

**REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ
December 16, 2013**

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk; Richard O'Connor, Township Engineer.

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 P.M. by Council President O'Connor. 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 made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council President O'Connor directed roll call:

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

Police Department Promotion: Kevin Shackelton to Sergeant

Mayor Bonaccorso: Good evening everyone and welcome to the council meeting for December. Tonight we have a special night. We are going to be promoting Kevin Shackelton to the position of Sergeant for the Clark Police Department. Before I do that I would like to just welcome the Shackelton Family here, I know it's an exciting night for you. I would like to point out we have former Chief Denis Connell here, we have retired members of the Clark Police Department, Clark Police Department members, Keith Dunn who is one of them and also the New Jersey State PBA Vice President, our Public Safety Director John DeSimone and of course Chief Scherb.

It's with pleasure I do present Kevin tonight for promotion for the community. Kevin has been a longtime member of the Clark Police Department. He has spent a lot of years in the Detective Bureau and I have confidence that Kevin will do a good job in leading his men and continue to be an integral part of the public safety of this community. So I would like to call up Chief Scherb for a few words and Director of Public Safety John DeSimone.

Chief Scherb: Hi and welcome. Detective Shackelton came to this department in 1989 where he spent the last 16 years in the Patrol Division. In 2006 he was promoted to the rank of Detective and from 2006 to the present time he was in the Detective Bureau handling all criminal investigations for us. I'm proud tonight to honor him and move him up the rank to Sergeant where come January he will spend his time in the Patrol Division as a Supervisor.

Public Safety Director John DeSimone: Well first of all before the ceremony I would like to congratulate you, I won't have to do it afterwards. And by the way I found your badge. We spoke about your badge, we found it, and it's over here.

You know it's a pleasure being up here looking at you Kev, because I can relate with you. I was in the same position as you were many years ago. A long time on the job, a long time coming but it finally came, so again congratulations ahead of time and of course to your beautiful family.

Mayor Bonaccorso administers the Oath of Office to Sergeant Shackelton

Sergeant Shackelton: I would just like to thank everyone for coming and the Mayor and the Council for this opportunity.

Mayor Bonaccorso: Kevin did his last piece of Detective work this morning after being in the Bureau for a lot of years. He had to do an investigation on where his gun belt was, so we are happy to say that Kevin just found it, it was under his bed. But anyway I would like thank everyone for coming on a great evening and I want to wish of course everyone here and at home a very Healthy and Happy Holiday Season, a Merry Christmas and a Happy New Year. And hopefully it will stop snowing and no one will fall on the ice. So thanks again.

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

Council President O'Connor directed roll call:

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

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor Bonaccorso: Thank you Mr. President, good evening Members of Council and ladies and gentlemen.

First off I would like to thank all the people who attended the Breakfast with Santa. There were over 700 people at the Gran Centurions and it was quite a morning to see all the little guys and girls sitting on Santa's lap. It's fun. But I would like to thank Gary Ruane from the Gran Centurions for hosting an outstanding party. There were very few backups in line and everything moved along real well. I would also like to thank Steve Kulbaba who helped me get Santa Claus there. He seems to have a cell phone and I'm able to get him that way. And I would like to also of course thank Fran Flammia my confidential assistant for all of the work she puts in with

scheduling and running the morning for me. I really do appreciate it. I would also thank Ralph Bernardo and his entire staff and his volunteers who helped once again have an outstanding holiday celebration with our Christmas tree and Menorah lighting. It was again a real hallmark of the community and we heard nothing but great praises on another wonderful, wonderful holiday in Clark.

A lot of congratulations today: I would like to thank and congratulate the DPW on doing a very good job on the leaf cleanup this year. I know there are some properties out there that still have leaves on them. But rest assured that as soon as this stuff melts you will be able to get them out into the street and we will continue to pick them up. And I believe this will melt sooner or later. They are saying maybe it will be in the 50's on Sunday or something, so who knows. But after that folks please try to get them out as soon as possible, so we can end the leaf cleanup. They also did a great job on the streets this week, everything was down to blacktop, and they worked hard. You know it's a tricky kind of snow. We have big trucks, we have big plows, and you knock the heck out of the blades if you don't have at least you know three inches on the ground. And I don't know if there was quite three inches, maybe there was, but you have to make the call when to go because with the freezing temperatures the whole town would have been an ice skating rink. So they made the right call and they did a great job and I want to thank the men again for a great success in doing that.

Congratulations to the Pop Warner Junior Midgets. The Junior Midgets were first in New Jersey in their Pop Warner category. They won the State Championship. And I think that is just a tremendous achievement for these young boys. Also for our Cheerleading Team, the Midget Cheerleaders regained 2nd place in the Regionals here in New Jersey. And they finished #5 at the National's in Disney being the 5th best team in the country they also did an outstanding job. I would like to thank and congratulate all of them. And I would like to mention it to Council and to Madam Clerk that they would like to come to our meeting like they did last year to be once again recognized and I told them that I think January would be a good time.

I just want to mention to everyone again this is going on year fourteen; folks when snow comes please try not to blow the snow out to the street when you are cleaning your driveway. Look if you do it before the plow gets there, well that's fine, but once the street is down to blacktop and you blow snow out there, it freezes and you are going to have ice and you are going to call us and say we didn't plow your street which is untrue. Why we can minimize that discussion on my street wasn't plowed...we have GPS's in all of our trucks, we know every street they are on and they go down every street. So again I know sometimes you are blowing snow and the wind is blowing back at you, it makes it a little bit difficult. But if you blow it in the street, safely go out there and crank your shoot down and blow it back into the curb so you don't have an ice patch in front of it. As the snow gets deeper if they do, I mean we are due because we had a few years with not much at all. As I'm going to tell people anytime you can put your car in your driveway and even up your lawn to get it off the street it makes it a heck of a lot safer and easier for our men to go through the town in a timely fashion, especially up in some of the smaller streets we have in town. I want to just remind you that when we go down the road and there's cars on both sides of the street, we are going to make a path down the middle of the street, people go to work we will be glad to send the trucks back down there and clean it curb to curb. So again as the snow gets deeper, our first goal is to get everything opened for public safety. Depending on how

many inches we have and we've seen some doosies over the years, we will continue coming back around the community until everything is done to the satisfaction of this administration. And we have good men who are out there working hard. So help them make their job a little bit easier. It's not fun sitting in the truck 12 to 20 hours plowing. It gets monotonous, it gets boring and you know you get tired out there. So anything you can do to help these men achieve a quicker job and a safer job for them and one to your satisfaction would be greatly appreciated. And that concludes my report for tonight Mr. President, Members of Council, and thank you.

Business Administrator Meeting Summary:

John Laezza: Council President, Members of Council just to give an overview... basically at the end of the year there are certain items of appropriation that need transfers. We have a transfer resolution for your action. You are also entering into a Federal Cooperative Agreement on a contract basis to acquire certain equipment at a more cost effective way with the nationally cooperative contract. Our Fire Department has given us guidelines to award the clothing allowance based on merit rather than just breathing and the council approved the concept and accepted it, so that we will get some incentive for the volunteers that don't want to make all the calls. We went through the open and public proposal set forth by the State of New Jersey for Professional Services and we will be awarding the contracts for the Professional Services for 2014, that's about it.

Township Clerk: I have the police, fire and first aid reports for November, they have been filed and are in my office for anyone who would like to see them.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: No report this evening.

Councilman Barr: Thank you Mr. President... the police dispatcher had the fire department respond to 47 calls last month. And thankfully those calls are some kind of false alarms whether it's bad batteries or other faulty equipment. But this last month out of 47 calls 6 were actually working fires; whether it was in homes or brush and there were four passenger vehicle fires with one extrication. One thing the fire department asked me to please and I had said this a few months ago and I'm going to say it again, make sure you check the batteries in your smoke or carbon monoxide detectors, it's really so important. And another thing, if you have senior parents who are living alone or one parent living alone or if you have a neighbor who is a senior, it's really important that they have their fire system attached to the central office, because we've had incidents where there were working fires and the seniors were asleep. They really didn't hear the alarms but because they were connected to central, it automatically went to the police department who had the fire department respond. And if it wasn't that they were connected to central, the results could have been much worse. So if you have like I said elderly parents who are living alone or you have a neighbor who's living alone and is elderly, see if you can get them to have their system connected to the central office. And that concludes my report.

Councilman Mazzarella: Yes thank you Council President, I have three brief reports. One of course is our Police Department's summary for November. There were a total of 2,590 calls for service of which 87 were ambulance requests, 7 fire department requests, 90 alarm calls, 3 vandalism, 61 were motor vehicles and 2,313 were miscellaneous calls. Again our police department is out there keeping our community safe and I want to thank them for that. Next is our Public Works; first I want to dovetail on what the Mayor had said, it was very impression to see how much effort our Public Works personnel did out there for snow removal, a job well done. But there are a couple of other things that I have to pass on from our Supervisor from Public Works. Naturally the leaf and branch season has ended, do not put any out into the street, mixed with the snow we will have a hazard. If you have sidewalks in front of your home, they have to be cleared from snow and ice within 24 hours after the snow has ended. And there's a list of emergency streets that we have on record here, please do not park your vehicles on those streets during a snow emergency. Put them in your driveway or if your neighbor has some room in their driveway, it makes it an overall better program for our personnel to clear the streets adequately the first time. And like the Mayor said, we are going to make a pass right down the center and it's you know if they can clear the street from curb to curb it would be a benefit to you and Clark Township as a whole. Naturally, don't keep your basketball nets in the public right-of-ways, especially now during snow emergencies because they are going to get clipped and they are going to get destroyed. That's the extent of my public works report.

I want to mention one more thing regarding the RVSA (Rahway Valley Sewerage Authority) well we have a little Christmas gift again this year. Because of our efficiency and clean effluent during our processing, the DEP has granted us a lot of grants that we can roll into doing our routine maintenance. That is going to realize an increase in our budget of only .94 percent this year. That's less than 1% increase. And because we have been stream lining our operations doing more with less like we are doing in Clark that also is a major factor on the reduction on the minimal increase. The other thing is we have a five year rolling average we are ending up, this is probably one of the last years we are going to be realizing such a good increase this year. Clark is going to see a three hundred and thirteen thousand decrease in our sewer charges. That's another significant year but we are pretty much at the end of this five year rolling average. Next year it will be less than this but it's a good thing for Clark. So I just wanted to pass those comments on to you, thank you.

Councilman Toal: Yes Sir... Thursday, November 21, 2013 the Clark Environmental Commission held its regular monthly meeting. A discussion was held on a possible spring clean-up. If you remember we did not have a fall clean-up. So that means more of these types of things (held up a plastic bottle) collecting out in our Reservoir. So what we are asking to do is we are trying to get some ideas of what we can do for a spring clean-up. There's a clean-up done along the Rahway River up near the Rahway Park area that Joe Seebode conducts with the Cub Scouts. So we are trying to come up with some ideas. They had a meeting on the 21st and we are going to have another coming up on December 18th and we are asking if you feel like coming out with some ideas of keeping Clark clean and green. And they will have their meeting at 7:30 in Room 30 at the Brewer Municipal Building. And we are also in need of a member; we are seeking new members, if you are interested in joining the Environmental Commission please talk to the Clerk for the process to go through to become a member of the Environmental Commission. We are

looking for members. We ask you to come on out to join and help keep Clark clean, green and safe.

I just want to take a moment...Councilman Barr had mentioned we had a house fire on Lefferts Lane. Especially at this time of the year that kind of thing really hits home when you have the holiday decorations and stuff like that. I'm not giving a lecture, I'm just trying to say if you see the damage to that house and what happened to those residents' home, it just sends the chill through you and we have enough of cold air outside to do that. But please be safe. If you see that house; a homeowner has been displaced, it was near tragedy. Thank God even the dog was saved thanks to the valiant efforts of our Clark Volunteer Fire Department. As friends of mine Lefferts Lane community came out and they are helping out the resident. But please be safe; keep an eye on your house and especially with the holiday decorations. Thank you Mr. President that's all I have for committee reports.

Councilman Kazanowski: No report this evening.

Councilman Smith: Thank you President O'Connor, I have the recreation report for this evening...Ralph Bernardo is sending out a list of homes that have entered the town wide holiday house decorating contest. They will be going out this week. He asked if you drive around town and you see houses that you like, please cast your vote with Ralph. You can send it via email to rbernardo@ourclark.com or there's a ballot box outside his office. Friday night roller skating has begun in the front gym at Brewer 6 to 8 pm. That's for children up to the 5th grade, and this is a free service for the residents. The winter programs; this is a reminder to sign up the programs and classes that start in early January. He asked that you don't wait until the last minute because they do fill up quickly. Holiday tree lighting and the menorah lighting on Thanksgiving weekend was attended by a record number of residents this year. The Town Council and Administration want to thank Ralph and the many volunteers. He had a huge outpouring of volunteers on that Saturday morning to set up and decorate Brewer, so we are thankful to all the volunteers who came out. It was another great event that Ralph put together. Indoor soccer begins January 3rd and 4th, if you are still interested in signing up, please contact Ralph. And lastly he is sending out a save the date request for January 18th. That is the Clark Family Skate Night at Warianco Park; it's closed to the public, only opened to Clark residents. Tickets will go on sale the first week of January and again contact Ralph. And that concludes my report this evening.

Council President O'Connor: And I have a report from the Emergency Squad. During the month of November there were 127 total ambulance requests, the most frequent call types were falls, motor vehicle accidents followed by breathing problems. So again these are volunteers taking their time along with the fire department to go out and serve the community. So I would like to say thank you to them.

PAYMENT OF CLAIMS: Council President O'Connor, Chairman of the Finance Committee made a motion to approve the payment of claims on current and capital expenditures in the amount of \$148,079.58 for the period ending December 12, 2013, seconded by Councilwoman Albanese

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

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

RESOLUTIONS:

Resolution 13-153

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, in the County of Union and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2013 budget appropriations in accordance with the attached schedule of transfers.

Moved by Councilman Mazzarella, seconded by Councilman Barr

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

Resolution 13-154

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN NATIONALLY APPROVED COOPERATIVE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO NJ LAW P.L. 2011, c. 139

WHEREAS the Governing Body of the Township of Clark, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative as well as Federal Supply Schedules; and

WHEREAS the Governing Body of the Township of Clark has the need on a timely basis to purchase goods or services utilizing the Federal Supply Schedules; and

WHEREAS the Fire Chief has recommended that the Township use H-GAC Cooperative Purchasing for the purchase of Fire Equipment; and

WHEREAS any purchase made by the Township of Clark, through this Resolution shall be subject to the conditions applicable to the current National Cooperative.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Chief Financial Officer and/or the Business Administrator to purchase certain goods or services through H-GAC Cooperative Purchasing Program pursuant to all conditions of the National Intergovernmental Purchasing Alliance Cooperative; and

BE IT FURTHER RESOLVED that the Business Administrator is hereby authorized to sign the Interlocal Contract between the Township of Clark and H-GAC.

Moved by Councilman Kazanowski, seconded by Councilman Smith

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

Resolution 13-155

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby accepts and authorizes Fire Department Standard Operating Guideline #103-7-1 which outlines the requirements and payment schedule for the annual clothing allowance as attached and made a part hereof; and

BE IT FURTHER RESOLVED that a change in said Guidelines requires action of the Governing Body in response to the approval and recommendation of the Fire Chief and Business Administrator.

Moved by Councilman Barr, seconded by Councilman Mazzarella

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

Resolutin 13-156

WHEREAS there exists a need for an Auditor for the Township of Clark; and

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS one (1) proposal was received for the professional position of Auditor and publicly opened at 10:00 am on December 4, 2013; and

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Proposals (RFP) and recommend award of professional services contract to Wiss & Company, LLP to perform the Audit.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Wiss & Company, LLP in accordance with NJSA 19:44A-20.5.

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator is hereby authorized and directed to sign a contract with said firm.

Resolution 13-157

WHEREAS there exists a need for per diem Engineering Services including the duties of the Municipal Engineer for the Township of Clark; and

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS one (1) proposal was received for the position of Professional Engineering Services under the duties of the Municipal Engineer and were publicly opened at 10:00 am on December 4, 2013; and

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Proposals (RFP) and recommend award of professional services contract to the firm of Grotto Engineering Associates, LLC for the year 2014.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to the firm of Grotto Engineering Associates, LLC in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator is hereby authorized and directed to sign a contract with said firm.

Resolution 13-158

WHEREAS there exists a need for Labor Counsel for the Township of Clark; and

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS one (1) proposal was received for the professional position of Labor Counsel and publicly opened at 10:00 am on December 4, 2013; and

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Proposals (RFP) and recommend award of professional services contract to Apruzzese, McDermott, Mastro & Murphy for the year 2014.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Apruzzese, McDermott, Mastro & Murphy in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator is hereby authorized and directed to sign a contract with said firm.

Resolution 13-159

WHEREAS there exists a need for Bond Counsel for the Township of Clark; and

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS two (2) proposal were received for the professional position of Bond Counsel and publicly opened at 10:00 am on December 4, 2013; and

WHEREAS the Business Administrator and Chief Financial Officer have reviewed all documents required by the Request for Proposals (RFP) and recommend award of professional services contract to Rogut McCarthy, LLC to the professional position of Bond Counsel for the year 2014.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby awards a contract for Professional Services to Rogut McCarthy, LLC in accordance with NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator is hereby authorized and directed to sign a contract with said firm.

Resolution 13-160

WHEREAS in accordance with NJSA 19:44A-20.5 proposals have been solicited through a fair and open process as advertised on the Official Website of the Township of Clark; and

WHEREAS qualification submissions for the position of Special Counsel/Director of Law to represent the Township in litigated matters, contested tax appeals and to provide such other extraordinary legal services as may be required from time to time and to perform such services as are required by the Director of Law pursuant to ordinance were received on December 4, 2013 and publicly opened at 10:00 am; and

WHEREAS proposals were received by the Business Administrator and Chief Financial Officer with a recommendation to award the firm of Triarsi, Betancourt & Wukovits, LLC for these services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby approves a contract for professional services with Triarsi, Betancourt & Wukovits, LLC, 186 North Avenue East, Cranford, NJ 07016 to provide litigation and tax appeal services to the Township together with such other legal services as may be required by the Director of Law pursuant to ordinance; and

BE IT FURTHER RESOLVED that the value of the contract is subject to the 2014 budget appropriation; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to sign a contract with said firm.

Resolution 13-161

BE IT RESOLVED by the Governing Body of the Township of Clark pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark, that it does hereby appoint the following named individuals as Class 1B and Class II Special Law Enforcement

Officers to serve for the period commencing January 1, 2014 and concluding December 31, 2014.

Class IB	Beceiro, Anthony R	60 Wendell Place Clark, NJ 07066
Class IB	Burlew, Chris	887 Dona Road Union, NJ 07083
Class1B	Bielski, Valerie	412 Laurel Avenue Roselle Park, NJ 07204
Class IB	DeVre, Arthur	87 Lincoln Blvd. Clark, NJ 07066
Class IB	Flicek, Francis	43 Lefferts Lane Clark, NJ 07066
Class IB	Leonardis, Richard	239 Old Tote Road Mountainside NJ 07092
Class IB	McKenna, Shaun	54 Ross Street Clark, NJ 07066
Class IB	Ringwood, Tom	64 Gertrude Street Clark, NJ 07066
Class IB	Stankwich, Margaret	151 Gertrude Street Clark, NJ 07066
Class IB	Tarantino, Robert	25 Blake Drive Clark, NJ 07066
Class II	DeLuca, John	54 DeWitt Lane, Hillsborough, NJ 08853
Class II	DeMarzo, Victor	39 Mildred Terrace Clark, NJ 07066
Class II	Janus, Bob	8 Wendell Place Clark, NJ 07066
Class II	Kovacs, Michael	1 Van Pelt Drive Whitehouse Station NJ 08889
Class II	Mason, Eric	272 Westfield Avenue Clark, NJ 07066
Class II	Pollock, Sr., Michael	28 Terhune Road Clark, NJ 07066
Class II	Santoro, Paul	1486 Elaine Terrace Union, NJ 07083
Class II	Ehling, John	1921 Crescent Pkwy. Linden, NJ 07036

Resolution 13-162

WHEREAS it is necessary and desirable in order to insure the general health and welfare of the residents of the Township of Clark to provide uniform procedures for administering the issuance, renewal and revocation of licenses for the placement of clothing bins within the Township; and

WHEREAS the enabling legislation adopted as Ordinance 09-20 and amended by Ordinance 12-06 provides for enforcement by the Police Department and the Township Zoning Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that the following clothing bin operators having met all the requirements of Chapter 117 of the Code of the Township of Clark are hereby approved in accordance with the law; and

BE IT FURTHER RESOLVED that the Police Chief is hereby authorized and directed to issue permits to the vendors listed as attached and made a part hereof, to be displayed according to law effective January 1, 2014 through December 31, 2014.

Resolution 13-163

WHEREAS the Treasurer/CFO has certified that a sewer utility account requires a balance adjustment; and

WHEREAS the Business Administrator has reviewed and approved the sewer fee adjustment.

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 adjustment according to the following schedule.

<u>Ref</u>	<u>#</u>	<u>Reason</u>	<u>Acct#</u>	<u>Name</u> <u>Original</u>	<u>Revised</u>	<u>Credit</u>	<u>Address</u>
13		75	747-0	Lettni & Son Inc.			97 Stonehenge Terr House
Demo		\$225.00	\$112.50	\$112.50			

Resolution 13-164

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2013 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
13	18R	5022-0	Jeannette Black	18	Sunset Drive	Water issue	\$3,120.00
13	19R	2502-2	Target Stores	PO	Box 908	overpayment	\$171.84
13	20R	4714-0	Ramiro Castro	1113	Maurice Avenue	overpayment	\$353.85

13	21R	5136-0	Angela Porchetta	1551	Raritan Road	overpayment	\$14.85
13	22R	2106-0	Maria Raimondi	9	Cutler Road	overpayment	\$9.31
13	23R	3046-0	John & Elisa Borja	30	Stanton Street	overpayment	\$112.50
13	24R	5136-0	Patrick Cook	1551	Raritan Road	overpayment	\$14.85
							\$3,797.20

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

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

NEW BUSINESS ON THE CALENDAR:

Resolution 13-165

Governor’s Council on Alcoholism and Drug Abuse
 Fiscal Grant Extension January 1, 2014 to June 30, 2014

WHEREAS the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS the Township Council of the Township of Clark, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS the Township was approved for a Municipal Alliance Grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS funding has been made available to Clark Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match Grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Township Council does hereby authorize the submission of the grant extension for the Clark Municipal Alliance Grant in the amount of:

DEDR	\$22,110.00
Cash Match	\$ 5,527.00
In-Kind	\$16,583.00

The Township Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

APPROVED: _____
Salvatore Bonaccorso, Mayor

CERTIFICATION

I, Edith L. Merkel, Municipal Clerk of the Township of Clark, County of Union, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 16th day of December, 2013.

Edith L. Merkel, Municipal Clerk

Motion to add Resolution 13-165 made by Councilman Kazanowski, seconded by Councilwoman Albanese

Discussion: None

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

Motion to adopt Resolution 13-165 made by Councilman Kazanowski, seconded by Councilwoman Albanese

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

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’m here regarding the cell tower that’s being planned on the Access Self Storage. I understand there was a meeting of the Zoning Board regarding this application for the cell tower. Can you tell me what the footage or whatever for a homeowner that is going to be affected by this cell tower is according to the township...like if you live on Georgia Street and the cell tower is going to be on the Access Self Storage...do they have to notify within how many feet of the change.

Attorney Triarsi: The law requires to property owners within 200 feet.

Delia Collins: Oh 200, okay.

Attorney Triarsi: But there will be notice published in the paper as well and anyone in the community can appear at the hearing whether they're within 200 feet or not to voice their support or opposition.

Delia Collins: Okay. Basically all my questions have to be addressed to the Zoning Commission (Attorney Triarsi: yes) and I understand they will be meeting on the 29th.

Township Clerk: I don't recall exactly but I can check if you want to call me tomorrow.

Delia Collins: Yeah well I think that's what they said in the Patch.

Township Clerk: It should be on the township website also.

Delia Collins: Oh okay, thank you.

Fernando DeLima, 54 Georgia St.: The reason I'm here is I heard recently you got a letter from a lawyer concerning the cell tower. I wasn't exactly aware where the cell tower was going to be put and talking to some of my neighbors and supposedly it's going to be directly behind my own house. Okay when I moved to Clark I knew I had a freight train where I was moving to, okay I can deal with that I knew what I was buying into. Then the self-storage went up, alright, now they are going to put a 125 ft. cell tower right behind my house. I mean when does it stop? Is there any other place in the industrial area they can put this thing up? I mean we have enough stuff back there to deal with it. It's a quality of life issue if you ask me. If I have a party or anything in my back yard and now I have to look at a 125 ft. cell tower. Whoever is in charge and responsible to make a decision on this, if they can think about this before they give the go ahead would be kindly appreciated. If there is somewhere else within the town in another industrial part of town that doesn't affect residents I would kindly appreciate that.

Council President O'Connor: We are just saying that you should appear at the Zoning Board meeting.

Mayor Bonaccorso: Fernando we can never stop anyone from making an application. The Planning Board of course is for basically in a nutshell to hear applications that are permitted in the zones. The Zoning Board is for applications that are not permitted in the zones, different requirements they may require. So if you are opposed to this, please go to the meeting and voice your concerns and I think you have some responsible zoning people who will weigh the issue out fairly to make a decision.

Fernando DeLima: I never had a problem. I've been up here before with other complaints but that was a long time ago. Okay so I don't want to go down as one of the Picton Street trouble makers like we use to be called but okay thank you very much.

Mayor Bonaccorso: Not by me.

Fernardo DeLima: Thank you very much and Merry Christmas to everybody.

Mayor Bonaccorso: You too buddy.

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

Council President O'Connor directed roll call:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Yes Mr. President...I would like to of course wish the community a very Merry, Merry Christmas and a Happy New Year and a Happy Holiday season that I want to cover everyone here. I hope our Jewish neighbors had a wonderful Chanukah earlier this month. I'm sure they did and I wish them well for that. You know it's getting to that time of year where the hustle and bustle starts the pressure of the moment, you know that's coming is there every minute of the day and you know what, just take it in stride. You know Christmas is a great time of year, it's about the kids, my kids first and foremost and I'm happy about that to do what I need to do, but you know don't get stressed over it. Also remember folks it's a very depressing time of year for people that may have lost loved ones and are maybe ill, so you know if you know anybody in that frame of mind, there's nothing wrong with going to ring a doorbell and putting an arm around them and wishing them the best and be there for support as a friend. I'm sure if God forbid I was in that condition, I would appreciate somebody doing that for me. Enjoy your family, enjoy your friends, enjoy the community and try to buy some holiday presents in our local stores here in town, especially Shop Rite, they never do a lot of business at the holidays, I have to park in Target to get to Shop Rite, but anyway God Bless them because they give a service to the community. But enjoy and have a great holiday season, God Bless, and we will see you here for the New Year and I'm sure there's going to be some new challenges.

Councilwoman Albanese: Thank you...I just want to say about the holiday tree lighting, it was really nice that we had great weather. And it was really a joy to see all the kids enjoying the pony rides, the cars, the little trains and you really couldn't believe all that was happening in Clark. It was just like a postcard evening. I just want to wish everyone a happy and healthy holiday season and I look forward to seeing everyone in the New Year, thank you.

Councilman Barr: Thank you Mr. President...I just want to quickly re-emphasize when I was talking about checking your smoke and carbon monoxide detectors, the fire that Councilman Toal was referring to was at 4:15 in the morning and I did respond to that. And I have to tell you check your units because watching somebody's home on fire is heart wrenching, it's just horrible. So be safe, thank you.

Councilman Kazanowski: Yes thank you...I would like to congratulate Kevin for getting promoted to Sergeant. He has been around for a while and I'm sure he will be making a very fine Sergeant in keeping everybody in line. And I would also like to wish everybody happy holidays and a healthy and prosperous new year and see you next year, thank you.

Councilman Mazzarella: Yes thank you...I just want to wish everyone a Merry Christmas and a Happy New Year. And I'm sure a lot of people will be getting a lot of presents with paper and cardboard, please don't forget to recycle, it's very important. And to you our President thank you for a wonderful year of your leadership. It's been a smooth year, thank you.

Councilman Smith: I just want to congratulate Kevin Shackelton for his promotion. And I also want to wish everyone Merry Christmas, Happy New Year and we will see you next year.

Councilman Toal: Thank you Mr. President...to those we've lost in the last month, it wasn't just a resident, this was a friend of this community for a long time, he had two daughters and he had a son, and his son is very active in this community with regards to being a Good Samaritan. I'm talking about Bill Clark. Mr. Clark a longtime resident of the Township of Clark was very active with the American Legion Post 328, the sports club that use to meet at the Log Cabin; Mr. Clark was involved with that for many years and many other activities in this community that he was involved with until his old age and health kind of slowed him up a lot. But he always had a smile on his face; he was always there for anybody who had a question or a need. He had a lovely daughter who name is Bonnie. And Bonnie was a school teacher over at Carl H. Kumpf school which was then called Mildred Terrace and she was my school teacher and what a wonderful lady who always helped us to learn to play tennis and to be a good student in gym. We also have Dave Clark who has been a longtime Good Samaritan to this community. And I want to explain what Dave Clark means to me and the reason I'm bringing up his father. When I have a resident who calls me up and says Brian we need this, we need that and the town doesn't have money for that kind of extra stuff...so Dave Clark helps me out to go over to maybe a resident who has an issue with a sidewalk or something else and Dave doesn't say "I don't have the time", he just goes and does it. And I ask him to help a resident who is in her 80's or maybe needs to have that sidewalk shoveled because there's no one else to do it and the town got notified because it has to be done. And he will go out and do it because I ask him and that's why it's called loyalty to the community and you don't get that kind of loyalty, dedication and commitment to the town without it coming from the mom and dad. So Mr. Clark you will be missed and the Clark Family are in our prayers, what a wonderful man and we will miss him dearly. And to Dave, Bonnie, Denise, Bret, Lisa and Drew our deepest sympathies to you on your loss.

Now the Mayor said two months ago, I'm saying it again tonight, shop Clark and buy Clark. We have 9 more days and if you haven't bought anything, please buy in the Township of Clark. Support the business community in the town, there's 9 more days. It's very important to help the community and the business community with the economy being the way it is but it's really something special to help out your local merchants.

January 1, 2014 will begin the 150 anniversary of this community, 150 years ago a bunch of disgruntled farmers who were residents of the 5th ward of Rahway got angry. They were feeling that their taxes were going elsewhere in the community. So what they did was, they petitioned the State and said "to heck with Rahway, we are going to be our own community, we are going to name it after an American Patriot Abraham Clark". And they created what we know as today as the Township of Clark. From 1864 to 2014 for 150 years we've been a community growing, learning, nurturing, arguing but being community the place we call home. I will be working with

the Mayor and talking to the Mayor about setting up a special committee to have an anniversary committee to do various events to commemorate historical events from our past so we can teach the next generation about some wonderful people who have touched this community and have given their time and will continue giving their time for next year.

Mr. President you did a great job, Pat again given back to your community, I thank you for everything. Have a great holiday everyone and Merry Christmas.

John Laezza: Mr. O'Connor it's been a pleasure as usual to serve under your leadership. I think when the Mayor was talking about stress he was talking about an Administrator's job at the end of the year. Everybody has a holiday; I have to close your books. You will be happy to know that I won't have any trouble closing the books because we are still a fiscally sound community and we'll keep it that way as long as we can.

The Mayor failed to say that the re-organization meeting is not on New Year's Day, it's on January 6th at 7:00 pm. And I hope to see you all here. I hope your speeches are eloquently thought out and short so that we can enjoy the festivities of the season. We will have a temporary budget for you that day retroactive to January 1, we will pay some bills because we're going to be continuing when you adjourn tonight, make sure you don't adjourn it totally, it's still an opened agenda until our reorganization meeting. With that a Merry Christmas and Happy New Year to the Council and I'll see you on January 6th if not sooner.

Police Chief Scherb: I wish you all a happy and safe holiday.

John DeSimone: I'm going to take a moment...first I want to wish everyone in the community, Mayor and Council a very Merry Christmas and Happy New Year. And one thing that has been troubling me lately, not only in Clark but all over. For the people of this community and all over, be aware of your surroundings. I have noticed soliciting at doors and I've heard friends of mine tell me that they saw so and so and so and so...what did you do? I called John, I call my neighbor...no, no you call the police, be aware of your surroundings, that's what we are here for. Like I say it's a joyous time for everyone but it's a dangerous time.

Rob, Emergency Squad: Merry Christmas to all.

Township Clerk: I just want to say thank you for this year, it was a pleasure working with you... Merry Christmas.

Attorney Triarsi: Mr. President, Mayor...Happy New Year, Merry Christmas, safety and health in the new year, Mr. Laezza to you as well and Members of Council. Enjoy the holiday season and let's be careful as Councilman Mazarella said and let's have a Happy and a Healthy Christmas and New Year holiday season. I would like to have the Council sit in Executive Session for a few minutes before we adjourn. I have a report to give them on a legal issue and then after that report is given, then of course you can take the dais again and move to adjourn the meeting.

Council President O'Connor: Okay before we do that, I would just like to say Merry Christmas and Happy New Year to everyone, Happy Holiday's. The festival that Ralph put on was great, we had a good time. But more importantly I would like to say thank you to the Council for their support of me in my position of Council President this year. They were here to support me whenever I needed it. As well I would like to thank Edie and the Clerk's Office for all the work that they did with me assuring that the meetings came off without a flaw. And again, to the Administration, as well working with me to ensure another great year, and again as far as Administrations goes, I mean Sal made reference that it's his 14th year, Mr. Laezza I believe it's your 14th year as well and I believe ever since then it's been balanced budgets and getting Clark back on its feet and it's been on its feet a long time now, so thank you for all of your hard work.

A motion was made by Councilman Kazanowski to go into Private Session, seconded by Councilwoman Albanese

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

EXECUTIVE RESOLUTION
Resolution 13-166

WHEREAS Section three (3) of the Open Public Meetings Act, Chapter 231, P. L. 1975 permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS this public body is of the opinion that circumstances presently exist; and

WHEREAS the Mayor and Council wish to discuss:

Pending Legal Matters and ongoing Police Dept. investigation
Passaic River Litigation

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from the meeting; and

BE IT FURTHER RESOLVED that the subject matter of this meeting will be released when the reasons for discussion and action on it in closed session no longer exists.

Motion to Resume Regular Order was made by Councilman Toal, seconded by Councilman Mazzarella

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

Attorney Triarsi: The record should reflect that we discussed the pending Passaic River Litigation, and an investigation that is pending in the Police Department.

ADJOURNMENT

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

Council President O'Connor directed roll call:

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

APPROVED

PATRICK O'CONNOR
Council President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk