

REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ
June 17, 2013

ROLL CALL:

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

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

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 P.M. by Council President O'Connor. He asked all present to participate in a moment of silence, following the salute to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

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

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor Bonaccorso: Thank you Mr. President, good evening Members of Council, ladies and gentlemen...I want to start my report tonight by taking a moment to thank Councilman Al Barr and his entire committee for another successful Memorial Day Parade. I would like to thank all of the participants who participated and our Veteran organizations again for always being there and remembering those who are no longer with us on Memorial Day. Again my apologies due to a family illness I was unable to attend at the last minute. It's something I always enjoy seeing and to the spectators who came out thank you so very much. It means a lot to the people who take the time to put this together and to participate to see the township participation. So I would like to again thank you all.

The other night I attended the Relay for Life at ALJ and I was honored to open up the ceremony as usually. It's just an amazing group of people who support the American Cancer Society. When you stand there and listen to the stories of survivors and their caretakers and what has happened and the effort to try to defeat this very, very ugly disease, it really is heartwarming. Again we are very proud to have hosted this again here as a township. The committee for the Relay has done a tremendous job and according to them this was their most successful year financially. It seems like every year they are surpassing the prior year and that is a great tribute to everyone who contributes and tries to help end this disease.

Our spring clean-up services are in full bloom. We have our monthly bulky clean-up, please call for an appointment. We have our branch clean-up again folks; put them out on week three we will pick them up on week four. Our grass clean-up is going full strong, the kind of rain that we've had I know that's a service this year that's truly being used.

Our Summer Rec this year is going to begin in a few short weeks, summer is upon us, and again it's going to be at Kumpf School this year due to the fact that New Jersey American Water is putting a water main down Westfield Avenue in front of our building, and that we are going to be paving that road when it's done as per our plan. There was no way possible to have Summer Rec at Brewer this year with the amount of cars and children that are there would have been totally, totally unsafe. It was very imperative that we open that road back before the high school and regular schools are in session as we talked about with the Raritan Road paving. You know not everything can be done in the summer months but on the roads that take the most volume we are trying to work with the County and our own contractors who are successful bidders to try to schedule those major roads. If you look around in the next couple of week's traffic in this town will be off by about fifty percent every day with people off on summer vacations and heading down to their shore homes. So it is an opportune time. I would like to thank the Superintendent Ken Knopps, the Clark Board of Education Jen Feeley and her staff at Kumpf for working with Ralph to accommodate another successful recreation program. And I'm sure again this year we are going to be up around and probably over a thousand kids for this terrific service that we provide for this community. So again thank you very, very much for that and for all of the people who are making this work.

Graduation is this week. I know Kumpf is graduating on Wednesday, Johnson on Thursday and I'm sure some of the other parochial schools have already graduated or will be graduating. Ladies and gentlemen my discussions with Chief Alan Scherb, the Clark Police Department with my 110% support is having an absolute no tolerance to underage drinking in this community and a no tolerance to reckless clowning and driving from our graduates. We have been very successful in the last so many years with not having a fatality on graduation or around graduation time. Those of you who grew up in Clark in the 70's and 80's know that it used to be a yearly occurrence. And I know the police department and the fire department and the first aid squad would rather stay in the barn and doing things they do every other quiet day in this community than having to run out to a major fatality due to underage drinking. Parents believe me I'm not here to pass judgment on anyone on how they raise their children or how they run their homes, believe me it's none of my business, but what is my business is the ordinances and laws of this town and the laws of the State of New Jersey that we will fully enforce. If you are hosting an underage drinking party and the Clark Police Department arrives, you will be arrested and charged for doing that. That ordinance was passed here I think somewhere in 1998 to enable the police department to go onto private property when there was underage drinking going on to stop these parties. A couple of weeks ago we all read about some parties down in Seaside with some trouble and some of our youths that got into it. Look it's not an embarrassment to me or this community, it is not, that's on you, that's your family, you handle it the way you think it has to be handled. But we don't really want to see that going on. The young adults of this town who are graduating and I know you know look, kids will be kids, boys will be boys as they say but the bottom line truthfully is, is that if you want to graduate on Thursday night and look your parent in the eye and tell them how grown up you are and what kind of an adult you are, then why don't

we act like it starting if you haven't already that night. Let's understand that you can have a good time without engaging in drinking and narcotics and things of that nature. Chief Scherb has my support 110%. And to my friends of this community, please don't call if there's a problem, you will get an absolute no return call back. I do not involve myself in any of that activity. The parties I'm invited too I'm very happy to know that the parents where I'm going are not going to have underage drinking. I can attend those parties, because if there were this Mayor would never be on the same premises as underage drinking is going on. It's a responsibility I think you need to do what you do with your son or daughter in the privacy on your home whatever tradition you may have, that's up to you. Again I'm not here to raise your children or pass judgment. What I'm here to do is to make sure the laws of this community are fully enforced. So please ladies and gentlemen let's have a joyous graduation season, let's see our youth get ready to go off to college and make something great out of their lives, let's not be reading about a tragedy in the newspaper. And again I would just like to take a moment to congratulate all the graduates of this town from the little ones moving on up to all the different grades in schools in Clark from our preschools and private parochial, congratulations to you all, is a great time of year and let's enjoy it. And we will have our full fireworks show on the 4th of July out here at the ALJ grounds. You will be able to view it right from the Brewer Town Hall like you have in the past. It's usually a great night with a lot of fun and a lot of exciting fireworks. So please come out and enjoy it, it's a service that we are happy to provide to you from the Mayor and Council. For those of you who are not down the shore we are going have something to do together and show up and have some fun. And Chief Scherb has assured me that the hot zone is marked out and no one will have anything in their lap, so thank you very much for that report this evening, I appreciate the time, thank you.

Business Administrator Meeting Summary:

John Laezza: Council President, Members of Council and members of the public...tonight we have a public hearing on an ordinance to review and change the table of organization for the police department. We are introducing two separate ordinances; one is an ordinance to vacate a portion of Grandview Avenue. After a study of Grandview Avenue we found that there are eight properties on Grandview Avenue that six or seven of the homes of whom have encroached on township property and rather than have them remove their fences, we are going to vacate that portion of Grandview Avenue so they can become valid properties. They will be getting a notice of this ordinance because next year they will be getting an increase in their property taxes for the land that they've been using for free. The other ordinance we are introducing tonight is an ordinance that we have in the books but we're changing the enforcement policy. The Mayor and the council have kind of been annoyed with lack of maintenance on a number of properties both commercial and residential owners are having with their property in regards to maintenance, and this town is starting to look a little shabby. We've put in strong enforcement procedures and we will be following those procedures very finitely. That's another ordinance that will be introduced tonight; Public Hearing will be in July.

Tonight we will also be renewing the Alcoholic Beverage Licenses for those properties in Clark and we have in addition, one that hadn't met their criteria when we had the regular workshop meeting but they've met the standards tonight before this meeting, so we will be adding them at the end.

We will be appointing a new man to the volunteer fire department. And we have our Consent Agenda; our Consent Agenda is basically items that have been discussed at Council and that everyone agrees upon their passage, so we put them in ordinance so that we don't have to read separately ten or twelve separate resolutions. For your consideration we give you an explanation of the items on the consent agenda and then we have one vote for all of them. And that's the program for tonight.

Township Clerk: I have in my possession the police, fire and first aid reports on file and if the public would like to see them, they are in my office or you can get them by email.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: Thank you Mr. President...a brief report on the Library, the summer reading sign-ups start today and they will be kicking off the summer reading program on June 24th at 7:00 pm next Monday night. They will have a program called "Dino Hunter" with David Engull and he will present a one man show featuring magic, music, and puppetry and slap stick antics. So if you are interested in that event, please sign up at the Library. Throughout the summer there will be programs on Tuesday afternoon's at 3:30 and the programs are geared towards students in the first thru sixth grade. Then also on Thursday evenings they will be having family fun night. So again there will be all different types of activities for families on Thursday evenings to celebrate the reading program for the summer.

In addition the Lego Club again for grades one through five will be meeting on Mondays, July 8th, 22nd and August 5th. So if you want to come over and try some of your creativity with Lego's, please drop in on that program. For adults on July 22nd we will have the Sherlock Holmes Radio Night, so this will be a reproduction of what a radio program use to be like way back when, I guess before television. Some of us here can remember those days I guess, right? That sums it up. We have the regular programs ongoing at the Library and I just want to mention one other thing about the reading program. There are prizes and that program is for all ages starting from age 2 and up. So whether you are a toddler, young adult, child or an adult or a senior citizen, please participate in the reading programs, it's a lot of fun.

There's just one other item I just want to mention, regretfully our Director of the Library Patricia Anderson has tendered her resignation. She will be leaving us at the end of July and I'm pleased to say that she will be moving on to a very nice position. She wasn't looking but the opportunity arose and they sought her out. She will be the Assistant Director at the Woodbridge Library, so that's a big, big library and it's a great opportunity for her and we will miss her. We are actively conducting a search for an interim and full time director. And that concludes my report.

Councilman Barr: Thank you Mr. President...thank you Mayor for the accolades in reference to the Memorial Day Parade. I would like to also thank the other members of the parade committee for all the help they have given me; that's Lieutenant Michael Pollock, Frank Cerasa, Martha Kamichoff and Bill Duffy. And also the parade marshals who make sure that everyone is lined up properly, Frank Cerasa who is also with the parade committee, Andy Beach, Rick Brattole and Frank Brattole and all of these are members of the Volunteer Fire Department.

And mentioning the fire department they were 39 incidents this past month. You know how many times I'm telling about all of the training that they are also doing and they train very often on extrication from motor vehicle accidents and in this past month they had three...there were two on the parkway and one in town. The Chief is here and I just want to thank the Chief because they do a great job. I've watched it many, many times and it's life-saving so thank you to the fire department for all the training that you do...and that concludes my report.

Councilman Kazanowski: No committee report this evening.

Councilman Mazarella: Yes thank you Council President...I have two reports; one is the Clark Police Department monthly report summary; May of this year saw a total of 3,026 calls for service of which 111 were ambulance requests, 25 were fire department requests, 89 were alarm calls, 7 were vandalism, 72 were motor vehicle accidents and 2681 were miscellaneous calls. It's a lot of calls they responded on to keep our community safe.

Our Public Works Department; our Mayor touched on a couple of items, such as the branch pick-up and he had said to place the branches out on the third week and they will be picked-up on the fourth week, unfortunately there are a number of residents as I rode around in my Ward and talking with Scott McCabe, there has been a number of residents that have put their branches out earlier in the month...ladies and gentlemen we can't have that, please hold off until the third week, put them on your property on the side. Because it's unsightly, that's #1 and #2 you are going to get a summons. And likewise with the grass pick-up, that's on Mondays and it should be in only 30 gallon containers. The piles will not be picked up and you can get a summons for that as well...no plastic bags and do not mix with leaves and branches, all grass must be out the night before. The next electronic drop-off will be June 29th of this month from 9:00 am to 1:00 am and one final note the Mayor touched on as well about bulky waste...you should call the Thursday before your Ward; Ward 1 is the first week, Ward 2 is the second week, Ward 3 is the third week and Ward 4 is the fourth week. You have to call Public Works the Thursday before for pick-up. And again riding around throughout our community there are residents that have thrown their materials out well before their allotted time period. Please don't do that, you are going to get a summons for that, okay, and that completes my report thank you.

Councilman Smith: Thank you Mr. President...the Recreation Department report for this past month as the Mayor alluded to earlier that the Summer Rec program starts Monday, July 8th and it is being held at Kumpf School this year. There is still time to sign up, so if you are interested please contact Ralph over at the Brewer Rec Department. He is usually in his office, if not the forms are in bins right outside his office. There are still openings for the tennis camp for children as well as adults and also sports broadcasting camp.

My children have taken advantage of these programs over the years, they are very inexpensive, so I highly recommend for the people who have children and you need something to do in the summer especially in the mornings, it's a great program. Ralph continues to add to the program every year and there's more and more to do for the kids from all ages from kindergarten right on up through eighth grade.

The Community Pool; we are still accepting applications. It seems like the weather is finally turned a little bit, it's getting sunny and warmer, so take advantage of that. The Pool is open this week 4 to 8 pm. Starting Saturday it will be on its regular hours which are 10:00 am to 8:30 pm. There's a lot of activity at the Pool offered for kids of all ages as well as adults and that concludes my report this evening.

Councilman Toal: Mr. President I have no committee report tonight thank you.

Council President O'Connor: And from the Finance Committee I just want to say we are six months into the year and everything with the town is going well financially thanks to Mr. Laezza and the Administration. I just want to let you know that the estimated tax bills will be sent out within the next two weeks. So again thank you Mr. Laezza and Mr. Mayor for a great job with the Administration.

And from the Emergency Squad; I just want to let you know that there were 142 ambulance requests during the past month, 125 to Clark and 17 for mutual aid and 18 were for falls, 16 for sick persons and 13 were for breathing problems. So again these are volunteers, the Mayor talked about it, you know Relay for Life the emergency squad was there along with the fire department and the police department all volunteering on their free time to make the community safe, so thank you all for that as well. And that concludes my report for this evening.

ORDINANCES, APPROPRIATIONS AND CLAIMS:

PUBLIC HEARING ON PROPOSED ORDINANCES:

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

Ordinance 13-09

AN ORDINANCE TO AMEND CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "DEPARTMENT OF POLICE"

Council President O'Connor opened the Public Hearing

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

Council President O'Connor directed roll call:

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

Council President directed a motion to adopt the Ordinance

Motion to adopt was made Councilman Toal, seconded by Councilman Smith

Discussion: None

Council President O'Connor directed roll call:

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

Ordinance Adopted

INTRODUCTION OF PROPOSED ORDINANCES:

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

WHEREAS, the Governing Body of the Township of Clark has determined it to be desirable and appropriate for certain sections of the street and Right-of-Way on Grandview Avenue between Westfield/Clark Township Municipal Boundary and Georgia Street, to be vacated as the same would be in the general public interest of the Township of Clark; and

WHEREAS, N.J.S.A. 40:67-1(b) specifically authorizes the Township to vacate streets and Right-of-Ways where necessary and/or desirable to the public interest; and

WHEREAS, the Governing Body of the Township of Clark has examined the proposed vacation and has determined that the portion of the street and Right-of-Way proposed to be vacated would not have a negative impact upon the existing improved and dedicated street and that the vacated portion serves no useful or functional purpose.

NOW, THEREFORE, be it ordained as follows:

SECTION 1: The Governing Body of the Township of Clark hereby vacates those certain parts or the municipal street and Right-of-Way on Grandview Avenue from the Westfield/Clark Municipal Boundary to Georgia Street, as the same is hereinafter defined by metes and bounds:

**DESCRIPTION OF PORTIONS OF GRANDVIEW AVENUE TO BE VACATED
TOWNSHIP OF CLARK
COUNTY OF UNION, NEW JERSEY**

TRACT I

Beginning at the point of intersection of the southwesterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Georgia Street (50' Right-of-Way) and running thence:

1. Along the said southwesterly line of Grandview Avenue, North 52°-55'-00" West a distance of 220.00' to the point of intersection of the said southwesterly line of Grandview Avenue and the southeasterly line of Carolina Street (50' Right-of-Way), thence

2. Along the northeastwardly prolongation of the said southeasterly line of Carolina Street, North 37°-05'-00" East a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 221.34' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Georgia Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Georgia Street, South 46°-36'-00" West a distance of 8.11' to the aforementioned intersection of the southwestery line of Grandview Avenue and the northwesterly line of Georgia Street, the point and place of beginning.

Contains: 1,765.4 square feet or 0.04 acres.

Subject to an 8.0' wide easement, along the entire length of the vacation, to the Township of Clark for future construction and maintenance of the existing storm sewer system along Grandview Avenue.

Subject to any and all further easements, reservations and restrictions of record.

TRACT II

Beginning at the point of intersection of the northeasterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Georgia Street (50' Right-of-Way) and running thence:

1. Along the said northeasterly line of Grandview Avenue, North 52°-55'-00" West a distance of 231.06' to the point of intersection of the said northeasterly line of Grandview Avenue and the southeasterly line of Carolina Street (50' Right-of-Way), thence
2. Along the northeastwardly prolongation of the said southeasterly line of Carolina Street, South 37°-05'-00" West a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 229.72' to a point in the southwestwardly prolongation of the aforementioned northwesterly line of Georgia Street, thence
4. Along the said southwestwardly prolongation of the northwesterly line of Georgia Street, North 46°-36'-00" East a distance of 8.11' to the aforementioned intersection of the northeasterly line of Grandview Avenue and the northwesterly line of Georgia Street, the point and place of beginning.

Contains: 1,843.1 square feet or 0.04 acres.

Subject to any and all easements, reservations and restrictions of record.

TRACT III

Beginning at the point of intersection of the southwesterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Carolina Street (50' Right-of-Way) and running thence:

1. Along the said southwesterly line of Grandview Avenue, North 52°-55'-00" West a distance of 155.42' to a point in the Municipal Boundary Line between the Township of Clark and the Town of Westfield, thence
2. Along the said Municipal Boundary Line, North 35°-37'-30" East a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 155.62' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Carolina Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Carolina Street, South 37°-05'-00" West a distance of 8.00' to the aforementioned intersection of the southwesterly line of Grandview Avenue and the northwesterly line of Carolina Street, the point and place of beginning.

Contains: 1,244.2 square feet or 0.03 acres.

Subject to any and all easements, reservations and restrictions of record.

TRACT IV

Beginning at the point of intersection of the northeasterly line of Grandview Avenue (66' Right-of-Way) and the northwesterly line of Carolina Street (50' Right-of-Way) and running thence:

1. Along the said northeasterly line of Grandview Avenue, North 52°-55'-00" West a distance of 157.10' to a point in the Municipal Boundary Line between the Township of Clark and the Town of Westfield, thence
2. Along the said Municipal Boundary Line, South 35°-37'-30" West a distance of 8.00' to a point, thence
3. South 52°-55'-00" East a distance of 156.90' to a point in the northeastwardly prolongation of the aforementioned northwesterly line of Carolina Street, thence
4. Along the said northeastwardly prolongation of the northwesterly line of Carolina Street, North 37°-05'-00" East a distance of 8.00' to the aforementioned intersection

of the northeasterly line of Grandview Avenue and the northwesterly line of Carolina Street, the point and place of beginning.

Contains: 1,256.0 square feet or 0.03 acres.

Subject to any and all easements, reservations and restrictions of record.

SECTION 2: Expressly reserved from the provisions of this Ordinance are all the rights and privileges possessed by public utilities as defined in RS 48:2-13 and by any cable television company as defined in the Cable Television Act P. L. 1972 C. 186 (C-48:5A-1 et seq.) to maintain, repair, or replace the existing facilities in, adjacent to or under the street, highway, lane, alley, square, place, park or any part thereof to be vacated; all easements of record existing in favor of the Township of Clark or any third parties, all of which are expressly preserved.

SECTION 3: The Tax Assessor is hereby directed to adjust the land assessment of each of the adjoining property owners benefited hereby in such amount as may be appropriate in order to include the additional lands each has derived as a result of the vacation.

SECTION 4: A hearing on the vacation of the Right-of-Way as heretofore referenced shall be conducted by the Governing Body of the Township of Clark prior to the adoption of this Ordinance.

SECTION 5: Any Ordinances or parts thereof inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

SECTION 6: This Ordinance shall take effect upon adoption and publication, according to law.

Moved by Council President O'Connor, seconded by Councilman Mazzarella

Discussion: None

Council President O'Connor directed roll call:

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

Public Hearing will be on July 15, 2013

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

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 255, Article II, Section 255-9 of the Code of the Township of Clark entitled “Property Maintenance” is hereby amended in the following particulars:

SECTION 1: Sub-Section 255-9 is repealed in its entirety.

SECTION 2: Sub-Section 255-9 entitled “Residential/Commercial Violations and Penalties” is restated as follows:

A. Residential Use Defined: A Residential use means any building used to provide living facilities for one or more families but not including boarding houses, rooming houses, motels, hotels, or townhouses or condominiums in a planned development.

(1) Should the enforcement authority, after conducting an inspection of Residential premises, determine that there exists a violation of the terms and conditions of this Article, the enforcement authority shall, prior to the issuance of any summons hereunder, issue to the owner of said Residential property a written order to correct the stated violation within five (5) calendar days. Failure of the owner to comply with such an order to correct such violation shall result in the issuance of a summons pursuant to the provisions hereof and the imposition of the penalty set forth in Section D hereof.

(2) In the event there shall be a second violation by the property owner of the provisions of this Ordinance within the same calendar year of the first violation, the enforcement authority shall not be required to issue a written order to correct the stated violation but shall issue a summons for the repeated violation forthwith.

B. Commercial Use Defined: A Commercial use is defined as any use other than a Residential use as defined hereinabove.

(1) Should the enforcement authority, after conducting an inspection of commercial premises, determine that there exists a violation of the terms and conditions of this Article, the enforcement authority shall issue a summons for same forthwith and shall not be required to issue a prior notice to correct the violation to the property owner prior to issuing a summons.

C. Notice: Any notice required hereunder shall be by personal service or certified mail and, upon the failure of personal service or service by

certified mail, by regular mail or leaving a copy of the notice at the property address.

D. Penalty:

(1) The penalty for violation of this Ordinance by a Residential property owner shall be a warning for the first offense; a penalty in the amount of \$250.00 for the second offense; and a penalty of \$500.00 for any third or subsequent offenses.

(2) The penalty for violation of this Ordinance by a Commercial property owner shall be the amount of \$500.00 for the first offense, and \$1,000.00 for any second or subsequent offense.

SECTION 3: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

SECTION 4: **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.

Moved by Councilman Mazzarella, seconded by Councilman Smith

Discussion:

Mayor Bonaccorso: Ladies and gentlemen we had to amend the property maintenance ordinance. About a month or so ago I kind of lost it one day and not so much on the residential side but on the business side. I know everyone is clamoring to have a nice downtown area and you know we've put the ball in the air as far as the zoning goes for Westfield Avenue. At the time I said we are going to have nature take its course, we are not going to condemn anybody's property or throw them out from it. And it's a slow procedure as we all can see. Some of the businesses along there and other areas of the town I guess just feel that they can just go about their business daily and not worry about what the outside of their premises look like. And I commend the people who do care and do keep it up and I thank you for that. But it seems to be the same suspects every year that I have to go into Mr. Khoda's office and tell him to start sending out letters and getting on these people. And it's a mess and it's a shame and it becomes an eyesore. I'm very anal about this; I'm not usually that type of person unless something really hits me. If you take a look throughout the town in our concrete dividers, even the ones that are on county roads like Raritan Road and Central Avenue I have our DPW crew go out there and weed whack the weeds and spray them off with Roundup each and every year just as they begin to grow. Because to me that makes the town look like a slum, it really does. I mean when I look at areas of the Parkway and State owned properties and I know there's acres and acres of it and there's only so many people that can do it every day. It just bothers me to see that kind of debris lying around. Our DPW makes a great effort every day to keep our properties in fine order. I know this May we've had about sixteen inches of rain, it's a lot of rain and it's hard to keep up with it. We have a few home owners in the past that we've had to chase a little bit in getting their lawn's cut.

Look we are not trying to hurt the homeowner whose machine breaks down and then it rains and you don't have a chance to cut it as you get the machine back from Clark Power or whatever. You know we are not trying to hurt you people. We understand that and we will work with you. But there are a few residents out there that just believe they'll cut the grass two times a year when we come chasing and that's not a nice thing to do to your neighbors. And for the businesses this is going to be your warning this ordinance and then we are going to come after you. Because it is the same people every single year and we are tired of that. I know Councilman Toal every year talks about, especially at the holiday times supporting Clark businesses and doing the right thing as residents and I know we all try to, I mean I try to at least, but the bottom line is it's our community too whether you live here or you work here or you own a business here, please take care of it. We know not every scenario is perfect, there's not a perfect world out there but I appreciate the Council for introducing this and look forward to your passage of this on July 15th to try to keep this town looking good, thank you.

No further discussion on this ordinance

Council President O'Connor directed roll call:

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

Public Hearing will be on July 15, 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 \$237,315.31 for the period ending June 13, 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 meeting to the public regarding agenda items only

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

Council President O'Connor directed roll call:

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

RESOLUTIONS:

Council as ABC Board

Resolution 13-93

BE IT RESOLVED by the Governing Body of the Township of Clark that the following licenses are approved for their annual renewal: Plenary Retail Consumption Licenses in the sum of \$2,500.00; Plenary Retail Distribution Licenses in the sum of \$1,728.00; Club Licenses in the sum of \$188.00, be renewed for the Year 2013-2014, effective as of July 1, 2013.

- 2002-33-001-003 Brinker New Jersey Inc.
t/a Chili's Grill & Bar
225 Central Ave., Clark, NJ 07066

- 2002-44-002-004 Clark Circle Liquors & Lounge Inc.
t/a Wine Anthology
77 Central Ave., Clark, NJ 07066

- 2002-33-003-003 Aliperti's Restaurant, Inc.
1189 Raritan Road, Clark, NJ 07066

- 2002-33-004-007 Garry's Catering LLC
440 Madison Hill Road, Clark, NJ 07066

- 2002-33-005-009 Clark BBQ Inc.
1419 Raritan Road, Clark, NJ 07066

- 2002-36-006-010 Largo Clark SPE LLC
t/a Holiday Inn
36 Valley Road, Clark, NJ 07066

- 2002-44-008-005 Rotondo's Oak Ridge Liquors Inc.
t/a Rotondo's Liquors Deli and Fine Foods Inc.
1040 Lake Avenue, Clark, NJ 07066

- 2002-33-009-004 1085 Central Ave. Restaurant Corp.
t/a Molly Maguire's Irish Pub & Restaurant
1085 Central Avenue, Clark, NJ 07066

- 2002-33-011-007 1199 Corp.
t/a Tarantella's Ristorante
1199 Raritan Road, Clark, NJ 07066

- 2002-31-012-001 Clark Post #328 The American Legion
t/a American Legion Clark Post 328
78 Westfield Avenue, Clark, NJ 07066

2002-31-013-002 Deutscher Club Clark Inc.
787 Featherbed Lane, Clark, NJ 07066

2002-31-015-001 The Gran Centurions
440 Madison Hill Road, Clark, NJ 07066

2002-31-017-001 John L. Ruddy Post 7363 VFW
6 Broadway, Clark, NJ 07066

2002-33-018-011 Central Blue LLC
77 Central Ave., Clark, NJ 07066

2002-31-019-001 Columbian Club of Clark Inc.
27 Westfield Ave., Clark, NJ 07066

2002-31-020-001 Polish Cultural Foundation Inc.
177 Broadway, Clark, NJ 07066

Moved by Councilman Kazanowski, seconded by Councilman Barr

Council President O'Connor directed roll call:

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

Resolution 13-94

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as a Member of the Clark Volunteer Fire Department effective this 17th day of June, 2013.

Anthony Cangiarella
Myra Place
Clark, NJ 07066

Moved by Councilman Barr, seconded by Councilman Mazzarella

Council President O'Connor directed roll call:

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

CONSENT AGENDA RESOLUTIONS:

Resolution 13-95

WHEREAS in accordance with a request from the Treasurer/CFO for authorization to refund overpayment of 2013 sewer fees; the Mayor has recommended to Council that such authorization be granted.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, that the Treasurer/CFO is hereby authorized and directed to make the following refunds as per the attached schedule.

SEWER REFUNDS - 2013

REF #	Acct #	Name	#	Address	Reason	Refund
13 3	3088-0	R&S Real Estate Holdings	53-59	Westfield Avenue	overpayment	\$112.74
13 4	2751-0	Ronald Hoehn	28	Prescott Turn	overpayment	\$24.47
13 5	1998-0	Gregory Kniss	280	Madison Hill Rd	overpayment	\$275.00
13 6	2754-0	William Doyle	54	Prescott Turn	overpayment	\$407.50
13 7	318-0	Robert Horvath	120	Briarheath Lane	overpayment	\$248.91
Total Refunds						\$1,068.62

Resolution 13-96

WHEREAS in accordance with a request from the Tax Collector for authorization to refund overpayment of 2012 and 2013 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 following schedule:

BLOCK	LOT	QUAL.	NAME	#	ADDRESS	REFUND	YEAR/QTR
83	19		Sandra Mc Gill	111	Gertrude Street	\$ 1,801.83	2012/2
4	8		Vincent Chesnowski	439	Willow Way	\$ 27.67	2012/1
194	33		Corelogic	51	James Avenue	\$ 1,553.36	2013/1
187	10		Corelogic	1144	Forest Drive	\$ 1,766.22	2013/1
164.01	12.01		Corelogic	23	Spruce Street	\$ 2,419.03	2013/1
67	14		Corelogic	95	Gibson Blvd	\$ 2,702.62	2013/1
62	5.01	C-104	Ramiro Yopez	1139	Raritan Rd Unit 104	\$ 2,626.49	2013/1
15	8		Corelogic	67	Grove Street	\$ 2,565.58	2013/1
5	15		Corelogic	27	Limoli Lane	\$ 3,090.88	2013/1

Total Refunds \$ 18,553.68

Resolution 13-97

BE IT RESOLVED, by the Governing Body of the Township of Clark that it does hereby authorize the Tax Collector to settle a Tax Appeal authorized by the Union County Board of Taxation for the following:

<u>Block/Lot</u>	<u>Address</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>X</u>	<u>Rate</u>	<u>Refund</u>
63/53	1049 Raritan Road	815,600	750,000	65,600(2010)	x	5%	\$5,272.61
63/53	1049 Raritan Road	815,600	750,000	65,600(2011)	x	5%	\$5,199.57
63/53	1049 Raritan Road	815,600	750,000	65,600(2012)	x	5%	\$7,066.94

Total Amount to be Refunded **\$17,539.12**

Resolution 13-98

BE IT RESOLVED by the Governing Body of the Township of Clark that the following individual is hereby appointed as an Alternate I Member of the Planning Board

Alternate I Member

Term

Michael Altmann
8 Winters Court
Clark, New Jersey 07066

06/17/13 – 12/31/13
(completing unexpired term of
Sean Fresco 03/04/13 – 12/31/13)

Resolution 13-99

WHEREAS Paul Santoro was appointed as a Class 1B Special Law Enforcement Officer on December 17, 2012 pursuant to P.L. 1985 and Chapter 3, Section 3-29N of the Code of the Township of Clark; and

WHEREAS Special Law Enforcement Officer Santoro successfully completed the required firearms training at the Clark Police Department Firing Range on May 25, 2013

qualifying him to become a Class II Special Law Enforcement Officer pursuant to Chapter 3, Section 3-29N(5).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby appoint Paul Santoro as a Class II Special Law Enforcement Officer to serve for the period commencing May 25, 2013 and concluding December 31, 2013.

Resolution 13-100

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF CLARK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED JUNE 2012

WHEREAS certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS it is necessary to amend an existing Interlocal Services Agreement for the County of Union and its people to benefit from this program; and

WHEREAS it is in the best interest of the Municipality of Clark and the County of Union in cooperation with each other to enter into a modification of the Interlocal Services Agreement pursuant to N.J.S.A. 40:8A-1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Clark that the agreement entitled Agreement to Modify Interlocal Services Agreement dated June 2012, for the Purpose of Inserting a Description of Activities to be funded in the 2013-2014 Consolidated Plan of the County of Union, a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provision of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Resolution 13-101

WHEREAS John Vizzoni of 727 Raritan Road Associates has requested partial release of the Performance Guarantee originally posted for site work in the amount of Sixty Three Thousand, Nine Hundred Sixty Seven Dollars and Thirty Two Cents (\$63,967.32) to guarantee site work at 727 Raritan Road; and

WHEREAS the Township Engineer has performed an inspection of all work completed to date and acknowledges that 70% of the work has been completed according to the approved plan; and

WHEREAS the Township ordinance allows for a maximum reduction of Seventy Percent (70%) of the total Guarantee; and

WHEREAS there has been no previous reduction of the Performance Guarantee for this project; and

WHEREAS Seventy Percent (70%) of Sixty Three Thousand, Nine Hundred Sixty Seven Dollars and Thirty Two Cents (\$63,967.32) is Forty Four Thousand, Seven Hundred Seventy Seven Dollars and Twelve Cents (\$44,777.12); and

WHEREAS the Township will retain on deposit a Performance Guarantee in the amount of Nineteen Thousand, One Hundred Ninety Dollars and Twenty Cents (\$19,190.20), which the Township Engineer has determined to be sufficient to guarantee full performance and installation of all requisite improvements; and

WHEREAS the Township Engineer has recommended the reduction of the Performance Guarantee in the amount of Forty Four Thousand, Seven Hundred Seventy Seven Dollars and Twelve Cents (\$44,777.12) and the retention of a Performance Guarantee in the amount of Nineteen Thousand, One Hundred Ninety Dollars and Twenty Cents (\$19,190.20) to be submitted to the township, which sum he has determined to be sufficient to guarantee final performance.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby authorize a partial release of the Performance Guarantee in the amount of \$44,777.12 to 727 Raritan Road Associates with the retention of a Performance Guarantee in the amount of \$19,190.20 to guarantee the complete installation and construction of all improvements, said remaining Performance Guarantee to be released only upon final completion and approval by the Township Engineer together with posting of the requisite Maintenance Guarantee.

Resolution 13-102

WHEREAS Top Line Construction Corp. has completed work on the 2012 Capital Road Improvement Program; Featherbed Lane, Canterbury Drive and Jupiter Street and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Two Hundred Ninety Eight Thousand, One Hundred Seventy Three Dollars and Fourteen Cents (\$298,173.14) including final quantities change order; and

WHEREAS the Chief Financial Officer has determined sufficient funds are available in Ordinance 12-08 as evidenced by the Certification of Availability of funds attached.

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

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Top Line Construction Corp. to be Fifty One Thousand, Four Hundred Seventy Four Dollars and Nineteen Cents (\$51,474.19).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, New Jersey that it does hereby authorize Final Payment to Top Line Construction Corp., 22 Fifth Street, Somerville, New Jersey 08876 in the amount of \$298,173.14 including final quantities change order and release of the Performance Guarantee pending submission of a Maintenance Bond in the amount of \$51,474.19.

Motion to adopt the Consent Agenda made by Councilman Toal, seconded by Councilman Barr

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

NEW BUSINESS:

Resolutin 13-103

BE IT RESOLVED by the Governing Body of the Township of Clark that the following license is approved for annual renewal: Plenary Retail Consumption Licenses in the sum of \$2,500.00 be renewed for the Year 2013-2014, effective as of July 1, 2013.

2002-33-010-006 Windsor Diner Beverage Corp.
t/a Johnny K's
1030 Raritan Road
Clark, NJ 07066

Motion to add Resolution 13-103 to agenda was made by Councilman Kazanowski, seconded by Councilwoman Albanese

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

Motion to adopt resolution made by Councilman Kazanowski, seconded by Albanese

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

Resolution 13-104

WHEREAS an agreement is proposed between the Township of Clark having offices at 430 Westfield Avenue, Clark, New Jersey, hereinafter referred to as the “Landlord” and Union County Educational Services Commission, a Commission of the State of New Jersey having its office at 45 Cardinal Drive, Westfield, New Jersey, hereinafter referred to as the “Tenant”; and

WHEREAS premises to be let is the Oliver B. Resch Gymnasium, containing a stage, to be made available Monday through Friday, 8:30 am through 2:30 pm commencing on September 1, 2013 and concluding on June 30, 2013 together with the second gymnasium, the Walter A. Bakum Gymnasium, to be made available on an “as needed” basis with usage, to be approved upon the request of Union County Educational Services Committee by the Business Administrator of the Township of Clark during the same term.

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Township of Clark, County of Union, State of New Jersey does hereby authorize the Mayor to enter into a lease agreement (attached hereto) on behalf of the Township with the Union County Educational Services Commission, located at 45 Cardinal Drive, Westfield, New Jersey

Motion to add Resolution 13-104 was made by Councilman Kazanowski, seconded by Councilman Barr

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

Motion to adopt resolution made by Councilman Barr, seconded by Councilman Kazanowski

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

PUBLIC COMMENTS:

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

Council President O’Connor opened up the meeting to the public

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, Mazzarella, Smith, Toal, O’Connor

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Yes I would just like to mention...I noticed and I saw at my parents' home Harbor Consultants are out staking out the reservoir property for the County of Union. The folks along the reservoir who live there I know have received letters and I've been back and forth with the County on this. And I am expecting to be invited to a meeting to talk with them about it. You know the engineers from Harbor were telling me that most people are very gracious and understanding on what they are doing and you know there's a few that get a little ruffled and I understand that. I just want to remind the people that the people from Harbor are just people who are hired to do a job. They are not your enemy and they are not trying to get you in trouble...they are trying to stake out the boundaries and borders of the reservoir property. Back in 2001 when we owned the property before we transferred it over to Union County Open Space inventory...we had a meeting at Johnson High School with the Conservation Foundation and the neighbors along the reservoir. And Rich O'Connor and John Laezza and myself and Members of Council were there to negotiate and work with them. Over a long period of time people who live along the reservoir made it a part of their yard. You know there's some really nice things people did as little as cutting the grass up to the water edge to putting some areas where people can sit and fish or just look at the water and relax. Then there were some encroachable things such as wood piles and gym sets and things of that nature and there's always a legal liability issue involved in stuff like that. And I understood that they didn't want things of that nature to happen. But the night of the meeting at Johnson High School the Conservation Foundation agreed to leave whatever is there presently alone and to enforce on anything new. And they took pictures of everyone's properties and made markings to know what was new, what has been there and has been recently put there. And I know the big argument that night was people trying to understand that who were these people to tell us. When we tried to explain that we understood how you felt but technically it is their property; as I said in many analogies, Mr. Laezza and I are living next door to one another and I have young children and I say...“hey John if I put I can put my shed here because it gives me more room for the kids” and maybe it's laying a foot on his property, and me being the good neighbor that I am he will say, “go ahead Sal I don't care, my wife and I don't use it”. But all of a sudden Mr. O'Connor buys the house and he comes out with a survey and says “Sal you know that's on my property, can you move it”. I can't say to Rich O'Connor that John said it was okay, it's Rich's property, and technically you have to move the shed. Now what's troubling me is not so much that, it's the fact that they did make an agreement with the people to say let this go and now they are climbing up the Freeholder's noses trying to get them to enforce it. And they are a slick group of tree huggers because what they do is they will tell you that they will tell the County like they were trying to tell us, that if you don't enforce it we will sue you. So the County Freeholder's are saying we don't want to be sued, we have to go about this thing. And I understand their position. I don't have a problem with their position because hey they are the keeper of the tax dollars and they certainly don't want to waste it on a frivolous lawsuit I would hope, neither did we, but this group that Clark made a deal with many years ago is a bunch of fanatical people. And I also felt advocates are one thing fanatics are another thing. And you know even to the point that if you had in some areas which some the reservoir does have from water's edge to maybe where the people's property line is a twenty, thirty, forty or even a fifty foot space that people were cutting so they could enjoy the beauty of the reservoir. And in their estimation if a tree falls on that property you are not to cut it because that's natural habitat. And I remember people saying well what about poison ivy crawling up our property, can

we spray it back, oh no because the birds like to eat the berries on the poison ivy. I mean to hell with the kids that got it and are in the emergency room and getting cortisone shots. But that's how fanatics think. They are worried about the birds having berries versus little Johnny and little Joey getting poison ivy all over themselves. So folks of the reservoir area bear with it and we're trying to help you if we can. It's a tough group. I don't blame the Freeholder Board or the County of Union whatsoever. I know they are being forced to deal with the action that they have to do right now. So hopefully I can get down there and we can see if we can prevail to ease this problem. Again I can't make any promises of that because I know the County and myself will be dealing with a fanatical group of people. And it's a shame because if you look at the reservoir deed, the County I believe (I hope I don't have this backwards) owns the water and they own the property, is that correct John...okay...I haven't thought about this since 2001 up until recently, so I wanted to make sure that I had it right. And that was the time that the property was sold off and they got a loan from the fanatics to pay for the reservoir dam to be fixed down by Madison Hill Road. I wish we would have bonded the money and fixed it ourselves and we wouldn't have had to play with these people. But they are a tough group and they are very steadfast in their beliefs and like I said fanatical if you ask me. So please bear with it folks. Understand that the people out there that are working are very nice people. I happened to be visiting my parents the day they were there staking out the property lines and they didn't cause any harm to anybody and I struck up a conversation with them, I was talking, they were telling me that you know probably 98% of the people were very nice and just a few got a little ruffled. So please don't get ruffled. I mean its people doing their jobs and try to understand the concept of which they are approaching this and when I have any more news for Council and the community I will be glad to share it with you.

The other thing I would like to do is thank the members of the squad that are here tonight. Back on Memorial Day my Dad had a little set back on his operation and thank God he is doing very, very well. And the police department was there, John Ehling, you know it's weird when you're friends with a guy and you have basketball tournaments all the time and then he is there as a professional to help a family member. And then members of the squad Ron and the guys came and they did a great job and they were very comforting and assuring and TJ is here with the fire department. As Council said earlier we are very fortunate to have such conscientious people in the community, they do a good job every day for you. I've seen it many times in my life as a Mayor at different scenes watching these people work. And it's very, very heartwarming and you would walk away very proud to see who is serving our community whether they are paid or volunteer. And then when you see it in your own home it really rings a bell onto you know what a great job these folks do and how assuring and kind hearted and you know accommodating they were to the situation. I thank you again Ron and the guys for your work, Dad's doing very well. As to schedule he is getting very ornery, so that means he is getting real strong again. So we will see him back very soon. So thank you very much again to the volunteers and to Al your team and Council have a good start of the summer. And folks please let's have a nice summer, let's not read about any tragedies, thank you.

Councilwoman Albanese: I would just like to echo what the Mayor said; I hope everyone enjoys their summer. There are as I mentioned in the past the Museum passes for the Intrepid and the Montclair Museum, they are free so take advantage of it. The Intrepid passes are for six people.

Councilman Barr: No report.

Councilman Kazanowski: Yes I would like to congratulate all the graduates in town from the Kindergartens all the way up to the 12th grade. Congratulations and I hope that they have a prosperous future and have a good time next year. And the weather is getting warm, so think about the Clark Pool, thank you.

Councilman Mazzarella: Yes thank you...I'm happy to know that our DPW Director and my friend Joe Bonaccorso is recovering quite nicely, the Mayor had mentioned that, and I know that Joe will be back as soon as he is able. And with that have a good summer and be safe and don't forget to recycle, thank you.

Councilman Smith: Thank you Mr. President...I just want to congratulate all of the high school graduates. If you are going on to college, best of luck, and if you are not we look forward to seeing you in the workforce. Parents and especially the graduates please drive carefully this summer there will be a lot of children out.

There are two things that I was involved with; the past two weekends we had the Clark Girls Softball and the Clark Little League combined picnic on Sunday, June 9th and Councilman Kazanowski was there as was myself most of the day. Actually I was there all day 6:00 am to 8:00 pm. We had a little over a thousand people attend and 550 of them were the children or the people that participated in the Little League and Softball. So I want to thank all of the volunteers who worked all the stands, the games, the food and all the children had a great time that day. This past weekend we had a softball tournament behind Brewer and nineteen towns attended. I spent most of the weekend there but only a few hours on Father's Day and we got rave reviews on the complex and the facilities. So I want to commend the town DPW for keeping the facility clean and that concludes my comments thank you.

Councilman Toal: Just a quick note on the Mayor's comments on the resi. I wanted to say thank you to the residents. The residents got different messages from different things from the County and from that environmental group and I just wanted to say to the residents who had called me and I referred them to the Mayor. Thank you for putting up with that nonsense but then also they actually go and make the changes that were needed to comply and to conform to the letters and the requested letters. To the residents along Wendell, Winthrop, and Doris the ones who called me on and said "what do we do" and I said just follow the directions, we will be there to help you. I thank you for your patience and understanding. It's not an easy task. The Mayor went through it and I'm not going to go and repeat it all but we just appreciate you as residents of the town working to try to put up with big government. And unfortunately you have things that went on and are still going on that we have to make changes like someone has to move their shed, but like the Mayor said it's been there for many, many years. So it's a little bit hard to understand but we do appreciate the residents that went out and did move the sheds and did move the other things and to spend some money to do things that really didn't make a lot of sense, but they are done and we do appreciate your support on that issue.

Again congratulations to the Class of 2013. Go out and follow your dreams, make history and be heard and do something really special. A lot of great people came out of the Township of Clark over the years, you can go out and follow those dreams and become a part of the future.

Get well to Mr. B...Mr. Bonaccorso, hope you are feeling better and get well. To Linda Cohen please get well, she just had an illness and we are hoping she is feeling better and will recover from JFK Hospital and get back to Clark. To those we've just lost; Phyllis Pugliese, Anthony Mondi, and Richard Mullen. That's all I have tonight Mr. President, I will see everyone at the fireworks, love the fireworks, it's a tradition in Clark, come on out, support the town and just have a good part of America, thank you.

John Laezza: No comments thank you.

Police Chief Scherb: No comments thank you.

Fire Chief McDonald: No comments thank you.

Ron, First Aid Squad: No comments thank you.

Rich O'Connor: No report.

Township Clerk: No comments thank you.

Howard Lesnik, Acting Attorney: Thank you I have a brief report on the Passaic River Litigation...as many of you are aware the State launched its Passaic River Litigation against Occidental Corp. and many of the other chemical companies about over seven years. The case is finally settled against those main defendants for a lot of money...YSP which is a company from Argentina and Rustvall which is a company from Spain are putting up a hundred and thirty million dollars and in addition their clean-up costs and future damages could climb an additional four hundred million dollars for those direct defendants which could be about five hundred and thirty million dollars. And as everyone may recall in March the Township of Clark settled as one of the third party defendants. We are one of 258 third party defendants and our settlement was thirty-five million dollars (all third party defendants combined). These are all posted on the NJ Register and they are available for public review and comment and will go before the Judge in the fall. And that's all I have about that.

Mayor Bonaccorso: Mr. President...I know when Howard was talking he said thirty-five million dollars for all the...I just want to make that clear it wasn't Clark's thirty-five million. I don't mean to correct you Counselor but I know somebody might misconstrue that, because for thirty-five million I would be laying in Columbia getting my valves worked on trust me but no that cost us ninety-five thousand dollars and for what we are still trying to figure out but thank you for your report.

Council President O'Connor: And for me I just want to remind everyone that again Sunday, July 28th is the 5th Annual Waterson/Dunham Valor Ride rain or shine. It begins and ends at the Deutscher Club at 787 Featherbed Lane in Clark and registration is from 9 to 12 noon, the ride

leaves at 12, riders \$25.00, passengers \$15.00, walk-up is a \$15.00 donation. There's going to be a Continental Breakfast, police escorted ride, vendors, BBQ, music and beverages. And if you'd like any more information on this contact Danny at (732) 259-3513 or email: hoot0311@yahoo.com, please make checks payable to Clark PBA Local #125 and all I did was Google Clark Valor Ride 2013 and I got the form with the registration as well as the consent form that you need to fill out and bring. It's a great ride and if you've never been on an escorted ride before it's pretty cool. All the towns line up along the way and they have the flags and you go through and again this is to honor two Marines. So it's a great ride and I suggest if you haven't been to it, please come. And I also want to congratulate all the graduates, thank you.

ADJOURNMENT:

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, Mazzarella, Smith, Toal, O'Connor

APPROVED

PATRICK O'CONNOR
Council President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk