

REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ
July 15, 2013

ROLL CALL:

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

Also Present: 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 Vice President Toal. He asked all present to participate in a moment of silence, following the salute to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

This meeting is in compliance with the Open Public Meetings Act as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County LocalSource, and NJTODAY.NET, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

John Laezza: Council President and Members of Council...first I would like to say good evening citizens of Clark and guests. I would like to thank Ralph Bernardo, our Police Chief, our Fire Chief and our DPW and our Emergency First Aid Squad for their assistance in making the Fourth of July an outstanding success. We had the biggest crowd ever and the fireworks were outstanding. So I want to thank each of you for all of your participation, it makes life easy.

The past day and a half because of the heat there has been intermittent electrical outages in the western portion of the township. Public Service Electric and Gas are working on their sub-stations to try to correct it, sorry for the inconvenience but they are working on it as diligently as possible. And we believe that they have it under control.

I got a telephone call last week indicating that they listened to 101.5 and they listened to the Governor talk about the property taxes and they complained that he said if your property taxes have gone up over two percent, your Governing Body is doing something wrong. We got a call from a citizen who thought her property taxes went up in excess of two percent, so I'm happy to say that I checked all of our details and the property taxes in Clark this year went up 1.8 percent. So that we are well below the two percent property tax levy allowed by the State of New Jersey. As you can tell when the State of New Jersey puts a CAP, it puts a CAP on the increase; he never says you are going to decrease your taxes. So with that Clark is well within the two percent CAP.

And lastly, I would like to thank or give a congratulation to Abigail Granrath, she lives on Picton Street, she is a nine year old who just qualified in the 1500 meter race in New York City for the National Junior Olympics...she is nine years old and she is on her way to Greensboro, North Carolina to represent us in the National Junior Olympics, so congratulations Abigail Granrath and good luck to you in Greensboro, North Carolina.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: Thank you Mr. Vice President...I would like to give my Library report and I would just like to say to everyone if you need a book for your vacation or just to enjoy during the dogs day of summer don't forget to check out the Library. You can always shop online twenty-four hours a day seven days a week and the Librarian will take your order and have it ready for you for pick-up. If you need some suggestions, talk to one of the reference Librarians. In addition to all the great books, magazines, audios, e-books, DVD's, cd's and data base, they are available at the Library. We have an exciting line up of programs this summer. I'm just going to mention a couple of them very quickly; for adults, this is happening tomorrow, it's a healthy heart seminar and that's tomorrow at 2:00 pm and it's going to be conducted by the Dietician at Shop Rite Lauren Purdy. If you haven't met her at the store you can have a chance to meet her tomorrow and she'll discuss ways to improve and keep your heart healthy, not only from a diet prospective but with physical activity guidelines as well. Next Monday on July 22nd there will be a program performed by the Raconteur Radio Players for Sherlock Holmes, so that will be a theatrical performance. So if you are interested in hearing about Sherlock Holmes, they will be in costume and bring back perhaps some memories to some people who use to listen to his stories on the radio or perhaps if you enjoy e-books. For children I'm only going to mention a few items, this one is tomorrow July 16th at 3:30 pm, it's move to music Bollywood style. And there are other programs again, the Raconteur Radio players will be doing a version of 20,000 Leagues under the Sea by Jules Vern, that's on Thursday, July 18th. There will be other programs with New Jersey Rocks, puppets and more and stuffed animals sleepover throughout the month of July, so stop by and check it out. For teens they will be playing The Hobbit on August 5th and there will be free popcorn for that event.

On to personnel matters; we have one of our library staff members, a library assistant will be retiring after twenty years of service, Lorraine Loza was our cataloger, but she also had a chance to meet the public because she also worked at the checkout desk. Lorraine basically was involved in cataloging which is a pretty detail oriented tedious job, but it's really the backbone of your data base because that's what we use to search for books electronically. So we wish her a lot of luck, she has cataloged over eighty thousand items and many hundreds of items of records that have been changed, so good luck to Lorraine.

And also as I mentioned last month effective July 21st our Library Director Patty Anderson will be leaving Clark. She is moving on to a terrific opportunity as the Assistant Director of the Woodbridge Public Library which is a very large Library. So we wish her the best of luck and want to thank her for her past four years of service. In the meantime the Board of Trustees has appointed an interim director, Dawn Jenkin, and I hope you stop by and meet her and the search committee is working diligently to get a new director in place as soon as possible. And that concludes my report thank you.

Councilman Barr: Thank you Mr. Vice President... Council President O'Connor in his absence asked me to report the call statistics for the month of June for the Clark Volunteer First Aid Squad. And this past June they had to respond to 112 calls; 98 were in Clark, 14 mutual aids. One thing I did notice on the sheet was that there were 16 motor vehicle accidents, think about it that's a lot, so I might say to you no texting and pay attention to the road and drive carefully, it's for your own good and that takes care of that report.

Now the normal report that I have is for the Clark Volunteer Fire Department. This past month they had to respond to 48 calls. And when you think June has 30 days, we do have a very busy Volunteer Fire Department, so good job guys. And that concludes my report.

Councilman Kazanowski: Thank you...since I do not chair a council committee I have no report this evening.

Councilman Mazzarella: Yes thank you Council President, I have a few brief reports...first this is from the Police Department; June 2013 saw a total of 2,719 calls for service in which 77 were ambulance requests, 13 were fire department requests, 100 were alarm calls, 5 were vandalism, 73 were motor vehicle accidents, and 2,418 were miscellaneous calls. There were a lot of calls this month that the police responded on to make our community safe.

For our Public Works Department; not many changes from the following month but I'll just go over a few briefly...the bulky pick-up will continue by Ward by appointment only, we do not take mattresses or box springs. Construction debris, paint or other chemicals found in bulky will result in suspension of the service for that resident. It makes it dangerous for our Public Works employees to pick up this material. Please do not put your bulky waste out before the Saturday of your scheduled pick-up to help keep the township looking clean.

Mulch is still available at the Public Works yard, you just have to call and they will be happy to deliver it to you. The next electronic drop-off for July will be Saturday, July 27th from 9:00 am to 1:00 pm. Branches need to be out by the next Sunday for pick-up, branches should not be put out before the third week of each month. And of course our grass pick-up will continue on Mondays and they should only go in containers, any loose grass will not be picked up and you can certainly receive a summons for that.

Our Council President Pat O'Connor wanted me to remind everyone that the 5th Annual Waterson/Dunham Valor Ride will be Sunday, July 28th rain or shine. It begins and ends at the Deutscher Club, 787 Featherbed Lane in Clark.

One other comment I would like to make and I know my colleague Councilman Smith mentions our Recreation Department. I had the opportunity to be at the children's summer rec when it started last Monday and last Thursday, let me tell you it's phenomenal. In the past I was never at an event like that and the only way I could describe it is that it was controlled chaos, it was organized. Ralph Bernardo and his team do an exceptional job. The kids were so happy and he had everything in order. And that is the extent of my report, thank you.

Councilman Smith: Thank you Mr. President...the recreation report this evening; as Frank alluded to, Ralph is running the Rec Camp this year over at Kumpf Middle School because of the construction on Westfield Avenue. They elected to move it over to Kumpf to avoid all the traffic and the delays that we would have here. This year there are 1,010 kids signed up for the Rec Camp in grades K thru 8. There are over 600 children who attend daily which is a huge number of children. Ralph has the counselors and support staff to monitor and keep track of all the kids and it's a well-run program. They are doing everything they can to keep the kids cool, they have every Thursday the Fire Department comes and they do a wet down and there's plenty of water and refreshments for the kids.

Also tennis camp is still open with three weeks remaining, so if you are interested please contact Ralph in the Rec Department. And he is working on his fall rec program; he has actually added new programs with many surprises for the fall. So the details will be coming out very shortly.

The Clark Community Pool is having an excellent membership year. The pool is open daily from 12:00pm to 8:30pm during the week and 10:00 am to 8:30pm on the weekends. There are a few evenings throughout the year, the calendar is on the website and that website is www.clarkcommunitypool.blogspot.com, if you go on there you can get the calendar for each month. There are late night swims and there are also kid party nights. There's plenty of DJ music with the late night swims and also on Sundays. This Friday for the first time ever they are doing a movie night and the movie is "Rec it Ralph" all seats are \$1.00 and for details on that you can contact either the Rec Department or you can call or contact the Community Pool, the phone number for the pool is (732) 381-9008.

And lastly this Saturday there will be a vendor day at the Pool. I believe there are nine businesses or companies that will be there presenting their products for sale. So that's a new addition this year. And with the temperatures forecasted in the mid to high 90's this week it's an excellent week to relax and stay cool at the Pool. So if you haven't joined, please come on out it's not too late to join. And that concludes my report Mr. Vice President.

Council Vice President Toal: The only thing that I want to say on reports is just for those with this heat; if you have an elderly neighbor next door or in the area if you just want to check in on them to make sure that they are okay for their well-being to be a good Clarkite. That's all I have for my reports or comments.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

Ordinance 13-10

AN ORDINANCE TO PROVIDE FOR THE VACATION OF A PORTION OF THE STREET AND RIGHT-OF-WAY ON GRANDVIEW AVENUE FROM THE MUNICIPAL BORDER OF THE TOWNSHIP OF CLARK/TOWNSHIP OF WESTFIELD TO GEORGIA STREET IN THE TOWNSHIP OF CLARK, COUNTY OF UNION, STATE OF NEW JERSEY

Council Vice President Toal opened the Public Hearing on Ordinance 13-10

Delia Collins, 72 Georgia St.: Can someone explain to me what this means?

John Laezza: Basically Grandview Avenue is a street that was a little wide. The Right-of-Way in front of properties normally is about ten feet from the curb line of the properties. The Right-of-Way on Grandview Street is twenty feet in. There are approximately eight homes that have fences or walls on what is township property. This vacation will make those fences valid; we are putting it back onto their property. That's about the easiest way I can explain it. It will get to be property which once again will be taxable for the township that they have been using for years without permission.

Delia Collins: Oh okay...because I saw an issue here regarding the easements because there is...does that make a difference with what is underneath the ground because there are the sewer pipes that come through.

John Laezza: Yeah but we have easements for underneath the ground yes.

Delia Collins: And that will affect their taxes.

John Laezza: Well no, it will not affect their taxes; the easements are under municipal property not their property.

Delia Collins: Correct okay.

John Laezza: The easements remain as they were.

Delia Collins: Thank you.

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

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Motion to adopt Ordinance 13-10 made by Councilman Barr, seconded by Councilman Mazzarella

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Ordinance Adopted

Ordinance 13-11

AN ORDINANCE TO AMEND CHAPTER 255, ARTICLE II OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROPERTY MAINTENANCE"

Council President Toal opened the Public Hearing on Ordinance 13-11

Maryann Disporto, 955 Lake Ave.: Well I just want to say that I am fully in support of this ordinance, totally 100%, because I've seen what our present ordinance when it's violated can do to blight the neighborhood. And I want to speak a little bit about that but I have a feeling that you are probably going to stop me. I actually have some pictures that I would like to pass out to the council because I want everyone to understand exactly what it looks like and I think people maybe don't.

So my question is first of all, if this ordinance is passed tonight which I expect it will be unanimously, exactly how long is it going to be before it's going to be enforced?

Attorney Triarsi: As soon as it is published.

Maryann Disporto: Which will be?

Attorney Triarsi: Edie do you have the date?

Township Clerk: I do, it's August 7th.

Maryann Disporto: So August 7th it's going to be published.

Township Clerk: No it will be effective, it will be published this coming Thursday, it will be effective on August 7th.

Maryann Disporto: So coming August 7th we can expect to get full enforcement of this ordinance.

John Laezza: Yes.

Maryann Disporto: I think you can see very clearly from these pictures exactly you can see the present ordinance that we already have has been violated and allowed to continue for about four months. And I find it totally...I don't understand why when complaints are made they can't be acted on. The ordinance as it stands reads that if there's a violation, you issue a written notice in ten days, failure means that there's a summons and if the owner doesn't deal with it then the town has the right to clean up the property. So this has been going on for four months. And we have made the town aware of it and nothing has been done.

Attorney Triarsi: Ma'am this is a moot argument, that's why the Mayor insisted that this ordinance be fast tracked and get on the docket and get adopted. It was introduced at a special

meeting and it's being adopted tonight. It's being fast tracked for the very reasons that you are highlighting now and whatever happened before happened, that's a moot issue.

Maryann Disporto: And I fully support it. But what I'm saying is that in the past we've had an ordinance and it hasn't been enforced.

Attorney Triarsi: That was then and this is now. This is a different ordinance. This is not going to allow the latitude that the old ordinance allowed and it's not going to create the kind of conflicts or misinterpretations that maybe the old ordinance did.

Maryann Disporto: Does anybody looking at these pictures think that this is the way that this property should be maintained?

Attorney Triarsi: I think you know the sentiment of the council. That's why this ordinance is before the Governing Body tonight, they support what you are saying.

Maryann Disporto: Exactly but my point is that I want to hear from you people up here that and everyone that this ordinance is going to be enforced.

Attorney Triarsi: You are preaching to the choir Mrs. Disporto, that's why it's on the agenda. Why don't you let us adopt it and give us a little time to see how it works and then in two, three or four month if you are dissatisfied if you don't think it's having the impact and then come back and raise hell with the council.

Maryann Disporto: You see four months ago when... and I think it was at a council meeting when Mr. Toal made mention of the fact that pictures had been taken of the Miele's property to preserve for future generations to the way it looked. And because everything was going to be demolished and it was within a very short period of time that the outer buildings started to come down and were just left in this state of disrepair. I mean if we ever had a bad wind storm, all the loose stuff that's in there could go flying all over the place and injure someone or their property. But I asked four months ago about the clean-up on it and nothing happened, nothing.

John Laezza: Council President I guess I'm the bad guy here. Basically this property is scheduled for demolition. It hasn't been demolished because this property has been in the courts for the last six months. Down through the last six months the grass has been cut on a number of occasions. A demolition permit has been given for this property and probably next week the demolition on the entire property and the clean-up probably on the entire property will happen.

Maryann Disporto: Excuse me...is the demolition permit only for the two single family homes, because that is what I was told.

John Laezza: The demolition is for the two...you are going to get...they missed the shed and he will be charged for the shed, the shed will be coming down.

Maryann Disporto: The shed.

John Laezza: The shed on the property.

Maryann Disporto: There's numerous...

Council Vice President Toal: You have four outer buildings on that property, okay, and four.

John Laezza: Whatever buildings are there...

Maryann Disporto: Besides the barn, the greenhouse and what's left of the other greenhouses, the demolition permit is for the two single family homes is my understanding.

John Laezza: The property will be clean-up in its entirety when the new homes go in whether they be single family or town homes, whichever the court decides.

Maryann Disporto: So you are telling me right now that there's going to be no clean-up until the new construction is done.

John Laezza: I said it will probably start next week.

Maryann Disporto: Well they're not starting construction next week, they're starting demolition.

John Laezza: No they are starting demolition.

Attorney Triarsi: Look there's litigation on this.

John Laezza: First of all Council President this discussion is at the public meeting, not for this ordinance so.

Attorney Triarsi: Let me just make a very quick comment. Permits have been issued. There's a litigation involving this property and the permits will be given their full force and effect whatever is permitted will be taken down and whatever is not permitted will stay until the litigation is over. That could be in a week, a month or six months, we don't know, but we are not going to go ahead and cross that bridge until we have the courts approval to do that. Now, we all know that you folks are unhappy with the way that matter has been handled. It's unfortunate but that's the way it is when you get into litigation, you have to keep a certain status quote until it's over. It's close to being over. The ordinance is before the council tonight gives effect to some of your complaints that have been not attended to previously because of the existent ordinance. That ordinance is going to be adopted tonight. I would suggest to you that you sit tight, let this ordinance get adopted and be given affect and if you are unhappy with the way it's enforced, come back to the meeting, but let's not hear about what happened six or eight or nine months ago or before this ordinance got adopted, that serves no useful purpose whatsoever.

Maryann Disporto: Well I think the useful purpose for me with all due respect is to put on record that we've had an ordinance previously that hasn't been enforced, that my expectation is that with the passage of this ordinance, that it will be enforced and that it will not take until the

litigation is settled and the new construction begins for that property to be cleaned up. That is my expectation.

Attorney Triarsi: This ordinance doesn't only affect that property.

Maryann Disporto: I understand that.

Attorney Triarsi: This ordinance affects all properties; commercial properties and residential properties. We have had a problem enforcing that particular ordinance previously because of the notice requirements. Frankly, because we have had habitual offenders and we would give them notice and they would clean up and then they would offend again. This ordinance cuts all of that away and is very clear in so far as what their obligations are. Let the ordinance be adopted and see how it shakes out, and if you are dissatisfied in three or four months come back to the meeting.

Maryann Disporto: It's not going to be three or four months because I've been waiting three or four months...well I waited four months and this is where it got me.

John Laezza: Come back August 19th, it will be effective August 7th.

Maryann Disporto: Thank you.

Gail Lieberman, 450 Parkway Drive: If this isn't the appropriate time for me to do this...if it's the general one, then I will come back at the general. But this is regarding the property at 470 Parkway Drive, it's a flagged lot in Clark and it's right behind me. And this is for the Council President and the Mayor; I only have two copies (pictures of the property given to Clerk to hand out) I am all for property maintenance. I have been putting up with this since I moved here in 2000, this is thirteen years, the former owner never did anything and he was not a very nice person to deal with. This property was just sold I understand recently. Before May 1st there were big stumps taken out and removed that are lying in front of the house, there's debris that's up on the other end of the house and the house is literally falling apart. It's been that way. There's been nobody in this house for the last four or five years. I am recently widowed and I recently became a senior citizen, my taxes have recently increased and if I have to live in back of a slum or in front of a slum, I think they should be cut in half. But anyway this house has been abandoned for four to five years. It has not been taken care of by the previous owner or not the new owner. I have called and I have gone down to the construction department and it took them six weeks to have the grass cut which was over two feet high. And that's not counting the stumps and all the other debris that's there. I called again and I waited another two to three weeks, "oh yes we'll call them", nothing has been done. There are rodents back there, it's a safety hazard, in fact the porch up on top literally fell down, and I heard a big crash a few weeks ago. It's a big safety and hazard issue, the grammar school is directly right behind this property. There have been teenagers in there, the doors are wide opened and the windows are broken. As I said there are all kind of rodents and everything in here and I don't understand why the town of Clark permits that. They tore down Jack's Tavern which was an eyesore. What because nobody else sees it because only I see it or the people next door see it, it doesn't matter. You know Clark is

supposed to be one of the nicest places to live but for whom. I look out my back window and all I see is a slum.

John Laezza: First time I've heard of this complaint ma'am.

Gail Leiberman: Oh please I've sent letters when Scaturo owed this property to you and I've sent pictures to the Mayor. This has been going on for thirteen years since I've lived here that he has kept this place a slum and not somebody named Santos has bought it and I've been very nice. I was so happy that somebody bought this that maybe they were going to take care of it now. And the mosquitos I mean it's been raining, the health issues, and why doesn't somebody do something about it. If it were on my property they would be there jiffy quick.

Council Vice President: I understand. That's why we are going to get somebody through the proper channels through the proper offices to get you the help you need.

Gail Leiberman: But it's been thirteen years. I just don't understand.

Council Vice President: Thirteen years...but since the change of owner's or so.

Gail Leiberman: Well the change of owners I guess happened this year. But why does it take six weeks to get two feet of grass cut. Why does it take weeks...all that debris is still laying there? If I have to sell my property, my property value is going down.

Council Vice President: Are you selling your property?

Gail Leiberman: I may have to. I may not be able to afford the taxes here; I don't know what I may have to do. I said I've been a widowed since last year.

Council Vice President: We're sorry, our condolences to you.

Gail Leiberman: Thank you very much. But I just don't know why a citizen has to come before the council to have the maintenance of the properties in this town who say they care so much, I don't want to be here. Why don't people take care of their properties?

Council Vice President: Unfortunately some people don't follow the same standards.

Gail Leiberman: But they get away with it, they get away with it. So that's why I'm here and I would like to know what the plans are for demolishing this house. I also spoke to the construction department about what happens when they do do this. Are they going to provide for adequate you know with the rodents there?

Council Vice President: If I may...there's an entire process for when a demolition permit is issued, an entire checklist that has to be adhere too that follows the construction. And one of those line items is bate and trap. And Mr. Laezza can add on additional what the other line items are for demolition.

John Laezza: It will be bated for rodents when this demolition is done.

Gail Leiberman: And can you possibly tell me, I know you can't tell me tonight, but what are the plans for that property since it's falling apart.

John Laezza: I have no idea. When I get back to work tomorrow I will check it out.

Gail Leiberman: I appreciate that.

John Laezza: Why don't you give your phone number to the Clerk?

Gail Leiberman: Thank you very much I appreciate it.

Debra McLeester, 921 Lake Ave.: On this ordinance I have a couple of questions...is it basically whatever existing ordinance we had in Clark and now you are making it like more stricter guidelines to make it more enforceable.

John Laezza: Yes.

Debra McLeester: Okay. And what kind of things are included, is this like your lawn maintenance, trees, scrubs or does it get into exterior of homes and things like that. Is that going to become a hardship for maybe an elderly person if they need their house painted?

Council Vice President Toal: That will be taken into consideration.

John Laezza: We hope for that they maintain their houses but we have to watch what we can do. There are certain things you can do but people live the way they live unfortunately.

Debra McLeester: Okay. Well because I'm just looking and I'm saying well you know it could be a hardship.

John Laezza: Yes if they were hanging shutters and they looked like hell I think you would want it cleaned up if you lived next door to it.

Debra McLeester: Correct. But you know in some I could understand where there could be some cases in town where it could be a financial hardship that you are going to keep you know giving them fines, but there may be nothing that they could do you know to correct it in the time frame that you want it done is my thought.

The other thing in terms of the Miele's property with the debris or whatever, I do have a request because I did drive by, well I drive by all the time, but about two months back there was debris in the street and every time I drove I said oh maybe I should stop and pick it up but I can't really stop because of traffic. So I'm requesting that maybe when the police do their route if they do see debris that has fallen into the street can they contact somebody to pick it up.

Council Vice President Toal: Which they do.

Debra McLeester: Okay. Because there were things in the street there that could cause an accident.

Council Vice President Toal: They notify the Public Works Department to come out and pick up if they are able too.

Debra McLeester: Okay.

Seeing no one else coming forward Councilman Kazanowski make a motion to close the Public Hearing on Ordinance 13-11, seconded by Councilwoman Albanese

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Motion to adopt Ordinance made by Councilman Mazzarella, seconded by Councilman Smith

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Ordinance Adopted

PAYMENT OF CLAIMS: Councilwoman Albanese, Member of Finance committee made a motion to approve the payment of claims on current and capital expenditures in the amount of \$308,800.12 for the period ending July 11, 2013, seconded by Councilman Mazzarella

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

CITIZEN HEARING ON THE AGENDA:

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

Council Vice President opened the citizen hearing on agenda items only

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

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

RESOLUTIONS:

Resolution 13-105

WHEREAS the Governing Body of the Township of Clark desires to retain the services of a third party administrator on behalf of the Township to administer the Township's Self Insured Retention (SIR); and

WHEREAS Inservco Insurance Services, Inc. has submitted a proposal in the amount of \$14,000.00 to provide for the claims administration of Worker's Compensation, Automobile Liability, General Liability, including Police Professional Liability and Workers' Compensation – Lost time and medical only submitted against the Township to the SIR; and

WHEREAS the Governing Body desires to retain Inservco Insurance Services, Inc. as the Township's third party administrator for claims administration made to the SIR for one (1) year beginning August 1, 2013 through July 31, 2014; and

WHEREAS said claims servicing organization's services constitute extraordinary unspecified services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., authorizing the services without competitive bids, and

WHEREAS there are funds available in the 2013 budget as evidenced by the Finance Officer's Certification of Availability of Funds in Current Account 23-210-223 for said contract.

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Township of Clark, County of Union, State of New Jersey hereby authorizes the Business Administrator to enter into a contract with Inservco Insurance Services, Inc. as the claims servicing organization on behalf of the Township of Clark for a period of one (1) year commencing August 1, 2013 at an annual fee of \$14,000.00 for the SIR.

Moved by Councilman Kazanowski, seconded by Councilman Barr

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazarella, Smith, Toal

Resolution 13-106

WHEREAS N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS the Township of Clark has received notice of an award of \$26,591.46 from the State of New Jersey, Clean Communities Grant and wishes to amend its 2013 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Clark, in the County of Union, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$26,591.46 which is now available as a revenue from:

- Miscellaneous Revenues:
 - Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:
 - State and Federal Revenues Off-set with Appropriations:
 - Clean Communities Grant

BE IT FURTHER RESOLVED that the like sum of \$26,591.46 be and the same is hereby appropriated under the caption of:

- General Appropriations:
 - (a) Operations Excluded from CAPS
 - State and Federal Programs Off-set by Revenues:
 - Clean Communities Grant

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Moved by Councilman Barr, seconded by Councilman Smith

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazarella, Smith, Toal

Resolutin 13-107

WHEREAS N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS the Township of Clark has received notice of an award of \$190,000.00 from the State of New Jersey, Department of Transportation and wishes to amend its 2013 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Clark, in the County of Union, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$190,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with
Appropriations:

New Jersey Department of Transportation Trust Fund
Authority Act

BE IT FURTHER RESOLVED that the like sum of \$190,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(c) Capital Improvements – Excluded from “CAPS”
Public and Private Programs offset by Revenues:

New Jersey Department of Transportation Trust Fund Authority Act

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval

Moved by Councilman Mazzarella, seconded by Councilman Kazanowski

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Resolution 13-108

WHEREAS the Governing Body of the Township of Clark has advertised for bids on June 27, 2013 for the 2013 NJDOT Roadway Improvement Program: Westfield Avenue (Raritan Road to GSP Bridge); and

WHEREAS five (5) bid proposals were received on July 11, 2013 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were Granada Construction Corp. in the amount of \$317,023.90, Top Line Construction in the amount of \$363,117.39 and Black Rock Enterprises, LLC in the amount of \$371,411.05; and

WHEREAS Granada Construction Corp., 147 Thomas Street, Newark, New Jersey 07114 submitted the lowest responsible bid in the amount of \$317,023.90 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in the 2013 Municipal Budget as amended to include a special item of revenue in the amount of \$190,000.00 from the New Jersey Department of Transportation Trust Fund and Bond Ordinance 13-08 as attached hereto as a "Certification of Availability of Funds"; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to Granada Construction Corp.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to Granada Construction Corp. in the amount of \$317,023.90; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

Moved by Councilman Mazzarella, seconded by Councilwoman Albanese

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

Resolution 13-109

WHEREAS the Governing Body of the Township of Clark has advertised for bids on June 27, 2013 for the 2013 Capital Road Improvement Program; Schmidt Lane, Clauss Road Plymouth Road, Poplar Terrace, Terry Lane, Myra Place, Janie Lane; and

WHEREAS five (5) bid proposals were received on July 11, 2013 in accordance with specifications prepared by the Township Engineer; and

WHEREAS the three (3) lowest responsible bidders were Granada Construction Corp. with a base bid in the amount of \$370,374.90 and alternate in the amount of \$118,808.75, Black Rock Enterprises, LLC with a base bid in the amount of \$411,742.05 and alternate in the amount of \$127,674.00, and JA Alexander Inc. with a base bid in the amount of \$444,347.14 and alternate in the amount of \$134,365.63; and

WHEREAS Granada Construction Corporation, 147 Thomas Street, Newark, NJ 07114 submitted the lowest responsible bid in the amount of \$370,374.90 base and \$118,808.75 alternate which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinance 13-08 as attached hereto as a “Certification of Availability of Funds”; and

WHEREAS the Township Engineer has presented written approval for the award of the contract to Granada Construction Corporation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to Granada Construction Corporation in the amount of \$370,374.90 base and \$118,808.75 alternate; and

BE IT FURTHER RESOLVED by the Governing Body that said award is subject to review of bid and documents by the Township Attorney who will prepare the contract.

Moved by Councilman Kazanowski, seconded by Councilman Smith

Discussion:

John Laezza: The roads that will be done are Schmidt Lane, Clauss Road, Plymouth Road, Poplar Terrace, Terry Lane, Myra Place and Janie Lane. They should be hopefully accomplished sometime between now and October.

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

CONSENT AGENDA RESOLUTIONS:

Resolution 13-110

WHEREAS N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the

State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52 - to wit:

R.S.52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Clark, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 13-111

RESOLUTION APPROVING THE 2012 ANNUAL AUDIT CORRECTIVE ACTION PLAN AND AUTHORIZING THE FILING OF SAID PLAN WITH THE DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS the Township of Clark is required to prepare a Corrective Action Plan based on the findings and recommendations contained in the Annual Audit for 2012; and

WHEREAS the Township is required to submit a Corrective Action Plan to the Division of Local Government Services as part of the annual audit process, and to file a copy of said Plan with the Township Clerk; and

WHEREAS the Governing Body has received the 2012 Annual Audit – Corrective Action Plan.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that the 2012 Annual Audit – Corrective Action Plan, a copy of which is attached hereto and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED that the proper Township officials are hereby authorized and directed to file said Corrective Action Plan with the Division of Local Government Services, and to file a copy with the Township Clerk.

Resolution 13-112

WHEREAS the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS a resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to

indicate the assent of the Clark Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designate Public Works Supervisor, Scott McCabe to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution 13-113

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.

Resolution 13-114

WHEREAS as a telecommunications utility, AT&T Corp. on behalf of itself and its subsidiaries, including AT&T Communications of New Jersey, L.P., Teleport Communications America, LLC and Teleport Communications New York (collectively referred to herein as "AT&T") has been authorized by the Board of Public Utilities to provide local telecommunications services throughout the State of New Jersey; and

WHEREAS pursuant to such authority, AT&T may locate, place, attach, install, operate and maintain fiber optic facilities within the municipal, county and state right-of-way for the purpose of providing telecommunications services; and

WHEREAS in accordance with N.J.S.A. 48:3-19, AT&T has requested the consent of Clark Township to locate, operate and maintain fiber optic cable within the municipal right-of-way.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby grants AT&T its municipal consent for the non-exclusive use of the Public Rights-of-Way within the Municipality for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are hereby authorized and directed to execute the Rights-of-Way Use Agreement subsequent to the filing of plans for approval by the Governing Body in the best interest of the Municipality and its citizens.

Resolution 13-115

WHEREAS the County of Union entered into a contract with Xerox Capital Services LLC for the period of January 1, 2013 through December 31, 2017 to provide document management and daily operations services to operate the County Print Shop housed at 179 West Grand Street, Elizabeth; and

WHEREAS the County also runs the Sign Shop housed at 2 Broad Street, Elizabeth and at 2371 South Avenue, Scotch Plains to design, create, print, deliver and install all County signage; and

WHEREAS the County desires to extend the Print Shop and Sign Shop services to all municipalities within the County as a “Shared Service” pursuant to N.J.S.A. 40A:65-4 and as more fully set forth in the Shared Services Agreement; and

WHEREAS the Governing Body of the Township of Clark, County of Union, New Jersey desires to enter into a Shared Services Agreement for Printing and Signage with the County of Union; and

WHEREAS pursuant to N.J.S.A. 40A:65-5(a) a local unit authorized to enter into an agreement under section 4 of P.L. 2007, c.63 (C.40A:65-4) may do so by the adoption of a resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it hereby authorizes and directs the Mayor to sign the Shared Services Agreement for Printing and Signage with the County of Union on behalf of the Township of Clark.

Resolution 13-116

WHEREAS the Township of Clark has expressed an interest in joining with the County of Union in establishing a shared telecommunications service to dispatch EMS vehicles and equipment in the municipality or the immediate vicinity thereof; and

WHEREAS both parties acknowledge that the implementation of a shared dispatch service will require the municipality’s integration with the County’s computer-aided dispatch system; and

WHEREAS in order to facilitate the continuity of operations between both Parties, the County will also provide ancillary services necessary for addressing emergency services.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes and directs the Mayor to enter into a Shared Services Agreement with the County of Union to provide Emergency Medical Basic Life Support Dispatch Services in the Township of Clark.

Resolution 13-117

BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it hereby authorizes and directs the Business Administrator to enter into a Professional Services Agreement with Scibal Associates, Inc., dba Qual-Lynx, 100 Decadon Drive, Egg Harbor Township, New Jersey 08234 to handle open claims with dates of loss prior to August 1, 2012 for a one year period commencing July 1, 2013.

Motion to adopt Consent Agenda made by Councilman Smith, seconded by Councilman Barr
Discussion:

Councilwoman Albanese: I just want to make a comment. I just want to thank our BA and our CFO and their team for a great job with the Audit, getting it done well before the deadline of September 30th. So thank you for that and if you can pass that on John thank you.

Council Vice President Toal directed roll call:
Aye: Albanese, Barr, Kazanowski, Mazarella, Smith, Toal

NEW BUSINESS ON THE CALENDAR: None

PUBLIC COMMENTS:

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

Council Vice President Toal opened the public portion of the meeting to the public

Debra McLeester, 921 Lake Ave.: Traffic accidents in Clark, you said there were 16 accidents, so was that a lot for this pass month.

Councilman Barr: Well I’m making this report for Council President O’Connor who normally does it. But we do have some members of the First Aid Squad here.

Debra McLeester: Well I'm just wondering if you thought that was a lot of accidents, just the way it was brought up, and then you said text and cell phones, so I was wondering if that was the cause. And then the third question was that I was wondering if it was like Clark residents involved or they were people from out of area coming in and crashing in our town.

Council Vice President Toal: At the end of the year the Clark Police Department gives out a report for the past 12 months. And in that report they give statistical breakdown of the various incidents and accidents.

Councilman Barr: Again I think you can get the answer from our First Aid Squad.

Volunteer First Aid Responder: When Councilman Barr spoke of the number of calls that we had for the month, and of those calls 16 that we responded to as a squad for the month for motor vehicle accidents...they could have been in town, they could have been out of town or mutual aid. It all depends on that specific call. And when Councilman Barr also made a suggestion you know of the texting while driving, that's just been a big issue not here but all over and he was just sighting it as just you know to be aware.

Debra McLeester: Okay cause it made it more sound like those were issues we were encountering and we had 16 of them you know this month or whatever, that's what I picked up on. And the other question I would have is, are there any intersections that seem to be major problems for these accidents? Like anything in particular that you are noticing that we need to approve upon.

Volunteer First Aid Responder: All of them.

Debra McLeester: Well I'm saying because you know we did the Clark Circle thing to try to improve that and I'm just wondering if there's some other intersection's in town that are a major problem now at this point that we should address.

Police Chief Scherb: The intersections that are common, I wouldn't say problem but more frequent accidents happen. Part of the Parkway Circle, Raritan and Central the majority of those accidents are when somebody is trying to yield on, they look, people behind them will stop and look and see if the first car is going and they start giving it gas and taps into the rear of them.

Debra McLeester: Okay so it's more like bump...yeah okay.

Police Chief Scherb: Right. As far as comparing that to the west side of town with Lake and Oak Ridge rarely we do have some accidents there but not as frequently as you do by the Parkway Circle area.

Debra McLeester: Okay I just figured you know because they thought it seems oh it was a lot for this month. Okay thank you.

Delia Collins, 72 Georgia St.: I just wanted to let the Chief know, I don't know if he's on Facebook but the family who had lost their dog on I guess it was last month, they had broken down and the dog escaped from the car, they wrote a nice comment on Facebook about the Clark Police and the citizens of Clark helping them recover their dog. I think that was really nice and I wanted you guys to know that it does happen.

Also I would like to let you know that we have started a Facebook page called Union County Lost Pets. If anyone has lost a pet or found a pet, check that Facebook page because we've recovered so many pets. We had one in Cranford that was lost for forty days and recovered. And also I'm sure the Chief will agree with this, don't leave your pet in your car, it's too hot. I see it in not in Clark that much but in other towns you see it especially you know people running in to different stores and things like that and it's really tough on the pet. Unfortunately so many people leave their children in the car and that's even worse. Thank you.

Doug Ritter, 40 Tudor Dr.: Since the Parkway Circle has been improved I've never heard anything as to whether it's better or not. Has it improved?

John Laezza: It's much better.

Doug Ritter: It's much better.

John Laezza: yes

Doug Ritter: Any way of telling me how much better... 10 accidents less a year, 10% less.

John Laezza: We didn't have many accidents before but the traffic moves a lot better.

Doug Ritter: Traffic moves much better, okay, thank you.

Gail Antonik Leiberman, 450 Parkway Dr.: And since I'm hearing this forum I would like to take the opportunity... my husband was sick for many years and we always had the Clark Police and the EMT's and I would like to take this opportunity to personally thank them for all the years of service. They would always come right away and were very helpful and I just wanted them to know that we really appreciated it. Thank you very much.

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

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

John Laezza: No further comments thank you.

Attorney Triarsi: No comments.

Township Clerk: Nothing thank you.

Rich O'Connor: No report.

Police Chief Scherb: No report.

First Aid Squad: No report.

Councilwoman Albanese: I just want to say to the citizens that came up and talked about the properties. As the attorney mentioned, before we had some grey areas, we want to put some teeth to it so we can enforce that. And hopefully you know if there's an issue don't wait a long time and if you need to escalate it to the council well so be it, you came here and you did the right thing and we will look into it and get back to you. Thank you.

Councilman Barr: Just reporting with motor vehicles accidents. I was reporting from Council President O'Connor. But what I was saying no texting, pay attention to the road...this is kind of a general thing and as far as with the questioning you know are there certain areas that are worse, the police did know that. But just remember one thing you know when I say pay attention to the road, cars don't cause accidents people cause accidents. So that's why I said that, thank you.

Councilman Kazanowski: Yes I would like to thank the Police Department, Public Works, Fire Department, First Aid Squad and all township employees that worked for the July 4th Fireworks. They were a tremendous success. I've never seen so many people there, the only thing I know it took me a long time to get to my car, so it was a job well done congratulations and thank you so much.

People of Clark it's going to be hot this whole week like it was mentioned before, so please look out for your neighbors your elderly senior citizens, check on them periodically and make sure they are good, make sure you feed your dog lots of water and keep them inside out of the sun. I have my dog inside and he has been drinking a lot of ice water and thank you so much.

Councilman Mazarella: Yes thank you Council Vice President...just to make a comment on this ordinance on property maintenance. I share the same frustration that a lot of the residents have, not only for the First Ward but throughout our community. As explained this evening there are some property owners that are not as diligent as maintaining their property and keeping it nice and clean. This ordinance that we adopted tonight makes it more severe for them and hopefully that will get them to move and maintain their properties better. That gives us a more solid hammer to really go after them. With that I would just like to say as my colleagues had said, it's very hot, please be careful out there, be hydrated and take your time out in the heat. And don't forget to recycle, it's very important. Till next month take care.

Councilman Smith: Thank you Mr. President. I also want to echo Councilman Kazanowski's comments on the heat. This week it's going to be extremely hot the rest of this week, please check on your neighbors especially the elderly and children. There was a comment; don't leave your dogs in the car, same thing with children, please make sure you don't leave your child in the

car to run into a store, it's very dangerous. Also stay hydrated during the heat wave this week. Come out to the pool, there's a lot to be offered there. I also want to thank all the town employees, the police, the rescue squad, the fire department and Ralph Bernardo and his team for the fireworks display on July 4th. And that's the end of my comments this evening.

Councilman Toal: I just have a couple of things on the resident who came up with regards to feeling that she wasn't being heard. I have three residents in my Ward with the same situation where we put in a request for a neighbor... who #1 doesn't even live there, he lives down the shore. And he has a house in Clark that he just basically let to go to garbage and it's affected the entire neighborhood. But we are working with the administration to follow the rules of the law, we are up here trying to follow on what we can do and we cannot do. If it was my wish we would go and knock the house down, but we can't do that. You have to follow the rules and regulations of the law and their rights, even though they completely disregard our own and our own neighborhood. So I'm dealing with three issues similar to yours and it's very frustrating even as an elected official to try to get things done but we are working in a legal state that we have to follow by principle. So I understand your frustration, we are trying, and this ordinance will give us the teeth to get things done properly. I apologize to just understand your frustration, okay.

Councilman Mazzarella: Mr. President just to make one point, I don't know if anyone on council will mention this. We have three scouts in the audience, they are here this evening and they are getting their badges.

Council Vice President Toal: Come on up you guys. I'm going to ask each one to come up and give their name and what street they live on.

Scouts working towards becoming an Eagle Scout: Brian King, 144 Acorn Drive; Ryan Medike, 71 Wilshire Way; Matt Janowski, 131 Conger Way.

Councilman Mazzarella: I just want to say thank you for taking on the interest of becoming an Eagle Scout. It's very important that we have young individuals like yourselves to be involved and hopefully that will wet your appetite to become more involved.

Council Vice President Toal: And giving back to your community, it's a very important thing. For those residents we've lost in the last month. Bob Pearson who I knew very well, always saw him at Shop Rite and always had a smile on his face and always loved the Township of Clark; Robert Conklin, Mr. Conklin lived on Wendell Place and I grew up with his daughter and his son; Carmen Giordano, Andy Marchetti, and Anthony McDonald who grew up in Clark, live his entire life in Clark and he was a longtime Clark fireman. When the firehouse was on Central Avenue which was the entrance to Exit 135 South where the original Clark Firehouse in Clark was and then it got moved over to this building and now it's now split in two different locations from Broadway to the firehouse on Raritan Road. So an old time resident has passed on and we take a note and we make sure we don't forget them. And we let the future generation know that some great people came our way. That's all I have for right now and it's been an honor to sit here, I wish for Council President O'Connor to come back soon and again that's all I have.

ADJOURNMENT:

Motion to adjourn meeting was made by Councilman Kazanowski, seconded by Councilwoman Albanese

Council Vice President Toal directed roll call:

Aye: Albanese, Barr, Kazanowski, Mazzarella, Smith, Toal

APPROVED

BRIAN TOAL
Council Vice President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk