

REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ
January 22, 2013

ROLL CALL:

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

Also Present: John Laezza, Business Administrator and Acting Mayor; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 P.M. by Council President 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

UNICO Presentation - Ralph Bernardo

Ralph Bernardo: Good evening, for those who don't know me I'm Ralph Bernardo, President of UNICO Chapter. UNICO is the largest Italian American Service Organization in the United States. We held our 6th Annual Italian American Feast last October 6th, 7th and 8th. It was a huge success however for the first time in 6 years Mother Nature did not cooperate on Sunday which did hurt the bottom line. Just to give you an example of how much weather has an impact on something like a Feast or a Fair. Saturday night we deposited \$30,000.00 and Sunday when it rained we deposited \$800.00. So it really cuts into the bottom line. But on a positive note we didn't surpass last year at all but after the monies were tallied and all the costs to run the Feast were paid which are many, I'm happy to report that our profit was close to \$30,000.00.

As you know being a non-profit organization all the money must be given out within the year. And because this is a Clark Chapter the township as a whole reaps the benefits. I would like to give you a brief run down or just where most of the money will be going or has already gone. Dollar amounts were and are being given to the following organizations, clubs and departments: the Winter Benefit Ball, the Winter Tree and Menorah Lighting Festival, Easter Egg Hunt, Clark Recreation, Historical Society, the Dolan Golf Outing, the Mayor's Golf Outing, Johnson Touchdown Club, Relay for Life and McCauley's School for Exceptional Children and the Clark Library. We set aside \$5,000.00 for ALJ High School Seniors for scholarships and we also take

out ads to help sponsor Little League, Babe Ruth, Girls Softball, Ladies Softball, Dodge Ball, Ice Hockey, Tricky Tray's for Valley Road, Cub Scouts, Girl Scouts and Travel Basketball. Just to name a few.

We've asked a few organizations and departments to attend tonight so we can personally hand out a few checks, it's kind of nice and warm and fuzzy to actually see the people that receive the checks instead of just mailing them. So when I call your department if you could please come up, I don't know if everyone is going to be here tonight, it doesn't look it but...ALJ Key Club, ALJ Italian Club, ALJ Booster Club, ALJ Project Graduation, the Clark Volunteer Fire Department, the Clark Volunteer Emergency Squad, the Emergency Management headed by Jerry Fewkes, Senior Citizen Director Phyllis Cupo, the Robinson Plantation, Clark Recreation, Clark Library, and the McCauley's School. In addition to these Clark benefits we also donate to UNICO National Charities including Coulees Anemia, Mental Health, and Cancer research. There is a reserve account with dollars set aside for anything that comes up during the year and the months ahead, for example, we purchased a new fence for the pool this past summer, we also this past fall made a donation to Pop Warner to help defray the cost to the families going to Disney for the National Cheerleading Competition. So you can see how many organizations, clubs and departments reap the benefits of the Feast plus along with the enjoyment of the Feast for the residents of Clark.

Preparation for the Feast begins months before the actual event. I would like to thank my Board for their untiring efforts which began preparation back in March. And I have a couple of members here George Abruzzo who has been with UNICO many years as our Secretary, Greg Menza our Vice President, and Henry Varriano. To pull off this event of magnitude takes many, many hands. The people of Clark along with UNICO members responded as we had over 120 volunteers for the three day event. We'd like to publicly thank the Mayor, the BA and Council for their full support year after year. Sal a UNICO member himself gives us full reign in whatever we need to make it fun, safe and a success. We'd like to thank Police Chief Alan Scherb and the police officers who worked the Feast, the Fire Prevention Inspector Frank Cerasa, the Volunteer Squad Members who are present, Joe Bonaccorso and Public Works for the huge cleanup that is needed after, Norm Murk for putting inside the building back together after thousands walked through the Recreation Center and parking lot. I would like to go on and on and list everyone that helped out but time won't allow me. So I just want to highlight a few people that went above and beyond: Tony Ginesi single handedly cleaned by hand the grounds of the building from Westfield Avenue to Dawn Drive each morning. Scott McCabe who constantly helps in so many areas within the township assembled fifty parents and cub scouts to clean the parking lot the day after the Feast. Pete Zambardo my right hand man at the Rec Center is always the first one to help me out and so many other organizations, Jerry Fewkes who gave up an entire weekend again to make sure that we were up and running electrically safe with power and lights; Jerry thank you. These people are assets to this township I can't stress that enough. Another...John Kuerig working the entire Feast all three days, he was there the entire time at our disposal doing everything electrical to being a gopher, and we could not have done it without John and Jerry. So to you both my hat goes off to you both. You guys are truly an asset to the community and to the township.

In appreciate of all our volunteers our Chapter held a thank you dinner as we always do in November which was attended by 90 of our volunteers. And I will just close by saying if anyone is interested in joining Clark UNICO, you just have to have a little bit of Italian in you, please stop by my office. We are 127 strong versus 104 this time last year. Just to give you an idea where Clark falls, there are 137 Chapters nationwide, Clark ranks #6. So we are pretty proud of that. Last night in fact we held our annual kick off meeting at the Bistro; we had a great time, so if anyone is ever interested in joining becoming a UNICAN of Clark please feel free to stop by my office at any time. We also have council members that are members of UNICO, Angel Albanese and Bill Smith, thank you.

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:

John Laezza: Thank you Council President...you know it's always gratifying to listen to Ralph give everybody the praise for all the work that he does. He has been the initiator of this UNICO Feast for the last six years but it's really the leadership that Ralph shows that makes the Feast what it is. He gets the volunteers and he just shows the energy that the Feast needs. And I remember the first year it was that he thought he was going to die but he now has it pretty much under control. And so Ralph you save the taxpayers a great deal of money, we appreciate it and it's great for the community, its well-attended and everybody loves it and thank you for your services, it really is great.

Tonight since we didn't have a workshop meeting, I would just like to basically explain to the public what we will be doing tonight. We will be amending an ordinance regarding the use of police cars for outside contractors. We were the lowest in the State; I think in the country we are now going to raise that fee tonight so that outside contractors such as Public Service or the Water Company or NJ Bell or any agency that wants to use or block our streets we make them pedestrian safe by using our police officers and they pay them separately and they use our police cars. We have to set aside the money that we earn from our police cars to put aside for the maintenance of our police cars, so it will be another way that we get revenue to assist the taxpayers.

We are also going to introduce an ordinance tonight to upgrade our TV 36 equipment. It's now about 12 years old and it's getting a little warn and every once in a while when you look television you may only look at one person all night because the cameras weren't moving. We are going to get that fixed, the sound will be better; we are going to get up to the 21st Century. So that's what we will be doing tonight and we are also going to set aside some money to obtain some recreation equipment for the fitness center and for the cafeteria since Ralph Bernardo keeps them running and we want to give him the equipment that he needs to make it work.

As usual we will pay our monthly bills and then we are going to be doing some clean up work with regard to people who overpaid their taxes or their sewer bills and any credits there too. We are going to rescind the contract that we authorized in 2012 and we are going to be awarding a contract. With regard to the flu season, I have to say that the flu shots that were given to our employees must have worked. We didn't have an epidemic, our employees continually came to work, we had to send a couple home but they were only home a day, so it worked out pretty well. So the flu shots worked and for those who haven't gotten the flu shots should get the flu shots.

I had a good call today...the owner of the A & P called and he is going to set up a meeting within the next two weeks. He thinks we have some positive action with regard to the old A & P facilities on Westfield Avenue. So that is a positive note for the Governing Body that we've been waiting for the last 12 years to get that fixed. And that's all I have for this evening.

Township Clerk: Thank you...in addition to the police and fire reports for December which are on file in my office and the 4th quarterly report from my office, I just learned tonight that we can expect to have reports from the first aid squad on a continuing basis that will be starting next month I would imagine, so I'm happy about that.

And also I received one piece of correspondence today from the Chairman of the Zoning Board. They have lost a few members and they wanted me to notify the council if anyone knows of anybody, the public if you know of anybody who would like to serve on the Zoning Board, they are looking for members and I also had said to them that the Planning Board is in a similar situation. So for yourself or if you know of anyone who would like to serve on these committees, you can contact me by email clerk@ourclark.com or come to my office and I will show you a simple form that you fill out so that the council can consider your appointment, thank you.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: Thank you Mr. President, I have a brief Library report...there are a number of children's programs that are available; there are still openings, so if you are interested in those please check out the Library's website. Also I encourage you to sign up for their newsletter. It comes out every two months and it talks about all of the different programs; sometimes I'm not able to report on all of them. I do want to mention two items regarding the Friends of the Library...one is a book talk that they are going to have and it's featuring a local author Michael Cupo. He will be talking about his book; it's called "Its Monday only in your Mind". And it's an inspirational book that he wrote about part memoir, part self-help and if you ever felt depressed or had addiction to drugs or alcohol you might want to come and listen to his talk and hear his story about his book. So that's on February 21st at 7:00 pm, and again that's sponsored by the Friends of the Library.

Also the Friends of the Library will be having an open house. They are going to conduct an annual membership drive on Sunday, March 10th, it's from 1:00 to 5:00 and they are going to have all types of give-a-ways and there will be more information about resources that are available as the Library. And one final point for those that have e-readers, please check out the elibrarynj.com website. You can download books, they are free, there are no fines available, and you can get the book for free and take advantage of that service which is available to you.

One final note coming up at the high school, this relates to things going on at the Board of Education. In March they will be featuring their spring play, the play this year is "Hair" so I encourage you all to come out and attend the play, thank you.

Councilman Barr: Thank you Mr. President...at every January council meeting as liaison to the Clark Volunteer Fire Department I give a brief summary of the amount of calls and manpower hours from last year. You will notice that I do mention quite often that our fire department is a volunteer fire department, which means that after any calls they make especially the ones in the early morning hours they would then have to go to their regular jobs. The police dispatcher had the fire department respond to a total 530 calls this past year. When you realize that there are 365 days in a year that equates to a very busy volunteer fire department. Those 530 calls added up to a total of 11,432 man hours by our volunteer firefighters, and when you count all the training sessions that adds another 800 man hour to that total. I think I can safely say to our Clark Volunteer Fire Department that all Clark's residents give a great big thank you and a job very well done...Chief tell they guys, thank you.

Councilman Kazanowski: Yes thank you Mr. President...since I do not chair a council committee I have no report this evening thank you.

Councilman Mazzarella: Yes thank you Council President...I have two small reports, one from the police department and the other from public works. December for the police department saw a total of 2,739 calls for service of which 72 were ambulance requests, 5 fire department requests, 96 were alarm calls, 4 were vandalism, 80 were motor vehicle accidents and 2,463 were miscellaneous calls for December. Last week I received an advisory notice from the Clark PD, they are presently investigating vehicle break-ins and they are advising that the residents remember to lock your vehicles at all times even in your driveway. And if you could additionally remove the garage door opener from your vehicle, the PD believes that this would deter any mishaps or at the least minimize any unwanted any individuals entering your vehicle or possibly your home. If you see anything out of the ordinary, please don't hesitate to call 911, they will respond very quickly.

For our public works; DPW has completed the removal and repair of tree stumps that were knocked down as the result of the storm. They are grinding stumps from the trees that had been knocked down as well. Christmas tree pick up is winding down and if you have any Christmas trees please keep them on your property until the spring time. Electronic recycling starts Saturday, January 26th from 9:00 am to 1:00 pm. The DPW is recycling fluorescent lights only. If you have 4 ft., 8 ft., and u-shaped and compact bulbs, if you have any of them please take them to Lowe's or Home Depot to discard of them. Tree mulch will start to be delivered in March, small truck is 2 to 3 yards, and large truck is 5 to 6 yards. Please do not put leaves or branches in the street until March when spring clean-up starts. Parks have been cleared from most of the debris from Storm Sandy. And the tree crew is still going around removing hanging branches from the storm and wind damage. Once they have completed that they will begin their normal program of trimming the trees. Thank you that's the extent of my report.

Bill Smith: Thank you Mr. President, I have a brief recreation report... family skate night was this past Saturday, January 19th at Warianco Park Skating Rink. The facility was open to Clark residents and their family and friends and we had over 350 Clark residents attend. They all had a great time on the ice and we especially want to thank the Johnson Ice Hockey Team who all came out and helped the kids skate. Also the winter rec programs are in full swing, so please go see Ralph and take full advantage of all that we have to offer in the rec department. As everyone knows Ralph does a great job with it and we are going to have a lot of programs from little kids all the way up to seniors. And we are half way through our indoor soccer program and that's taking place on Saturdays and we have over 300 children participating, and that concludes my report tonight.

Councilman Toal: Thank you Mr. President...to all those who I haven't spoken to Happy New Year. I've been getting a couple of phone calls at my house on where's my newsletter. I just got it back from the printer and it will be on your door handle in the coming week. I now have to walk out in 10 degree weather and put this on your door. This is no cost to the taxpayers; this comes from my own pocket. We want to give you information...the town has all of the information here but those who are home that don't have computers or whatever the situation may be, we are just giving you as we always say more communication, filling you with the information. The town has it, has a website and has these informational things at town hall and at the Library and it will be at your door in the 4th Ward. That's all I have tonight Mr. President and thank you.

Council President O'Connor: Thank you and from the Finance Committee, just to let you know we are in the process of preparing the 2013 Municipal Budget. Right now we are operating on a Temporary Budget in accordance with the state law. We approved the Temporary Budget on Reorganization day.

ORDINANCES, APPROPRIATIONS AND CLAIMS:
INTRODUCTION OF PROPOSED ORDINANCES:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 145, SECTION 145-3 OF THE CODE OF THE TOWNSHIP OF CLARK

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 145, Section 145-3 (E) is hereby amended and supplemented as follows:

SECTION 1: **Subsection (E) is hereby amended and supplemented as follows:**

E (1) (a)-All traffic work not paid by the Township of Clark shall be at the rate of \$50.00/hr with the rate increasing to \$75.00/hr. after eight hours, minimum of four hours, together with a 15% administrative fee.

SECTION 2: Use of Police Vehicle:

E (1) (b)-Use of police vehicle (local use only) shall be at the rate of \$25.00/hr. with a three hour minimum. All time after three hours will be rounded to the next half hour. These fees shall be placed in a separate account dedicated for police vehicle maintenance and repair.

SECTION 3: Inconsistent Ordinances:

Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: Effective Date:

This Ordinance shall take effect upon adoption and upon publication according to law.

Moved by Councilman Mazzarella, seconded by Councilman Smith

Discussion: None

Council President O'Connor directed roll call:

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

Public Hearing February 4, 2013

CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF TELECOMMUNICATION AND RECREATION EQUIPMENT AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$80,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE TOWNSHIP OF CLARK

BE IT ORDAINED by the Township Council of the Township of Clark, in the County of Union, New Jersey, as follows:

Section 1. The Township of Clark, in the County of Union, New Jersey, (The Township) is hereby authorized to acquire Telecommunication and Recreation Equipment and any ancillary costs related thereto.

Section 2. The sum of \$80,000 is hereby appropriated for the acquisition of said equipment and ancillary costs related thereto, as described in section 1 hereof (hereinafter referred to as "capital purpose"). Said appropriation shall be funded from the Capital Surplus of the Township of Clark for the payment of the cost of said "capital purpose".

Section 3. Said purpose is a lawful capital purpose of the Township having a period of usefulness of at least five (5) years.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and the capital program as approved by the Director, Division of Local Government Services.

Section 5. This Ordinance shall take effect at the time and in the manner provided by law.

Moved 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

Public Hearing February 4, 2013

PAYMENT OF CLAIMS: Council President O'Connor, Chairman of Finance Committee made a motion to approve the payment of claims on current and capital expenditures in the amount of \$392,694.11 for the period ending January 17, 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 this portion of the meeting, seconded by Councilwoman Albanese

Council President O'Connor directed roll call:

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

RESOLUTIONS:

Resolution 13-40

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 2012 Appropriation Reserves.

**CLARK TOWNSHIP
RESERVE BUDGET APPROPRIATIONS**

		<u>From</u>	<u>To</u>
Current			
2-01-26-290-100	Roads		
	Salaries & Wages	23,000.00	-
2-01-26-310-200	Building & Grounds O & E		
	Other Expenses	-	3,000.00
2-01-31-460-223	Gasoline	-	20,000.00
		<u> </u>	<u> </u>
Total		<u>\$23,000.00</u>	<u>\$23,000.00</u>

Moved by Council President O’Connor, seconded by Councilwoman Albanese

Council President O’Connor directed roll call:

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

Resolution 13-41

WHEREAS Charles H. Chevalier, 11 Mountainview Road, Clark, New Jersey 07066 has requested a refund of Eight Hundred Sixty Nine dollars (\$869.00) for abandoned Construction Permit #11-861; and

WHEREAS the Construction Official has recommended to Council that authorization for the refund 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 refund Eight Hundred Sixty Nine dollars (\$869.00) to Charles H. Chevalier.

Moved by Councilman Kazanowski, seconded by Councilman Smith

Discussion: None

Council President O'Connor directed roll call:

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

Resolution 13-42

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

WHEREAS the Business Administrator has reviewed the attached list and approved the sewer fee adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clark, County of Union, State of New Jersey, that the Treasurer/CFO be authorized to apply the sewer account balance adjustments according to the attached schedule:

**SEWER BILLING ADJUSTMENT 2012
CLARK
TOWNSHIP**

REF	#	Acct #	Name	#	Address	Reason	Original	Revised	Credit
12	69	3825-0	A Rufolo & C Rufolo	29	Brant Ave	water co issue	5,465.00	865.00	\$ 4,600.00
12	70	5222-0	Sanguliano Condo Assoc	49	Brant Ave	incorrect bill	225.00	1,800.00	\$ 1,575.00
12	71	4416-0	Matthew Tinebra	28	Autumn Ave	water co issue	6,408.71	225.00	\$ 6,183.71
12	72	1259-0	Federico Terribile	84	Terhune Rd	water co issue	6,213.64	225.00	\$ 5,988.64
								Total	\$18,347.35

Moved Councilman Mazzarella, seconded by Councilman Barr

Discussion: None

Council President O'Connor directed roll call:

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

Resolution 13-43

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2012 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 attached schedule.

SEWER REFUNDS - 2012

REF	#	Acct #	Name	#	Address	Reason	Refund
12	33R	1259-0	Arlene Forman	43	Sandalwood Drive	overpayment	\$11.28
12	34R	3296-0	Valentino Scipini	17	Runnymede Rd	overpayment	\$ 112.51
12	35R	3825-0	A Rufolo	29	Brant Avenue	overpayment	\$1,867.50
12	36R	1239-0	Steven Vorrious	65	Mae Belle Drive	overpayment	\$ 69.44
12	37R	3496-0	Michael Szerszen	48	Fulton Street	overpayment	\$ 25.00
12	38R	4398-0	Christine Araneo	5	Maple Street	overpayment	\$ 15.85
12	39R	4577-0	Joseph Marchese	116	Emerald Street	overpayment	\$ 227.50
12	40R	4867-0	John Sofranko	52	Ross Street	overpayment	\$ 12.50
12	41R	1515-0	Erwin Lebowitz	171	Dorset Drive	overpayment	\$ 9.80
12	42R	1578-0	Steven Zatko	158	Dorset Drive	overpayment	\$ 36.35
12	43R	2581-0	R Hollingshead	261	Westfield Avenue	overpayment	\$ 10.97
12	44R	3021-0	Walter Maxemow	1272	Madison Hill Road	overpayment	\$ 25.00
						Total Refunds	\$2,423.70

Resolution 13-44

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2011 and 2012 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 refunds in accordance with the attached schedule:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Name</u>	<u>Address</u>	<u>Refund</u>	<u>Year/Qtr</u>
130	6		Suzanne Coons	34 Prospect St.	\$2,080.32	2012/1
68	13		Joseph Alfieri	74 Emerald Pl.	\$2,346.41	2012/4
75	2		Colleen Nemeth	74 Bartell Pl.	\$2,172.53	2012/2
84	4		William Smith	23 Charles St.	\$ 542.91	2012/1
69	12		KCSM	1199 Raritan Rd.	\$3,116.53	2011/3&4
11	4		Catherine DiFabio	451 Oak Ridge Rd.	\$2,096.06	2012/1
27	3		Wayne Welch	29 Thomas Drive	\$2,299.37	2012/4
77	38		Edward O'Brien	48 Bartell Pl.	\$1,750.29	2012/1
177	4		Juan Papica	8 Linda Lane	\$ 20.29	2012/2
48	1		Jeffrey Spond	15 Post Road	\$2,062.46	2012/3
38.11	10		Lori Santos	56 Devon Lane	\$3,539.12	2012/1
31.03	59	C-059	Ryan McKenna	59 Briarwood Path	\$1,167.41	2012/1

Total Refunds: \$23,193.70

Moved by Council President O'Connor, seconded by Councilwoman Albanese

Discussion: None

Council President O'Connor directed roll call:

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

Resolution 13-45

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby rescinds Resolution 12-100, award of contract to Monmouth Telecom, 10 Drs. James Parker Blvd, Suite 110, Red Bank, New Jersey 07701 as the Township has been unable to effectuate a reasonable termination of the current contract with Cooperative Communications.

Moved by Councilman Mazzarella, seconded by Councilman Barr

Discussion: None

Council President O'Connor directed roll call:

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

Resolution 13-46

WHEREAS as set forth in the New Jersey Solid Waste Management Act, each municipality is expected to appoint an official representative and an alternate to the Solid Waste Advisory Committee; and

WHEREAS Mayor Bonaccorso made appointment(s) to the Union County Solid Waste Advisory Committee (SWAC) at the Township Reorganization Meeting held January 1, 2013; and

WHEREAS the Union County Solid Waste Advisory Council has requested that the appointments be made by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the following Mayoral appointments to the Union County Solid Waste Advisory Committee are hereby ratified and effective commencing January 1, 2013 and concluding December 31, 2013:

Official Representative Councilman Brian Toal

Alternate Representative Councilman Frank Mazzarella

Moved by Councilman Toal, seconded by Councilman Smith

Discussion: None

Council President O'Connor directed roll call:

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

Resolution 13-47

WHEREAS the Governing Body of the Township of Clark advertised on December 13, 2012 and received one (1) bid for Telecommunication Equipment on December 27, 2012 at 10:00 a.m.; and

WHEREAS Tele-Measurements Inc., 145 Main Avenue, Clifton, New Jersey 07014 was the sole responsible bidder with a lump sum bid of Thirty Nine Thousand, Eight Hundred and Thirty Two Dollars (\$39,832.00) for equipment and Nine Thousand Five Hundred Eighty Four Dollars (\$9,584.00) for Design and Installation; and

WHEREAS the Business Administrator has reviewed all the documents required by the bid specifications and recommends award of contract to Tele-Measurements Inc. of Clifton, New Jersey in the above stated amount; and

WHEREAS the Chief Financial Officer has determined sufficient funds will be available upon adoption of Capital Ordinance 13-02 effective February 27, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby award a contract effective February 27, 2013 to Tele-Measurements

Inc. in the amount of \$49,416.00.00 subject to review of the bids by the Township Attorney who will draw up the contract; and

BE IT FURTHER RESOLVED that the Business Administrator is hereby authorized and directed to execute said contract.

Moved by Councilman Toal, seconded by Councilman Barr

Discussion:

Councilman Kazanowski: Mr. President, I believe Mr. Laezza mentioned this is for the video equipment.

John Laezza: Yes.

Council President O'Connor directed roll call:

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

Council as ABC Board

Resolution 13-48

WHEREAS an application has been filed for a Person-to-Person transfer of Plenary Retail Consumption License Number 2002-33-007-005, heretofore issued to AGPC Management Limited Liability Company, held in pocket; and

WHEREAS the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term 2012-2013; and

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

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

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Clark does hereby approve, effective January 22, 2013 the transfer of the aforesaid Plenary Retail Consumption License to Apple Food Service Holding Co., LLC, 7 Pearl Court, Allendale, New Jersey 07401 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Apple Food Service Holding Co., LLC, effective January 22, 2013."

BE IT FURTHER RESOLVED that Apple Food Service Holding Co., LLC has requested the license be placed in pocket at this time.

Moved by Councilman Toal, seconded by Councilman Barr

Discussion:

Councilman Toal: Can I ask the Business Administrator to explain to the community what the properties are, what the businesses are. So they have an understanding not just corporate names.

John Laezza: We really don't know. The company that bought it was a couple of people originally and they were smart enough to sell it to someone else and so now that corporation will be looking for a location.

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

Resolution 13-49

WHEREAS an application has been filed for a Person-to-Person and Place-to-Place transfer of pocketed Plenary Retail Consumption License Number 2002-33-004-006, heretofore issued to KCSM Corp., with a mailing address of 1199 Raritan Road, Clark, New Jersey 07066; and

WHEREAS the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term 2012-2013; and

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

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

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Clark does hereby approve, effective January 22, 2013 the Person-to-Person and Place-to-Place transfer of the aforesaid Plenary Retail Consumption License to Garry's Catering, LLC, from the pocket to its new location, 440 Madison Hill Road, Clark, New Jersey 07066 and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Garry's Catering, LLC, and to premises located at 440 Madison Hill Road, Clark, New Jersey, 07066 effective January 22, 2013."

Moved by Councilman Mazarella, seconded by Councilwoman Albanese

Discussion: None

Council President O’Connor directed roll call:

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

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 O’Connor opened the public portion of the meeting

Seeing no one 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, Mazarella, Smith, Toal, O’Connor

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

John Laezza: All I want to do is welcome Councilman Barr back from his illness on reorganization day. We missed you Al, we missed your speech...well some of us missed your speech, and welcome back.

Councilwoman Albanese: I’ll echo the same. It wasn’t the same without you Al, anyhow good to have you back, no further comments.

Councilman Barr: It sounds good with the A & P, I’m glad there’s something finally going on.

Councilman Kazanowski: Yes I would like to welcome back Al and all that. Ralph that was great for the skate night, all the kids had fun that night and it was kind of chilling out but the fireplace was very nice over there. And you guys did a fantastic job with your Italian Feast, thank you.

Councilman Mazarella: Yes just to the residents out there, please bundle up its very cold out there. It’s the coldest today that it has been in two years and tomorrow its suppose to get colder, so just take care and make sure you bundle yourself up thank you.

Councilman Smith: Thank you Mr. President...again I want to thank Ralph with UNICO, what a great job you do on the Italian Festival and I know skate night was a great night. I couldn’t make it this year but to echo Rich’s sentiment the fireplace is a great place to hang out over at that facility. And to echo Frank’s comments it is going to be very cold, please check on your elderly neighbors especially with the next four to five days it’s going to be in the 20’s. It is very important that the heat is working in everyone’s home. That’s all I have this evening.

Councilman Toal: Thank you Mr. President, I will keep it brief. You don't have to go work out at these gyms, just walk the streets of Clark, it's the greatest exercise. This one is going to be difficult. Those who we have lost in the last month...and this one is a little bit tough because his name Tommy Westerlund, he was a friend to this community, he was a friend to all. And when I was paying my respects at the wake his wife turned to me and goes we were talking to Tommy about what you were going to say; and I said nothing, I was shocked. But what can you say about one of the greatest men who has ever been in this township; he gave his heart and soul to this community. To Liz, Thomas, Stacy, Rachel and grandfather to Ashley and Michael and to the son-in-laws, our heart as a community sank when Tommy passed on. And we will always look at Tommy and think of Tommy in our prayers and to you and family. Tommy Westerlund was a part of this community and a part of this community left us. And we can never ever forget his dedication to the community as a fireman and to everything else he did and touched; all the 30 plus years he gave to the Township of Clark and to the fire department. Any time there was a need he was there giving sacrificing the time with his family to the township. To the Westerlund Family our prayers and anything you will ever need we are there for you. Carl Tonnessen, Mr. Tonnessen was in this township his entire life. He grew up and didn't move away, he stayed in Clark. He was a part of the Clark Alliance Church that is down the street from here and gave back to his community and to his church. But a man who spends his entire life in the Township of Clark we must know when he passes away. Jay Bodner; Jay Bodner is an ALJ Alumnae but he is also the son of former fourth ward councilman John Bodner Jr., brother of former fourth ward councilman John Bodner III. And Jay Bodner was Class of "83" a Clark resident who moved away but will always be in our hearts. To Judge David Ravitch; Judge Ravitch was Clark's Municipal Judge back in early 1970's under Tommy Kaczmarick, he just passed away recently and the Ravitch Family was a big part of Clark back in the mid 70's early 70's. And that's all I can say when we lose our best we must take note and we must pay our respects and we must never forget these wonderful people who have been a part of us so we can take that and build a better Clark, thank you.

Police Chief Scherb: No comment thank you.

Fire Chief McDonald: No comment thank you.

Ron (First Aid Squad): No comment thank you.

Township Clerk: No comment thank you.

Council President O'Connor: With that again a lot has been said up here, I'm not a repeater, and it's going to be cold, welcome back Al, and Happy New Year to those who didn't watch on reorganization day.

ADJOURNMENT:

A motion to adjourn the meeting 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