

**REGULAR COUNCIL MEETING, 430 WESTFIELD AVE., CLARK NJ**  
**February 17, 2015**

**ROLL CALL:**

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

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

Absent: Mayor Bonaccorso

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 P.M. by Council President Smith. 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 and the Union County LocalSource, 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: Thank you Council President and Members of Council. Tonight the Mayor and the Administration has submitted the Administration Budget for review of Council. The Budget you have gotten is within the guidelines of the State of New Jersey within the 2% Cap within the 2% Cap Levy. It meets all of the criteria. We believe we put in sufficient monies to satisfy the wants and the needs of the Department Heads and the citizens. We hope the Council reviews in the same light. It is a Budget that in total is twenty one million nine hundred seventy-two thousand, seven hundred and seventy-eight dollars which is six hundred and three thousand in excess of the prior year's budget. However, the taxes are 2.3 so a hundred thousand dollars assessed valuation would be increased by twenty-three dollars based on this Budget for municipal services only, it does not include the Board of Education or County Budgets, they are on their own. We would recommend that when Council meets, if they do meet, and the Finance Committee meets we would like to have it introduced at the Workshop Meeting of March 2<sup>nd</sup> so that (Council) could adopt it in April. We believe it meets all the needs that are required. The beginning of the year on our Temporary Budget has been kind of hectic with the weather pattern that we've had as it relates to ice and snow and salt and the use of overtime. But we are working pretty well within those criteria and we believe we've done a good job. The DPW has done an outstanding job in trying to get the roads cleaned and smooth; the brine is working very well, so we've been very happy with that operation. Other than that we are ready to pursue the rest of the meeting.

Township Clerk: I have the police and fire reports for the month of January 2015 received and on file in my office and I hope to receive a first aid squad report shortly.

**REPORT OF COUNCIL COMMITTEES:**

Councilwoman Albanese: Thank you Mr. President. I have a report from our Library Director Dawn Jenkin. I want to tell you about some exciting programs that are coming out in the near future. This Sunday, February 22<sup>nd</sup> will be “Take your Child to the Library Day” there will be performers and ice cream which will be donated by the Friends of the Library and also a Scavenger Hunt for children. Saturday, February 28<sup>th</sup> AARP will conduct a Drivers Safety Class for seniors. And this is a great opportunity to reduce your insurance cost. So you have an opportunity to save money on your auto insurance if you attend this class on February 28<sup>th</sup>. The following Sunday on March 8<sup>th</sup> there will be a Starlab Astronomy Program with Pearl Observatory. And then the following Sunday on March 15<sup>th</sup> there will be a program covering the history of the Dr. Robinson Plantation Museum. I believe that will be at the Dr. William Robinson Plantation Museum.

Just a couple of other announcements; on March 2<sup>nd</sup> which is the “Dr. Seuss Read Across American Day”. The Library will have a birthday cake for the children, stories, videos and more and then that evening if you go to Friendly’s Restaurant they will be donating 15% of the sales back to the Library. So if you are interested in making a fun reading day about Dr. Seuss there are some ideas.

I do want to thank in particular Henry Varriano who sponsored a program to celebrate all the renditions that he had commissioned by Cynthia Dawley who is a local artist. The work was on display at the Library after hours last Sunday and it was a wonderful program. Thank you for the coverage by the TAP, we really appreciated that. And I also want to thank Bill and Randy from Designer’s Gallery and of course the artist Cynthia Dawley who presented her work and talked about it. It was really a fun evening. And one final point, I think I have mentioned in the past, the Library has Laptops available and there are opportunities for you to get one on one technology training sessions. So if you are interested just go see one of the Librarians and they will hook you up. And that concludes my report.

Councilman Barr: Thank you Mr. President. The police dispatcher had the Clark Volunteer Fire Department respond to thirty-two calls this past month. Also the Fire Chief asked me to convey a very important message and I may add very timely also, it comes to fire hydrants. With all this snow and if there’s a fire hydrant in front of your house, it’s kind of your duty to make sure that the snow is cleaned around it. Also if there’s a fire hydrant say on your neighbor’s property and they are elderly and they can’t do it, it would be wonderful for everyone to make sure you do clean-up the snow around the fire hydrants because in an emergency two minutes could mean a matter of disaster or something coming out better. And that concludes my report.

Councilman Hund: Thank you Mr. President. The Clark Police Department report for January saw a total of 3, 570 calls for service of which 95 were ambulance requests, 5 were fire department requests, 35 were alarm calls, 66 were motor vehicle accidents and 3, 272 were miscellaneous calls. There were a total of 28 adult arrests including 2 simple assaults, 2 for theft

and one for fraud, 4 for drug abuse, 3 for DWI, and 16 warrants. One thing I would like to mention is that the Police Department has put out a new Facebook page. So please go on Facebook and like the page, they have already put out some great announcements on there and will keep you up to date on things going on in town. And that concludes my report.

Councilman Mazzarella: Yes thank you Council President. I just have a DPW report for this evening. For this coming February recycling is continuing as normal. It's single stream as I've been mentioning, that means you can put everything in one receptacle. You can mix glass, plastic, styrofoam and you can put out as many containers as you wish, and you just don't have to put out just one container.

As Mr. Laezza mentioned we are still working with our new brine system and it is doing a really good job throughout the community and it is proving to be a cost savings. It is far cheaper to use the brine than just actual salt. We still use the salt on occasion but the brine is a (tape inaudible) to whatever the storms are. So it really is helping.

Electronic drop off is Saturday, February 28<sup>th</sup> from 9:00 to 1:00 pm at the DPW facility behind the police station. Appliance pick-up will resume in March. And bulky pick-up will resume in March weather permitting. March 2<sup>nd</sup> is the first pick-up for the First Ward and then there after every Monday but again it's weather permitting. Please call DPW at (732) 428-8402 to make a reservations no later than the Thursday before your scheduled pick-up, and that's no later than 3:00 pm on that Thursday.

Finally spring clean-up will begin mid-March weather permitting. Please check out our website at [www.ourclark.com](http://www.ourclark.com) to confirm when it starts and the dates. So until then please do not put any debris out in the roadways because DPW will push that back on your lawn and it will make it really unsightly looking throughout the community. Thank you and that's the extent of my report.

Council President Smith: May I ask you one question. (Councilman Mazzarella: sure) On the recycling, does that also include cardboard, newspaper etc., everything can go in.

Councilman Mazzarella: Yes everything can go in one container but if you have large pieces of cardboard naturally just fold it and put it on the side of the container. But everything can go in one container.

Council President Smith: Okay thank you for clarifying.

Councilman O'Connor: Thank you very much. From the Finance Committee you heard Mr. Laezza reference the 2015 Budget. The Council received it tonight and we will do our diligence in reviewing it and we should be able to have it ready for submission to the public on March 2<sup>nd</sup>. And that's my report thank you.

Councilman Toal: Thank you Mr. President. Last meeting and since that point the TAP in Clark reported the issue of the sign ordinance. The Legislative Committee held a special meeting on this issue on February 12, 2015 in this building and after careful review the people were heard.

The proposed sign ordinance has been modified and amended. It shall be brought before this council in a new form and it will be brought before this council on March 16, 2015. The people then will have the right to be heard and hear and see what the ordinance will be all about and how it will regulate the sign ordinance.

Issue #2; I was asked by the Clark Kiwanis for 60 years in the Township of Clark have been giving back to the community. The “Third Annual Pancake Breakfast” will be held at the Linden Applebee’s in Linden, NJ on March 7, 2015 from 8:00 am to 10:00 pm. Tickets will be for \$10.00 and children at \$7.00. The proceeds will go to our Clark students for senior scholarships at ALJ. What a great endeavor. Please come out and support a worthy cause for the future of Clark and the future of New Jersey. Please call Ron Pask if you have any questions, Mr. Pask is in charge of this event and he can be reached at (732) 574-9182. Please come out and support the children of tomorrow.

One of the questions I’ve been getting hit with Mr. President and I know we all have when we go out to Shop Rite and other points of the township...it’s what’s going in the Clark Commons? And I know Councilman O’Connor had spoken so much about this issue. We got a new map in that’s in the Clerk’s Office. Ladies and gentlemen in the Township of Clark, if you want to know what the stores are that are being proposed for the new Clark Commons the new development what we call it “the Gypsum Property” which I have photos behind me, the Clark Commons proposal and the proposed businesses on this map which will be in the Clerk’s Office in this building the Brewer Municipal Building in Room #28. Please come down and look at it and the Clerk will gladly give you a copy of it so this way you will be an informed resident and an informed resident is a great resident. So again knowing what the businesses are and how Clark will be affected and how we are going to have some wonderful eateries in the township which we never ever had in the past. Again that’s all I have for tonight on committee reports, thank you Mr. President.

Council President Smith: Two questions, I have one. You said 8:00 am to 10:00 pm; do you mean 8:00 am to 10:00 am for the breakfast?

Councilman Toal: I stand corrected; it’s 8:00 am to 10:00 am. It’s a great cause so please come out and support the children of Clark.

Councilman Mazzarella: Yes, to the Clerk...those stores they are preliminary right now correct? (Township Clerk: yes) So we want to make that very clear that they are not etched in stone.

Township Clerk: This is not a complete map. It is constantly changing. The Construction Department has the most up-to-date map and they just happened to make this one for us sometime last week. Each time something is permanent it goes on their map and so this is not a complete listing.

Councilman Mazzarella: And I’m sure if any of the residents have a concern, they can certainly go to Mr. Laezza so he can guide them in the right direction.

Township Clerk: The Construction Department has the most up-to-date information.

Council President Smith: Okay thank you. Alright I'll give my brief report on the Recreation Department. A little over a week ago we attended the Prudential Center for a night out at the Rock to watch the Devils. The TAP did cover it and I did see some pictures on the TAP, so thank you for coming out, it was a great event. There were a lot of Clark citizens, parents, children and we had a fun time. And we were able to go onto the ice at the end of the evening and take some pictures.

Ralph Bernardo also wanted me to mention next week the Spring Classes; information will be available. So spring is a good sign the weather should be getting warm soon. And lastly the Pool, in March we will be circulating the application for the Pool Memberships and information will be sent out through the schools, online and through the Recreation Department. And that concludes my report for this evening.

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

(Four objections have been received in connection with proposed land use Ordinance: 3 residents, 1 business owner)

The Public Hearing originally scheduled and advertised to be held at 315 Westfield Avenue, Clark, New Jersey on Tuesday, February 17, 2015 at 7:30 pm regarding **AN ORDINANCE TO AMEND VARIOUS ARTICLES OF CHAPTER 195 OF THE CLARK CODE ENTITLED "LAND USE AND DEVELOPMENT" (SIGNS)** has been cancelled due to insufficient time for the Planning Board to properly review the ordinance for Resolution and Recommendation.

Council President Smith: This ordinance has been referred to the Legislature Committee. And at this time I'll entertain a motion to table this ordinance

Motion to table ordinance made by Councilman O'Connor, seconded by Councilman Mazzarella

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

Ordinance in tabled

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(No objections have been received in connection with the following proposed Ordinances)

**Ordinance 15-01**

**AN ORDINANCE TO AMEND CHAPTER 3, ARTICLE VIII OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DEPARTMENTS"**

Council President Smith opened the Public Hearing on Ordinance 15-01

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

Council President Smith directed roll call:

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

A motion to adopt Ordinance 15-01 made by Councilman Barr, seconded by Councilman Mazzarella

Discussion: None

Council President Smith directed roll call:

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

Ordinance Adopted (effective date is March 11<sup>th</sup>)

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**Ordinance 15-02**

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 161, ARTICLE VIII OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "ENFORCEMENT OF UNIFORM FIRE SAFETY ACT"**

Council President Smith opened the Public Hearing on Ordinance 15-02

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

Council President Smith directed roll call:

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

A motion to adopt the Ordinance 15-02 made by Councilman Barr, seconded by Councilman Mazzarella

Discussion: None

Council President Smith directed roll call:

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

Ordinance adopted (effective date March 11<sup>th</sup>)

**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 \$284,665.78 for the period ending February 11, 2015, seconded by Councilwoman Albanese

Council President Smith directed roll call:

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

**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.

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

Council President Smith directed roll call:

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

**RESOLUTIONS:**

**Resolution 15-32**

**BE IT RESOLVED** by Governing Body as the Clark Swimming Pool Utility that the 2015 Municipal Swimming Pool rates and fees be set as follows:

<b>MEMBERSHIPS</b>	<b>CLARK RESIDENT</b>	<b>NON-RESIDENT</b>
FAMILY	360.00	525.00
GARWOOD RESIDENT FAMILY (Must show proof of affiliation with Clark Recreation and/or Clark Public Schools)		460.00
HUSBAND & WIFE	310.00	450.00
DOMESTIC PARTNERSHIP (as defined by Ch. 246 P.L.2003)	310.00	450.00
ONE PARENT & ONE CHILD	310.00	450.00
INDIVIDUAL	210.00	310.00
SENIOR CITIZEN (62 by June 1 <sup>st</sup> )	100.00	150.00
RETURNED CHECK FEE	35.00	35.00
LOST ID CARDS	15.00	15.00

**FEES - ALL MEMBERS**

SWIM LESSONS	100.00 (session) 75.00 additional child (session)
SWIM TEAM	30.00 Members 50.00 Non-members
GUEST FEES:	
WEEKDAYS (All ages)	7.00
HOLIDAYS AND WEEKENDS (Adults)	10.00

Moved by Council President Smith, seconded by Councilman Mazzarella

Council President Smith directed roll call:

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

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**Resolution 15-33**

**WHEREAS** R JACL, LLC t/a Clark Concession Operations, LLC (the vendor) was awarded the contract for catering services at the Clark Municipal Swim Pool for the 2014 pool season through a formal bidding process; and

**WHEREAS** the Vendor has submitted a written request to be considered for a two (2) year extension of this contract; and

**WHEREAS** the contract may be extended in accordance with paragraph 22 of Part D, entitled "Special Conditions" of the bid specifications at the sole option of the Township for up to an additional two (2) years, in the event of such an extension, the bid price for each extension year shall be increased and agreed upon by negotiations; and

**WHEREAS** the vendor has agreed to the negotiated price of Six Thousand Eight Hundred dollars (\$6,800.00) for 2015 and Seven Thousand dollars (\$7,000.00) for 2016 and has agreed to comply with all the applicable terms and conditions as set forth in the aforesaid specifications.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Clark sitting as the Pool Utility that it hereby awards an additional two year contract to Clark Concession Operations, LLC and authorizes and directs the Business Administrator to execute said contract.

Moved by Council President Smith, seconded by Councilman Mazzarella

Council President Smith directed roll call:

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

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**Resolution 15-34**

**BE IT RESOLVED** by the Governing Body of the Township of Clark that the proper officer or officers are hereby authorized and directed to effect transfers of 2014 Appropriation Reserves according to the following schedule.

**CLARK TOWNSHIP**

**RESERVE APPROPRIATION TRANSFER**

**From**

**To**

26-290-100 **Roads: Salaries & Wages**

30,000.00

25-240-100 **Police: Salaries & Wages** 30,000.00

\$30,000.00    \$30,000.00

Moved by Councilwoman Albanese, seconded by Councilman Mazzarella

Council President Smith directed roll call:

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

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**Resolution 15-35**

**WHEREAS** in accordance with a request from the Tax Collector for authorization to refund and/or transfer overpayment of taxes; the Mayor has recommended to Council that such authorization be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark, that the Chief Financial Officer is hereby authorized and directed to make refund(s) and/or transfer(s) in accordance with the attached schedule:

CLARK TOWNSHIP									
TAX REFUNDS-2014									
BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	AMT TRNS	TRANS FROM	TRANS TO
38.05	4		Joaquim & Lidia Ferrerira	4	Avon Road		\$10.54	2014/3	2015/1
84	14		Jamie & Tara Gordon	56	Kathryn Street		\$282.30	2014/3	2015/1
31.03	97	C-097	Brandon Bodziony	97	Briarwood Path	\$1,096.20			
38.08	21		Edison & Suzana Elesbao	53	Byron Place	\$250.00			
38.06	23		Andrew & Jennifer Story	71	Skyline Drive	\$411.82			
69	28		Sharon Kamler	35	School Street	\$1,408.02			
44	4		Joseph Stanislawczyk	38	Shetland Drive	\$250.00			

182	23		Patricia Coelho	78	St Laurent Drive	\$230.82			
88	12		Agnes Hagmueller	47	Cornell Drive	\$250.00			
164	33		Mario DiNizo	220	East Lane	\$452.69			
103	5		Frank & Shannon Tarentino	50	Lincoln Blvd	\$2,448.62			
101	5		Joseph Rivera	106	Hart Street	\$2,577.09			
195	18		David Marder	62	James Street		1775.75	2014/4	2015/1
52	14.03		Antonio Pacheco	4	Ginesi Drive	\$373.96			
68	31		Lilia Nowak	2	Emerald Place	\$250.00			
38.11	20		Christina Azoia	24	Dorset Drive	\$2,828.23			
					<b>Totals</b>	<b>\$12,827.45</b>	<b>\$2,068.59</b>		

Moved by Councilman Toal, seconded by Councilman Hund

Council President Smith directed roll call:

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

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**Resolution 15-36**

**WHEREAS** Investors Bank has requested the release of Performance Guarantees posted for site work at 56 Westfield Avenue (Lot 1.01, Block 105) in Clark in the amount of Thirty Nine Thousand, Two Hundred Twenty Five Dollars and Sixty Cents (\$39,225.60); and

**WHEREAS** the Township Engineer has completed the final site inspections and has determined that all improvements have been installed and constructed in accord with State and Municipal design standards and requirements and therefore has no objection to the release of the Performance Guarantee; and

**WHEREAS** Section 195-84 of the Code of the Township of Clark requires the posting of a Maintenance Guarantee in an amount to be determined by the Township Engineer prior to the release of the Performance Guarantee; and

**WHEREAS** the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Investors Bank to be Four Thousand Three Hundred Fifty Eight Dollars and Forty Cents (\$4,358.40) to be held for one year; and

**WHEREAS** Investors Bank may direct the Township, in writing, to retain the cash portion \$4,358.40 of the Performance Guarantee and convert it to a Maintenance Guarantee for a one year period; and

**WHEREAS** at the end of the one year period, a re-inspection will be performed at which time the Maintenance Guarantee may be refunded.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it hereby concurs with the Township Engineer and directs the release of Performance Guarantees in the amount of \$39,225.60 to Investors Bank upon receipt or conversion of a Maintenance Guarantee in the amount of \$4,358.40 for a period of one year from the date of the release at which time, after re-inspection, any funds remaining in escrow will also be returned.

Moved by Councilman Mazzarella, seconded by Councilman Barr

Council President Smith directed roll call:

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

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**Resolution 15-37**

**WHEREAS** William Krame, of Krame Development Company, Inc. (the Developer) has requested partial release of the Performance Guarantee currently posted for site work in the amount of Four Million, Six Hundred Twenty Eight Thousand, Seven Hundred Fifty Dollars (\$4,628,750.00) to guarantee site work at the Clark Commons site on Raritan Road; and

**WHEREAS** through negotiations with the Developer, the Township Engineer and the Business Administrator are agreeable to reducing the Performance Guarantee to Three Million, Three Hundred Twenty Three Thousand, Two Hundred Twenty Dollars (\$3,323,220.00) based upon inspections of all work completed to date and the estimated amount of work left to be completed and acknowledge that the work has been completed according to the approved plan; and

**WHEREAS** the reduced performance guarantee shall be posted as follows: Two Million, Nine Hundred Forty Four Thousand, Four Hundred Seventy dollars (\$2,944,470.00) Performance Bond and Three Hundred Seventy Eight Thousand, Seven Hundred Fifty dollars (\$378,750.00) as previously posted in cash; and

**WHEREAS** the Letter of Credit currently held by the Township in the amount of Four Million, Two Hundred Fifty Thousand dollars (\$4,250,000.00) will be released to William Krame of Krame Development Company upon receipt of a Performance Guarantee in the form of a new Bond or Letter of Credit in the amount of Two Million, Nine Hundred Forty Four Thousand, Four Hundred Seventy dollars (\$2,944,470.00); and

**WHEREAS** the Township has determined this amount to be sufficient to guarantee full performance and installation of all requisite improvements including Off-Site improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Clark that it does hereby authorize the acceptance of the reduced performance guarantee as set forth herein and said performance guarantee to be further reduced only upon reductions authorized by the Township Engineer.

Moved by Councilman O’Connor, seconded by Councilman Hund

Council President Smith directed roll call:

Aye: Albanese, Barr, Hund, Mazarella, O’Connor, Toal, Smith

**NEW BUSINESS ON THE CALENDAR:** None

**PUBLIC COMMENTS:**

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President Smith opened the public portion of the meeting

Delia Collins, 72 Georgia St.: I just want to bring it to the intention of Council and also to the citizens of Clark that in the Clark Monthly that was sent out to I’d say sixty-five hundred newspapers are printed and mailed to every business and resident in Clark. There was an article regarding animal control on page two. And they state that Associated Humane Newark is a no kill shelter and they are not. I have a report from the Department of Health animal intake and disposition report of 2013 and Newark is not a no kill shelter. I’ve tried to get a retraction or an amendment to the statement in the paper to the editor and I have not gotten very far with that. Also according to the agreement that Clark has come to with Associated Humane, when an impoundment occurs the dog or cat shall be put up for adoption or humanly disposed of at the sole and inclusive direction of the Society after seven days of a statutory hold period. It is expressly understood that once the Society accepts any animals and takes it into its custody it shall become the property of the Society for its disposition as stated above. In the year 2013 Associated Humane took in 2,311 dogs and they euthanized 636 dogs at a 29% euthanasia rate. They also took in 2,708 cats and euthanized 1,204 cats with a rate of 44%. I’m not saying that they euthanized every animal that they took in without cause, the animals come in injured and the animals come in diseased. I’m just letting people know in Clark that the animals are put down at Associated Humane. The State of New Jersey has a 28% euthanasia rate for all dogs and cats and that’s based on the Department of Health Report 2013. I have been in touched with certain people at the newspaper trying to get a correction but I just wanted you to know and also the citizens of Clark to know that once a dog is taken there or a cat or any animal and is kept there for seven days it becomes the property of the Associated Humane and they can do you know according to what they have. We had one dog dumped at ALJ on Monday after the storm and I was in touch with the woman at Associated Humane and she advised that the dog was picked up at the Clark Police Station because I wanted to see if it was at the easterly end or the westerly end you know including Colonia or Rahway or Linden and she was kind enough to let me know that it was picked up at the police station and then a gentleman at ALJ who found the dog laying on a blanket after the snowstorm advised me of what had happened and the dog has been adopted.

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

Council President Smith directed roll call:

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

**MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:**

John Laezza: Thank you Mr. Council President. As Councilman Toal indicated that the Legislative Committee did meet on the 12<sup>th</sup> of February to go over the sign ordinance for amendments, we'll give the Council the amendments as we have arrived at them. The basic amendment in the sign ordinance is in the same form as it was the last twenty years. The only two changes that were made is we basically defined what a graphic is and we define was a sign is and we define what a temporary sign is. We then; before we met with legislatives we then drove through the community to look at all those signs that were put up over the last twenty years without a permit. Although all in violation of the ordinance we found that they were no harm to the community, so the amendments that we made to this ordinance is that those signs we consider temporary. We put a criteria for what allows them to be and so I guess we gave amnesty to all those that were done illegally by re-writing the ordinance to make them legal if you will. And I think that it accommodates everything that was the intention of the original ordinance which was never enforced for twenty years or more because there were no changes to those; although large misinterpretations of what the ordinance says but it still says the same thing. But it does have a free permit or not required permit for a temporary sign as we define it. And that's what will be presented to our attorney for edification and changes ready for the March meetings. That's all I have thank you.

Councilwoman Albanese: Thank you Mr. President. I don't know if you mentioned earlier but tonight we are being televised from our history room, room 30 at town hall because we are trying to make improvements on the sound system over at the police headquarters. So hopefully we will be meeting there next time but it's also nice to meet here and see where we work when we have our workshop sessions, this is the room that we do meet in if you haven't had a chance to come down to the meetings.

I just want to thank Mr. Laezza and our CFO Terry O'Neill for providing us with the budget on a timely basis. I look forward to digging into it with the Finance Committee. Thank you for the report on the sign ordinance from the Legislative Committee. And I just want to mention one other thing that actually this happened today to me and I know Councilman Mazzarella has mentioned this in the past. I got a call from an individual saying he was from the IRS and I noticed what number it was, it shows a regular number asking me to call another number that you know I'm going to be in jeopardy of tax violations etc., etc., I really didn't even pay attention to the words because those calls are a scam. And as the Mayor has mentioned also in the past that on any correspondence from the IRS is going to be in writing, you are not going to get a call. I've had some similar calls in the past where they will tell me that something is wrong with my computer and it will direct you to go to certain places on your computer and try to get your card information and get social security card information. Last month my husband got a phone call from Kay Jewelers and said his account was in arrears and he said we don't have an account there and then of course they wanted his social security number. So just be aware you have these telephone scams and do not give out information over the phone. And if you do have

situations you can report it to the Federal Trade Commission or I spoke to the Chief earlier about this instance and you can make a report so that it goes on file.

And just finally I want to say I know this past weekend was Valentine's Day and the Friends of the Library had a fundraiser to ask individuals to donate books. So they made hearts up and it was scattered throughout the Library. I also want to thank all the citizens who bought the hearts and donated books, their names will go inside the books and if you still want to donate a book you can select one from the recommendations of the Librarians you are welcomed to do so. And that concludes my report.

Councilman Barr: Thank you Mr. President. From the past few weeks I've been many times at Shop Rite, A & P and Rite Aid and usually when people see me they will come up to me and ask various questions about certain things. And I would just like to very happily say that so many people have been saying that the DPW is doing a fantastic job on their snow removal. And I've been going around town and they really are and it's a very good thing to hear that people are finally realizing what a great job they are doing. And the only other thing I'm saying is if this global warming keeps up (tape inaudible) thank you.

Councilman Hund: I would like to reiterate as to what Councilwoman Albanese said to Mr. Laezza and Mr. O'Neill. Thank you for the budget and I look forward to reviewing it and working with you upon it as it will be my first time doing it on the Council. And as Councilman Barr just said, please stay warm over the next few days, the temperature are going to drop on Friday and go down to our wonderful weather that we had on Saturday about five degrees. So wrap up and stay warm and let your pets come in as quickly as possible, don't leave them out there too long. And that's all I have to say tonight thank you.

Councilman Mazarella: Thank you. Councilwoman Albanese had mentioned about those phone scams. Yes I talked about them last month briefly and she is absolutely right. These people are going to call and they are going to try to get information from you and once they get the information they have carte blanche, they can do anything they want. So please don't fall to their tricks. If you are in doubt call headquarters, they will direct you in the right way but don't give them any information.

And finally please ladies and gentlemen be careful out there, it's very, very cold. I know this first hand because I was trying to chip some ice and I slipped and I got a pretty good tear on my knuckle, so please stay inside. If you have to go out be weary of where you walk and all that but most importantly if you have neighbors that are elderly, please check in on them. There are too many things happening around here where they might not have heat or something happens in there house and all that, just give them a call or just knock on their door and check on them. Until next month stay safe and be warm, thank you.

Councilman O'Connor: Thank you very much. I got in touch with a resident from the Florence Drive area that had let me know that there were about three water main breaks in a short period of time. So for those people in the area I put out a letter to the water company asking them when temperatures are a little bit nicer they can go out and check to make sure that the mains are stable. At this time it's hard to fix them permanently because with the temperature thawing and

getting freezing they just fluctuate. So I'm waiting to hear a response from them, so hopefully that will be taken care of in the near future.

Having said that I as well as many of the other Council Members have a Facebook page, mine is Councilman O'Connor. Please friend me if you will. I send out information regarding the town, for example; schools are closed today, when recycling is, information from the State Police regarding closings of State offices or information that the Mayor puts out I forward it on, from the TAP I forward information on as well. So it's a good source of information. So if you would like to friend me on that, that would be great, again it's Councilman O'Connor.

With regard to the weather yesterday when I left for work my car thermometer said one degree and they are suspecting the same temperature I think on Thursday night, so having said that let's talk about motorcycles. So I mentioned it last month we have the Valor Ride coming up in July, please mark it on your calendars. I believe it will be the seventh one and I'm looking forward to it. And again it's a great ride and it's a great benefit for everyone.

And lastly I know Delia comes up all the time talking about the animals which is great. And I just want to again just to reinforce something that we just kind of talk about. If you have an animal, please get in micro chipped. God forbid it does wind up in a shelter that is a kill shelter they have machines and you will get your pet back because as Delia had mentioned there's a seven day mandatory period and after that they can do what they want. So with that I would like to say goodnight and I'll talk to you next month thank you.

Councilman Toal: Thank you Mr. President. To the residents of the Fourth Ward the newsletter if you haven't received it there's a reason, look outside, it two degrees outside and I delivery this by hand so I'm a little bit slow because I'm getting old and it's really cold out and most of the surfaces out there are iced over. So they will be coming to your door.

I was mentioning we talked about the sign ordinance. TAP into Clark had a resident who was a friend but he made comments about we are going to prohibit holiday decorations. And that really stuck in our claw when we were having our meeting. Holiday decorations are labeled and classified as temporary display. We are not banning anything called holiday decorations or anything that is involving holiday decorations. So we want to make sure that the residents understand when we are creating an ordinance we are not banning holiday decorations. So please don't listen to misinformed information. We will bring the information and say "hi this is what we are trying to do, do you like it, and we are not banning holiday decorations". So that was just something we really brought out and let the residents know that nobody is doing something like that.

Pedestrian traffic; we had a recent incident on Gibson Blvd. I'm asking the residents of Clark especially the motoring public. We had a recent issue on Gibson Blvd and I hope those two people are still doing better or improving. We had an incident on Adams Street a couple of years ago 2013 where a woman was seriously injured because of motoring public. I'm trying to bring up an issue here and the issue is tonight where I'm driving here and I went to Madison Hill Road to Westfield Avenue I had a pedestrian crossing in the middle of the road texting, not looking at anybody else but just texting walking across the street. I stopped but other people might not have

stopped and we would have had another incident, another tragedy or close to it. Please be more careful. And to those who are walking the Township of Clark especially in this cold weather, be more aware of your surroundings on where you are walking if it's icy or a sidewalk issue, let us know.

To those we have lost in the last month; Dominick Massarelli, I have known him my entire life, to the entire Massarelli Family our deepest condolences and to the Ferguson Family our deepest condolences. That's all I have tonight and everyone please be safe and we will see you when the weather gets warmer.

Council President Smith: Just a couple brief comments. I want to thank the BA for summarizing what the Legislative Committee discussed and review for the sign ordinance and we are looking forward for the final draft of it in the near future.

I also want to thank Delia Collins for continually coming out and keeping us informed about the dogs and the shelters etc. and again as Councilman O'Connor had said please get your pets chipped, it's very important. That's all I have this evening.

Township Clerk: No comments thank you.

Howard Lesnik, Acting Attorney: Not tonight.

Acting Police Chief Matos: Nothing.

Fire Chief Cerasa: Nothing.

**ADJOURNMENT:**

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

Council President Smith directed roll call:

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

APPROVED

\_\_\_\_\_  
WILLIAM F. SMITH  
Council President

ATTEST:

\_\_\_\_\_  
EDITH L. MERKEL, RMC  
Township Clerk

