th</sup> celebration, vendor day, movie night, late night swims and many activities for adults and children. The pool will remain open through Labor Day. I want to thank Ralph Bernardo, Mike Kozlowski and the rest of the pool management and employees for doing an excellent job in running the pool this summer.

The Summer Recreation program concluded on Thursday, August 14<sup>th</sup> with over 800 children in attendance. This year's summer program had a record number of attendees, averaging over 650 children daily in grades Pre K-8<sup>th</sup>. Total registration reached 1070 children which is a record. I want to congratulate Ralph Bernardo, his supervisors and counselors for doing an exceptional job running the camp, teaching and entertaining the children. The Fall Recreation program booklets will be mailed to all residents the last week of August. So shortly after Labor Day, please remember to sign up early. And that concludes my report.

Councilwoman Soyka: No committees, no reports.

Council President Toal: Again I have nothing as of yet but I will just give this as a preliminary. The Environmental Commission will be meeting right after Labor Day. They have not yet set an exact meeting date. Once that is known it will be given to the Clerk and publicly notified. And they will be discussing the fall Reservoir Clean-up. Once the kids are back in school we then kind of pick a date and go out and start picking up all the recyclables and plastics and stuff that Frank had talked about. What's accumulated along the Reservoir we go out and get the kids getting them involved in cleaning up our town and reservoir area.

**ORDINANCES, APPROPRIATIONS AND CLAIMS:**

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

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

**Ordinance 14-20**

**AN ORDINANCE TO AMEND CHAPTER 302, SECTION 302-7 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SOLID WASTE"**

Council President Toal opened the Public Hearing on Ordinance 14-20

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

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

A motion to adopt Ordinance 14-20 was made by Councilman Mazzarella, seconded by Councilwoman Soyka

Discussion:

John Laezza: Basically for those that were not at the workshop meeting, this is an ordinance to bring the ordinance in line with our Annual Report to the People as to the process we go through to pick up bulky waste. So it’s an amendment to our solid waste ordinance. And it sets forth all the criteria that Councilman Mazzarella spoke of in his opening.

No further discussion

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

Ordinance Adopted

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**Ordinance 14-21**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 145, SECTION 145-3E OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “FEES”**

Council President Toal opened the Public Hearing on Ordinance 14-21

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

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

A motion to adopt Ordinance 14-21 was made by the Entire Council and seconded by Entire Council

Discussion: None

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

Ordinance Adopted

**Ordinance 14-22**

**AN ORDINANCE TO AMEND CHAPTER 195, SECTION 195-120 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “FENCES AND WALLS”**

Council President Toal opened the Public Hearing on Ordinance 14-22

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

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

A motion to adopt Ordinance 14-22 made by Councilman Smith, seconded by Councilwoman Albanese

Discussion:

John Laezza: This ordinance is basically a clarification of putting fences up on corner properties. Basically it delineates the areas that they can be, the height that they can be and the expanse that they can be.

No further discussion

Council President Toal directed roll call:  
Aye: Albanese, Barr, Mazzarella, O’Connor, Smith, Soyka, 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 \$249,545.71 for the period ending August 13, 2014, seconded by Councilwoman Albanese

Council President Toal directed roll call:  
Aye: Albanese, Barr, Mazzarella, O’Connor, Smith, Soyka, 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 O’Connor made a motion to close the Citizen Hearing on the Agenda, seconded by Councilwoman Albanese  
Council President Toal directed roll call: Aye: Albanese, Barr, Mazzarella, O’Connor, Smith, Soyka, Toal

**RESOLUTIONS:**

**Resolution 14-114**

**Council as ABC Board**

**WHEREAS** an application has been filed for a Person-to-Person transfer of Plenary Retail Consumption License Number 2002-33-003-003, heretofore issued to Aliperti’s Restaurant, Inc., held in pocket since May 31, 2014; and

**WHEREAS** the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term 2014-2015; and

**WHEREAS** the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS** the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body of the Township of Clark does hereby approve, effective August 18, 2014 the transfer of the aforesaid Plenary Retail Consumption License to Whole Foods Market Group, Inc., 550 Bowie Street, Austin, Texas 78703 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Whole Foods Market Group, Inc., effective August 18, 2014."

**BE IT FURTHER RESOLVED** that Whole Foods Market Group, Inc. has requested the license be placed in pocket at this time.

Moved by Councilman O’Connor, seconded by Councilman Mazzarella

Discussion:

John Laezza: Whole Foods will be the anchor store in Clark Commons Property. They acquired a liquor license and they closing it and are putting it in their pocket until the store is completed.

Council President Toal: Okay but they are just going to be sold in package goods and things of that nature, correct?

John Laezza: No they are going to basically have a Pub inside the Whole Foods store.

Council President Toal directed roll call:

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

**Resolution 14-115**

**WHEREAS** the City of Rahway, the Boroughs of Roselle and Kenilworth and the Township of Clark have a need for a piece of equipment commonly known as an Automated Brine Maker (the “Maker”); and

**WHEREAS** N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11 specifically authorize two (2) or more contracting units to enter into a Joint Purchasing Agreement for the purchase of equipment; and

**WHEREAS** the City of Rahway as the lead agency (the “Lead Agency”) is conducting a voluntary joint purchasing system for the purchase of the Maker with Roselle, Kenilworth and Clark as the other authorized contracting units; and

**WHEREAS** it is the desire of all parties to enter into such Agreement for said purpose.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the Joint Purchasing Agreement as hereinabove mentioned is hereby approved in accordance with the aforesaid statutes; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute said agreement on behalf of the township.

Moved and seconded by Entire Council

Discussion:

John Laezza: Basically the City of Rahway will be mixing brine for the use by DPW departments in the four towns named. They are buying the machine; they will be mixing the brine. This is an Interlocal Service Agreement between the four communities. And it should save the Township of Clark and the other three towns a great deal of money because the acquisition of this capital improvement of a hundred and twenty thousand dollars equally shared by the four communities will use a lot less salt and a lot of less overtime. Because the process is when we get notification that a snow is coming, we can put the brine on our streets during the daytime rather than in the middle of the night to prevent a lot of overtime. And it will keep the streets good for at least two days with regard to ice not forming and the first two inches of snow will probably melt within those two days before we plow it. So we believe this is going to be a substantial savings in the operation of our snow removal. And the Mayor did get a notification from the meteorologist that November to March will be a colder winter than last year, colder and snowier winter than last year, so I think we are doing it at the right time.

Councilman Mazzarella: You know this is truly a good thing for our community. It will be a tremendous savings for us; however, most importantly it’s going to be a safer environment for the motorist traveling through our community. Because as the Administrator said once this brine is down, it causes a salty surface and when it starts snowing it will immediately melt. And that will give a hedge and a step forward on our snow plowing efforts and it will minimize our snow plowing efforts considerably. So it’s a terrific thing for our community and its money well spent.

Councilwoman Albanese: Can I add one other point. Just to add it's also environmentally better because it will be less run off of salt into our sewers by using this brine machine. So it's an all-around win win.

No further discussion

Council President Toal directed roll call:

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

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**Resolution 14-116**

**WHEREAS** sediment, debris, garbage, brush and trees that accumulate in our waterways contribute to serious flooding that causes property damage and threatens personal safety; and,

**WHEREAS** restrictions on stream cleaning, de-silting and de-snagging projects by counties or municipalities are currently onerous and restrictive; and,

**WHEREAS** Assembly Bill A900 will allow municipalities and counties to properly, quickly, and economically clean and de-silt streams to help prevent flooding.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it does hereby support A900 and urge quick action to be taken on it to help relieve the flooding issues that occur throughout New Jersey; and

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to the Assembly Environmental and Solid Waste Committee, Assemblyman Jerry Green, Assemblywoman Linda Stender, the New Jersey State League of Municipalities, and all Union County Municipalities.

Moved and seconded by Entire Council

Discussion:

Councilman Mazzarella: As we all know the Ward that I represent is Pumpkin Patch Brook area and by the passage of this is certainly going to help our community and the residents minimize the impact because de-silting takes away a lot the volume of that silt that's in the waterway and by doing that you have a greater volume of the water to pass through rather than backup on the property. So hopefully if this bill goes through we could really help those residents, thank you.

John Laezza: It's basically a piece of legislation that accelerates the process. Right now to get a permit is about a six month process with the Department of Environmental Protection. You still have to get approval from the Department of Environmental Protection with regard to the de-silting but with regard to the snagging removing debris and things of that nature and that falls in there, but will be a quicker turnaround so that we can get it done quickly. So this moves on the acceleration of the process.

Councilwoman Soyka: Do you still have to get a permit to remove debris though, is that correct?

John Laezza: Yes you do.

Councilwoman Soyka: And that takes time.

John Laezza: Well this will take it down to a thirty days rather than six months.

Councilwoman Soyka: Well we certainly need that.

John Laezza: That’s why we are approving it.

No further discussion

Council President Toal

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

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**Resolution 14-117**

**WHEREAS** State Senate Bill S-1801 and Assembly Bills A-2621 and A-2495, if signed into law, would abolish the office of the tax assessor in municipalities in Atlantic County thereby shifting all of their tax assessment responsibilities to the County of Atlantic; and,

**WHEREAS** previous legislation was passed and signed into law authorizing a countywide pilot assessor program in Gloucester County and an enhanced local assessor pilot program in Monmouth County to study, over several years, the cost/benefit of these new tax assessment systems; and,

**WHEREAS** the pilot programs have yet to be completed so as to study the cost or benefits, if any, of each new assessment system; and,

**WHEREAS** the Governing Body of the Township of Clark has serious reservations about the cost savings, efficiency, and effectiveness of these programs for the following reasons:

1. The timeliness of adding new assessments to the municipal tax rolls will be severely impacted. Forwarding this information to the County will cause delays in recordings and information could be lost thereby reducing the potential increase in assessed value of the community.
2. The local assessor, in the current system, is in charge of defense of tax appeals. A local assessor best knows the local market value and neighborhoods. As such, the Township will lose additional appeals.
3. Priority will not be given to the considerations of smaller municipalities, like Clark, when those of larger municipalities have issues. The County tax base is dependent on all municipal assessed values.
4. Local revaluations will become unnecessarily burdensome to local residents.
5. The critical interplay between the Tax Assessor and the Tax Collector will be lost.
6. Clark presently is in an Interlocal services agreement with Scotch Plains

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Clark, County of Union, State of New Jersey does hereby express its objections and opposition to the passage of Senate Bill S-1801 and Assembly Bills A-2612 and A-2495 and the further expansion of the aforementioned and inclusive pilot program; and

**BE IT FURTHER RESOLVED** that the Township Clerk forward certified copies of this Resolution to the Union County Board of Chosen Freeholders, the twenty-one (21) municipalities of Union County, State Senator Nicholas Scutari., Assemblyman Jerry Green, Assemblywoman Linda Stender, the Association of Municipal Assessors of New Jersey, and the New Jersey State League of Municipalities.

Moved by Councilman O’Connor, seconded by Councilman Mazzarella

Discussion:

John Laezza: Mr. President let me kind of explain it. We are opposing a piece of legislation...it’s basically once again this is piece-meal legislation which is done in Trenton without looking at the big picture. This has been a pilot program and it was supposed to be a three year pilot program, it has not completed one year. If you look at the legislation and read it in its finite condition it basically mandates a revaluation by all 566 communities which will be paid for by the County. In my 60 years I’ve never seen the County be more efficient than local governments, so I don’t know how it will be more efficient. It takes away the role of the Assessor locally from assessing properties. The way I see it, it will basically give all the direction to the cities, and rather avoid the suburban and rural communities in the State of New Jersey of which there are more than 350. So that I think there are a number of problems in this legislation and that’s why we are asking you to oppose it on that matter. It takes away local rule, it takes away a number of things and I don’t see it as a cost saving, that’s why we put it up for your consideration.

No further discussion

Council President Toal directed roll call:

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

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**Resolution 14-118**

**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 18<sup>th</sup> day of August, 2014.

Paulo A. Lopes  
63 Malvern Drive  
Clark, NJ 07066

Moved by Councilman Barr, seconded by Councilman Mazzarella

Discussion: None

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

**CONSENT AGENDA RESOLUTIONS:**

**Resolution 14-119**

**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	#	Acct #	Name	#	Address	Reason		Refund
14	15R	1522-0	Douglas & Camille Termott	47	Byron Place	overpayment		\$125.00
14	16R	1646-0	Vitor Soares	3	Partridge Run	overpayment	\$3,240	\$3,240.00
					<b>Total Refunds</b>			<b>\$3,365.00</b>

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**Resolution 14-120**

**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	#	Acct #	Name	#	Address	Reason	Original	Revised	Credit
14	50	4004-0	O Ice, LLC(Friendlys)	1463	Raritan Road	water issue	\$ 20,514.90	\$ 15,386.18	\$ 5,128.72
14	51	1522-0	Douglas & Camielee Termott	47	Byron Place	SCD	\$ 250.00	\$ 100.00	\$ 125.00
14	52	609-0	Kevin & Janine Ranski	37	Thomas Drive	leak	\$ 4,418.44	\$ 225.00	\$ 4,193.44
			<b>Total Adjustments</b>						<b>\$ 9,447.16</b>

**Resolution 14-121**

**BE IT RESOLVED** the Governing Body of the Township of Clark, County of Union, New Jersey is desirous to enter into a Memorandum of Understanding and an Indemnification Agreement for leaf composting at the Union County Facility; and

**BE IT FURTHER RESOLVED** the Governing Body hereby directs the Mayor to sign the agreement for leaf composting at the Union County Facility on behalf of the Township of Clark.

A motion to adopt the Consent Agenda made by Councilman Barr, seconded by Councilwoman Soyka

Discussion: None

Council President Toal directed roll call:

Aye: Albanese, Barr, Mazzarella, O’Connor, Smith, Soyka, 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.

Delia Collins, 72 Georgia St.: I just wanted... with the advent of the closing and announcement of the Linden Animal Shelter; I would like to charge the township officials and due diligence in finding a proper facility for our pets that are lost in our town. I understand that the contract will end December 31, 2014. The care and concern of the pets of our township are more important than the cost. I know cost has to be considered, but if it was your pet you would want it to go to a place that was safe, clean and humane. There are some things that I don’t know who is in charge of this but I’m sure that the final paperwork is signed by the Mayor and he is not here this evening but I charge the Council when you pick a new facility, care is over cost, that the facility that they may choose is a working rescue group within that facility, an active post on found pets on their pages, concerned animal control officers, a staff veterinarian that would provide emergency treatment for any injured pet that may be picked up in the town, keeping concise records of locations of the found pets within the town, clean and sanitary facility, a separate holding facility for infectious animals, a convenient location for the citizens of Clark to go back and pick up their pets, and the hours of operation should be convenient for any township resident that has to go and reclaim their pet. There are several in the immediate area that I would recommend as an animal activist. There is Woodbridge Shelter, Edison Shelter and the Newark Shelter and I recommend that any township official that has anything to do with this, go to that facility and check them out. Woodbridge has come up in the years and Edison, Newark has come up in the years, they still are working on issues in Newark because it is a city facility and they do take in several animals. Also I wanted to bring up the need for micro chipping. Our animals are still being taken to Linden. Our Animal Rescue Group is having an event at Harley Davidson in Rahway on September 13<sup>th</sup> and there will be K-9 micro chipping available and the

cost has not been determined at this time. We will be posting this on Clark Neighbors and the other Clark Facebook page.

I have a question for Mr. Laezza...last month the Mayor had brought about signage on the public streets. Does that just pertain to township streets or county streets?

John Laezza: It pertains to all right-of-ways. It's illegal to put any signs on right-of-ways.

Delia Collins: And bridges also.

John Laezza: And bridges also.

Delia Collins: Okay. If you get the okay from a homeowner or a...

John Laezza: You can put it on a homeowner's property, not in the right-of-way.

Delia Collins: Okay. And also I want to thank the Department of Public Works. I think they took down a part of a tree that was in front of my home that was within the wires and I thank them for that. They did a very good job. And I did let Mr. Bonaccorso know that they did a good job and they were timely and doesn't even look like they were there, thank you.

John Laezza: Thank you Ms. Collins. It's very interesting that you are interested in it but we've been involved in looking at all these new places ever since we've been notified.

Delia Collins: Yes I know I spoke to Nancy.

John Laezza: So that your charges I think are unwarranted.

Delia Collins: Well you can never be too cautious with the life of a pet.

John Laezza: Looking at the information that you have submitted to us says very little use for costs. Basically the cost we give to Linden is about twenty-three thousand dollars a year. (Delia Collins: right) We've used them seventy-nine times out of the year when the others have used them a thousand times, four hundred and sixty-three, three hundred, and note the seventy-nine forty-three were dead on arrival.

Delia Collins: Yeah well you have a very active rescue community.

John Laezza: But I'm not paying forty-five thousand dollars.

Delia Collins: No we're not asking that either.

John Laezza: You just said cost is no matter to you.

Delia Collins: I'm not saying...

John Laezza: That's what you said and I just want to make sure that cost is a matter.

Delia Collins: Well you didn't tell me you were going to spend forty-five thousand dollars either.

John Laezza: Well that's what Woodbridge wants.

Delia Collins: Well then maybe go to Newark, maybe go to Edison.

John Laezza: Newark hasn't given us a price and the other three have not given us a price yet, but we are working on it.

Delia Collins: Okay I appreciate that.

John Laezza: We are just as concerned as you are.

Delia Collins: All right...well whoever was concerned when we signed with Linden wasn't.

Steven Hund, 314 Parkway Dr.: I just want to ask a question to Mr. Laezza in regard to the brine. Would you be willing to share that distribution with the school districts?

John Laezza: In Clark Township we do the school district. When we have a snow emergency we do all the parking lots of the school districts. We also do the parking lots of the churches. So we are a total community service.

Steven Hund: Okay thank you very much.

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

Council President Toal directed roll call:

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

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

John Laezza: I thought of a few things to say. The Valley Road Project will be completed before opening of school. The paving will be done on that driveway Monday and Tuesday of next week and it should be ready for school. The paving for Dawn Drive will also be done next week. So that will be finished and hopefully we will complete the paving on Ayers Lane before school time. So we are going along very well.

We have to tell the citizens of Clark that Clark Commons which was the former Gypsum property, I have been told by the developer that he has about ninety-five percent of it already pre-renting even before it's up. So we will be anxious to have it up and it's moving along rather smoothly.

And lastly, the age-restricted home on, I hate to say Terminal Avenue and Woodcrest Lane, I think they call it Woodcrest, Building B is complete and fully rented, C is completed and it's being rented as we speak. They've just gotten the permit for the D building and the A building, the affordable housing building is nearing completion, it should be completed by October so that the seniors that will be a part of

the COAH list will have an opportunity to start that entrance so that those two major projects are well on their way to hopefully bring us some additional revenue in 2015. That's all I have.

Councilwoman Albanese: Thank you...Mr. Laezza just a quick question. It looks like the project is almost completed, the emergency project on the west side of the Brewer building the wall facing. It should be done this week?

John Laezza: It should be done this week.

Councilwoman Albanese: Thank you.

John Laezza: And the addition to the firehouse should be done within the next two weeks also.

Councilman Barr: Thank you...I had to chuckle at Mr. Laezza's comment because as the Liaison to the seniors believe it or not how many of them have said you have the senior housing on Terminal Avenue, it doesn't sound so good.

Councilman Mazzarella: Yes one final comment to the residents. Please school will be opening next month, so please as you are traveling through our community be careful and please be mindful of the children that will be walking to and from school and the pedestrians around naturally. We don't want to have a fatality on our hands, so please be careful. And until next month stay safe.

Councilman O'Connor: Thank you. Mr. Laezza when you talked about the right-of-way before about the signs, would you just define what the right-of-way is for those people who may not know.

John Laezza: The right-of-way is basically the area between the curb and the sidewalk. So the property starts about thirty feet in from the middle of the street, that's the town right-of-way.

Councilman O'Connor: Thank you very much I appreciate that. With regard to the project you talked about the Terminal Avenue Project with regard to the paving, thank you very much for the update on that, we appreciate that. Summer is coming to a close as Mr. Laezza did talk about it that it was a very nice and cool summer which I enjoyed. But all the good things must come to an end and as you know school will be starting very soon and just be careful out there. Back in the day they use to have that commercial with the school bus and keep alert, so just keep alert and beware. Years ago my daughter did get hit by a car, so I just want everybody to obviously look both ways and be careful, thank you.

Councilman Smith: Thank you President Toal...I have a question either for Councilman Mazzarella or Mr. Laezza. On the grass pick-up I had a few of my neighbors come to me that it wasn't picked up on Monday. I've been telling them to leave it out because sometimes a truck breaks down or the volume of grass they don't get to complete it all on Monday and I know this past week it took till Wednesday to do it. So is that correct in my assumption.

John Laezza: Basically we did have a problem and it's interesting that you brought it up. On Thursday we had a meeting with the owners of our grass pickup firm and it's a large turn over business #1 with regard to who they get to pick up grass. We told them about the handling of the containers. We talked about the pick-ups; we are going to be putting notifications in their cell phones and their lines for the people to call.

We want them to keep it out because new drivers have been missing some streets. But you know the streets on the perimeter of the town are missed another of times but they will come back and they want you to leave it out.

Councilman Mazzarella: Was this a one-time event?

Councilman Smith: It's happened maybe twice.

John Laezza: It happens now and again and it's usually the same streets.

Councilman Smith: I just tell them to keep it out and eventually they will pick it up. I say to them if it's not picked up by Wednesday or Thursday then feel free to call.

John Laezza: Well they should call in because we have the number and they want us to call. They should always notify us.

Councilman Smith: Okay thank you for that explanation. My second comment back to the brine machine...as Mr. Laezza said a huge savings for Clark and the other townships. It's environmentally safe, it's also safe for our cars, and they won't rust as much from the salt. And the third thing is I believe it takes about a third less salt in the brine solution versus if we would just put salt down. So that's a huge savings right off the bat. And the way it works just to further explain...we will have our own truck with a tank on it; we pull up to Rahway like going up to a gas station and we say fill it up and they fill up with two or three hundred gallon tank on the back of the truck and then we can go as many times as we want, so there won't be any long waits for it and it's on as an on-need basis. And I believe they bill us for it.

John Laezza: Yes we haven't gotten to the details of what the billing will be of the cost of the brine.

Councilman Smith: It's a huge savings and we're thankful for you and the Mayor for looking into that, it's a great idea. (John Laezza: thank you) And that's it for me this evening Brian thank you.

Councilwoman Soyka: Thank you, also about the grass and thank you for your information. You have given me the 800 number where I had one of the residents call and it was taken care of.

I do have a question for Mr. Toal. As you know I had no committee report because obviously I'm only an alternate or a vice chair on the pool committee. Is there any particular reason why Rich wasn't put on any committees?

Council President Toal: Rich was a second vice president of the pool committee and would fill in for the liaison to the pool committee.

Councilwoman Soyka: But that was the only committee he was on.

Council President Toal: That's correct.

Councilwoman Soyka: Okay. I did a little research and in my research I went back in the minutes for the last two years. I found that for this year Angel is on four committees, Al is on four, Frank is on five, Pat's

on four, Bill is on five, you are on four and obviously you oversee for every committee as President. And Rich was only an alternate for one committee. I would like to know why.

Council President Toal: That was the decision that was made at the time.

Councilwoman Soyka: That was you as President.

Council President Toal: For 2014 correct.

Councilwoman Soyka: Was that a punishment for him being he was a Democrat?

Council President Toal: Absolutely not. Councilwoman that's not proper to say.

Councilwoman Soyka: I'm saying this because I'm going to tell you.

Council President Toal: Rich Kazanowski God rest his soul, he was a very nice man.

Councilwoman Soyka: God rest his soul, yes.

Council President Toal: But it was selected from the previous year and so on that was carried over. But to turn around and say it was wrong, that's just not correct, that's improper.

Councilwoman Soyka: I served on this council, not this council excuse me for eight years, and during those eight years one or two of those years we had a mostly Republican council. As a Democratic on that council I served on two or three committees, I wasn't excluded, and I wanted to know why Rich was.

Council President Toal: Rich was never excluded. The committees were formed and they were continued year by year and that was it. Rich never came up to me and said I want to be on this committee or that committee, not at any time, and I've only held it for one year. So I can only answer for 2014 that Rich Kazanowski was on a committee and of what he was on he served honorably.

Councilwoman Soyka: Yes he did, he did. And he was only a vice president. But when you listen to the committee reports from all the council and you hear public works, you hear the finance and legislative or whatever, and parks and recreation, everybody has an input and I would like to know why he didn't.

Council President Toal: He was the committees and you could have spoken on any matter as a sitting councilman on any issue. He had the right to speak on and ask questions.

Councilwoman Soyka: Brian that's not acceptable.

Council President Toal: It is acceptable. It is the truth and that is a fact.

Councilman Soyka: I'm sorry.

Councilman Barr: I remember back when you were President and Sal was on council and he never was picked for anything.

Councilwoman Soyka: Yes he was because I made sure when I was President I made sure that every councilman was on committees. And I did that because I don't believe in separating people and party. When we sit up here as a council, we represent all the people in Clark, it doesn't matter what party we are from. And that's how I see it and that's why I'm asking this question about Rich.

Council President Toal: It's a legitimate question but I'm saying to you that we followed what was before the year earlier, Rich had not at any time said "hey I want to be this or that", he never spoke to me on the issue.

Councilwoman Soyka: Okay. Then let me just finish...

Council President Toal: Please, you have the right Councilwoman to speak your mind.

Councilwoman Soyka: And I am you know that, you know me well enough.

Councilman Smith: May I make a comment...this is my second year on the council and I know when I first got elected Pat was the President and I approached Pat myself and said what committees can I be on. So whether Rich did or not I don't know. I know with the pool committee I made a point to make sure Rich was at every meeting or invited to every meeting and he did make most of them.

Councilwoman Soyka: And the reason for my asking this question is when I took over Rich's position I asked what committees he was on and I was told the pool committee.

Council President Toal: Correct.

Councilwoman Soyka: So assuming that I was involved with the pool committee I called up Ralph and asked him before the council meeting what kind of report I should have and he said to me I've already given that to Bill, Rich was only a vice president. (Council President Toal: correct) I had not known that.

Council President Toal: And Bill would then inform Rich or have Rich at the meetings. When Sheila Whiting was the liaison and I was the vice. I went to the meeting if I was able to make them and same thing Sheila was there and I went to the meetings when I was able to and it's the same thing if Rich chose to go to those meetings which I do not know, I have to go back to the records.

Councilwoman Soyka: I don't know I would have to go back and look.

Councilman O'Connor: I'm a CPA so I asked to be on the legislative committee so you know whether or not, and again Rich never approached me when I was President to say "hey Pat can I be on these committees". So I understand your point and I understand how it looks but we are looking backwards, we don't know what was said, I know what was said to me (Councilwoman Soyka: I don't know either) So I mean you did come here a little bit kind of an accusatory way (Councilwoman Soyka: I'm sorry I didn't mean it that way) I know but that's okay but that's what we are trying to say. So you have the one story, the facts looks like this way, but we don't know what lead to the facts, right. I know Rich never approached me and said "Pat can I please be on these committees", so I can only speak for when I was President. But I know when I became Councilman I said "listen I'm a CPA and I would like to be on the

finance committee and I met with the President I can't remember who it was at the time and I was put on the finance committee.

Councilman Barr: Marie I would like you to check one thing in your records because I believe Sal was never chairman of a committee.

Councilwoman Soyka: I can't say for a fact that it was. (Councilman Barr: I do know that) You do know that. I do know that I argued to make sure that everybody was on committees because we all represent...

Councilman Barr: Ne never chaired a committee.

Councilwoman Soyka: I can't tell you yes or no on that. My memory is not that great I'm sorry.

Councilman Mazarella: I understand what you are saying Marie. You know to my understanding since Rich's tenure he had never vocally asked to be on a committee or to chair a committee.

Councilwoman Soyka: Are you positive of that.

Council President Toal: That's correct under this year.

Councilman Mazarella: Under two years, under Brian and under Pat. He never formally asked to be on a committee, I mean to chair a committee. Yes he vice chairs a committee, he's on public works but he has never gone through to ask to chair a committee.

Councilwoman Soyka: Is that the new process?

Councilman Mazarella: So in my view he was content not being a chair on a committee.

Councilwoman Soyka: But is that the new process that you have to ask to serve on a committee?

Councilman Mazarella: Well the bottom line is this, if somebody really is interested in chairing a committee, don't you think it would be wise... (Councilwoman Soyka: absolutely) and after they go through that and ask "hey listen I would like to chair this committee because I know this" but he has never been vocal with that.

Councilwoman Soyka: With you.

Councilman Mazarella: With the chairs.

Councilwoman Soyka: Okay. I wasn't aware of that but when I saw when I started doing a little research looking for where he served, I couldn't find any other than just one vice chair. And I kind of thought well you know what the process is here.

Council President Toal: Well you could have come to me and we could have tried to look into the manner.

Councilwoman Soyka: Well I just kind of realized this Brian. I'm only on here like two months if that.

Councilman Mazzarella: And I do appreciate what Al was saying because I do remember also that Sal was not chairing any committees.

Councilwoman Soyka: I can't say for sure, I really can't.

Councilwoman Albanese: That's enough, I mean you know in accordance with our ordinances, it's the pleasure of the President of the Council. Each year stands on its own.

Council President Toal: Ok I'm going to finish up and make my final comments. As you can tell folks Labor Day is quickly approaching its two weeks away. Political season has started because we have now the election coming up, four wards are up, please go out and listen to the candidates when they come to your door, listen to the facts not fiction but to the truth.

In memory of Ernie Pauliny, Mr. Pauliny was a longtime Clark Special Officer. He just recently passed away and our condolences to his family. Ernie gave many, many years of dedication to the Clark Special Officers and dedication to the community. We will miss him dearly.

John Laezza: No comment.

Township Clerk: No thank you.

Police Chief Scherb: No comment.

Fire Chief Cerasa: No comment.

First Aid Squad: No comment.

**ADJOURNMENT:**

A motion to adjourn was made by Councilwoman Albanese, seconded by Councilman O'Connor

Council President Toal directed roll call:

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

APPROVED

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BRIAN P. TOAL  
Council President

ATTEST:

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EDITH L. MERKEL, RMC  
Township Clerk

