

REGULAR COUNCIL MEETING, 315 WESTFIELD AVE., CLARK, NJ
May 20, 2013

ROLL CALL:

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

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

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

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

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

COMMUNICATIONS FROM THE MAYOR AND REPORTS OF TOWNSHIP OFFICERS:

Mayor Bonaccorso: Thank you Mr. President... Good evening Members of Council, ladies and gentlemen. I have a little brief report but I hope it's a little bit informative. First off about a month ago the senior housing group as of Mr. Caruso and his team sent out a letter to the people on the list and I'm not going to get into much of anything on that letter except for in that letter, except for if you are on the list please get your name in that you are still interested. They are trying to update the list to be able to verify how many people are still actively out there. I believe the list was over a thousand the last time I talked to Mr. Caruso and but you know that was over a period of years, so who might have moved to stay positive and maybe changed their mind, so he wants to do that. Once that list is updated Mr. Laezza is going to send out a letter qualifying the low income applicants. So they would be able to know if they qualify for the low income section of the housing or the market rates. And there are definitely you know folks if you have a home and it's paid off and it's worth several hundred thousand or more and you have money in the bank and a good pension, I can tell you are not going to be qualified. So that's up to you know the people who run the lower end, well you are going to send it in and then we're going qualify you out. The project is moving along very nicely and the units are going to be very pretty. I was able to take a look at a model that he had showed me (the Developer) and it's going to be the mirror of this model and if it is, it's going to be very, very nice, very nice. I was quite impressed with it. So hopefully that will keep moving along. So if you are sitting on those letters, please send them in and let's get you actively on that list so we know exactly who we have to send it out to whomever to qualify people for lower income.

I just want to remind everyone as I drive through the community I see branches out on the street, feel free again that's a service we are happy to provide for you but please stay within the rules. I've been saying this now for about twelve years, to put them out on the third week and we will collect them on the fourth week. Your help is really, really required in this. We want to have safe streets for motor vehicles, people on bicycles and people walking, so please help us out okay, it really means a lot to do this the right way and it makes it very efficient. And if you forget and they pass by your street, please don't put them out and call us to tell us that we missed you, we don't miss, we will get them next month it's that simple. It's right here through September. So that's a good thing and I hope you enjoy using that and a lot of people do.

I wanted to just briefly get into two things that happened here in the community in the last two weeks. We had some serious crimes develop in the last two weeks. And the reason I'm mentioning this is that it's a matter of police business and I don't air that here on public council meeting on TV36 and I can assured the Chief that I will only touch on the outskirts of this along with Council. We had a murder up on Starlight and it's a shame, a very nice man who I knew and it's sinful. And I got a call from Chief Scherb and I went down to the scene and the first question I asked Chief Scherb is "was it a break-in or anything of that nature" and he said absolutely not. So immediately I said it was an insider, this is somebody he either A. let into the home or B. brought into the home. And not going any further than that because it doesn't matter at that point, what happened is sad and it's a shame and I want to congratulate Chief Scherb, the Clark Police Department, Prosecutor Ted Romankow and the Union County Homicide Task Force for solving that crime within 48 hours. They did a great job and they collected a lot of things to help there but what I do get alarmed about is when I'm reading on Facebook or I'm reading you know on different blogs or hearing people like "oh my God what's happening in Clark" well I understand it's a reaction that a lot of people would think about, okay, Clark is not an unsafe community, we've had three things happen here in the last year that was kind of like "wow way out of the ordinary" but again both murder incidents and I'm not going any further to say weren't forced entries. Now folks let's take a forced entry; you have a regular house burglar which by the way happens in every community I know of probably across America and somebody breaks into my house and I'm sleeping in my bedroom and I come out of my bedroom and all of a sudden the guy picks up a vase because he doesn't want to go to jail, he wants to get away from me, and he hits me in the head with the vase or in my case one of my son's baseball bats. But anyway I die, is that an unsafe community, no it's a house burglar that happens throughout American in Union County and every town that touches us that got startled and something happened and the guy tried to get away and an unfortunate incident without it. An unsafe community is gang shootings on the streets, drive by's, dope dealers selling on corners...you know the rampant violence that you see unfortunately in some of the communities in New Jersey, that's an unsafe community. Let me assure the community of one other thing as long as I sit here. If I thought for one second that there was a serial killer or something of that nature, Mr. Laezza would have to bring the money into the police overtime budget on a forklift because I would have every copy working as many hours as they could around the clock to keep this community safe. I mean I live here, we live here, our children are here and our families are here. So although I understand you being alarmed and there's nothing wrong with that but panic folks believe me as your Mayor I will go on TV36 or Channel 7, 5 or 9 whatever station's there and tell you to start panicking. I'll tell you when you need to worry, believe me I will. Put politics out the window that has nothing to do with safety as far as I'm concerned. So please

understand that. I understand it is alarming, I understand there is cause for thought, but please folks just take it easy, let us do the job, we are out there. And again I would be the first person that would be telling you to lock your doors stay in and if you see anything...and if you do see anything unordinary in your neighborhood at any time day or night please call the Clark Police Department. They'd rather drive up and say oh yeah it's Uncle Tommy sitting out there waiting to take little Johnny to a ballgame, so the neighbor hasn't seen that car around the house in a long time, then maybe it is somebody looking to break in or rob a car or do vandalism you know whatever.

The other thing we had was the armed robbery over at Investor's Savings on Westfield Avenue. And again I'm not going to sit here and be a chief apologist for the police department or anything else in this community because I stand behind my police department. I think they are doing a great job with Chief Scherb and all the men are all out there working hard. The robbery happened at Investor's Bank. The banking policy probably throughout every bank we know here in New Jersey is do not hit the panic button or the alarm whatever you want to call it until the person is out the door and gone. In this incident a man came in and put a gun up on the counter, got some money and hit the door. The bank manager went over locked the door because they don't want a hostage situation, I guess I can understand that, and hit the panic button or the alarm whatever you want to call it. From the time he pushed that button to the time that it hit our police desk was five minutes. Enough time for that person to get in a car, hit the parkway and go. So again is Clark unsafe? Our response time to that call was 22 seconds, 22 seconds. We had a police lieutenant two blocks over that if they would have pushed that alarm maybe as he was going out the door he would of probably grabbed him right on Broadway. Banks don't care ladies and gentlemen, they don't care. They want you to take it, it's insured, get out and don't hurt anyone. Now do I want a shootout with one of our police officers, don't get me wrong the headlines would look great on the Patch and all the other subordinate news media papers to the Patch. Jess is here all the time, she covers I've got to plug her. Just as long as she works hard for the community I'm always going to plug her. But the truth of the matter is you know yeah that would be a great headline but on the other hand you don't care, you are letting the guy get away, so should I put a police officer in harm's way, of course they would because that's their job that's what they are sworn to do. So when you think of these things folks please understand just don't read the headline and think about what goes on under the headline. And in both incidents again I'm not being an apologizer for the Clark Police Department by no means but we are a safe community, these things happen, it happened over at TD Bank earlier last summer same thing, the guy gets away and boom that's where they lock and hit the button, 22 seconds a police car two blocks away could have grabbed the guy. But by the time that police radio went off, I saw the cars flying down Westfield Avenue. So they are doing their job, they are doing a good job, we are a safe community. If you follow what's going on out there, you hear sirens and see police officers with their lights on pulling people over, we have a lot of proactive guys right now working very hard. When you are proactive in a community you are going to grab a lot of things out there in the street. And a lot of people come through this town like every other town around us. Thank God we don't have it here on a full time basis but I'm very proud of the police department and in the efforts that they give here every day. And again Chief I want to congratulate you and the department and the Union County Homicide Task Force on a great job in getting this solved. I know you guys put a lot of hours on it and it took a lot of detail to it and I congratulate you on that and you know may this guy spend his life in prison, it would be a nice

thing to hear and see. Other than that that concludes my report, I thank you for your time, your indulgence and back to you Mr. President.

BUSINESS ADMINISTRATOR MEETING SUMMARY:

John Laezza: Thank you Mr. President, Members of Council and members of the public. Tonight's meeting is a constructive meeting. There are a lot of things going on the fifth month of the year. You get all your plans; you put your budget together and then you have to figure out how to spend it and how to properly keep the capital infrastructure. So tonight we looked at some of our ordinances regarding turns and we found that two left hand turns were not put in the ordinances on School Street and Central Avenue and Westfield Avenue. So we are going to prohibit left hand turns coming out of those driveways. We have a bond ordinance for a million one hundred and forty-five thousand dollars. This is our annual capital bonding that we do for capital projects. We will be spending eight hundred thousand dollars on roads; two hundred sixty-five thousand dollars on DPW equipment and eighty thousand dollars on replacing our 911 system. That's a process that we do...I buy bonding rather than pay as you go because there are objects that have lives in excessive ten to fifteen years and twenty years and it would be detrimental to the citizens if they paid for it out of the budget in one year and moved out and still paid for it while everyone else was getting the benefits.

Payment of claims will be coming down. You will notice when the President of the Council reads that announcement it will be twelve thousand three hundred and seventy-five dollars less. In going through the bill list we saw payment of a bill for twelve thousand five hundred dollars when it should have been one hundred and twenty-five dollars, it was a typo error, and the check did not go out until this meeting, so we caught it in time.

We have a number of resolutions; the Board of Health has given us a Quarterly Report according to State Law, that will be accepted by the council tonight; we are authorizing a release of escrow funds to George Sangiuliano in connection with the property he built on Cellar Avenue about five years ago; we are authorizing the termination of a contract with MONOC (Monmouth Ocean Hospital Services Corp.) at the request of the first aid squad. And that will take effect August 31st. We are entering into contract with Garden State Fireworks for the 4th of July Fireworks. We are authorizing myself or the Mayor to enter into a Developer's Agreement with PNC Bank, they will be constructing a new bank on 999 Raritan Road. In the Consent Agenda it has the usual adjustments to sewer bills and overpayments. And then we are going to have two new items on the Agenda Council. You are going to consider the final payment to Fischer Contracting and the resolution authorizing the Tax Collector to mail estimated tax bill since we are waiting for the State to give us the okay which affects our cash flow, that's the meeting tonight.

REPORT OF COUNCIL COMMITTEES:

Councilwoman Albanese: Thank you Mr. President, just a brief report regarding the Library... Summer is coming and it's a great time to take advantage of the museum passes that the Friends of the Library donated. There are six free museum passes to the Intrepid Air and Space Museum in New York. So that's available to borrow and it's first come, first serve. The other one is a donation from Henry Varriano to the Montclair Museum of Art, so hopefully you will take

advantage of that. Programs are continuing, the baby and toddler story times will be winding up but they will also be run during the summer, so check out the dates for registration at the Library.

The Board of Education has released their list of summer reading. The books are available and most of them are available already at the Library, so you can take advantage of that. In addition the Library itself has a great summer reading program; they will be kicking off the first week when summer starts. They will be having an introductory program and that's run in conjunction with the state theme. So hopefully you will take advantage of that. In addition to the computer classes that the Library offers they are going to offering a Microsoft Publisher class this July on Tuesday nights from 7 to 8, if you are interested in that software and you want to take a look at it you can go over and sign up. There are a number of programs...there's a watercolor program coming up the first week in June; this Thursday night there will be a Memorial Day activity for teens, they will be making Memorial Day candles. So hopefully you will take advantage of that. And in addition take advantage of the Tuesday night movies and Monday and Wednesday afternoon movies which are pretty popular. Thank you that concludes my report.

Councilman Barr: Thank you Mr. President, I have two reports this evening. I have to say that our Volunteer Fire Department is a pretty busy fire department. Besides having to respond to 42 calls this month they have training just about every Sunday some kind of training. They have cleaning duty every Thursday; by that I mean that they take care of their building, all the engines and all the vehicles. And the law states that hoses have to be inspected at specific times. The fire department had their hose testing this month. Most fire departments have certain units that do this. Our fire department does it by themselves which we save approximately four thousand dollars at every testing. So I think they are doing one heck of a good job, thanks Chief please tell them.

The other report May 27th Memorial Day...we have parties and parades, BBQ's, beach outings but we should never forget why you celebrate Memorial Day. We are respecting all those who have paid the ultimate sacrifice with their lives so we can be sitting here today in freedom. We can do what we want and as I said never forget what the meaning of it is. And so I'm going to ask everybody if you are not a participant, please pay homage to these people and be a spectator to the parade. I hope to see you there and as I say each time wave to me as we go by so I know you heard this message.

Councilman Kazanowski: I have no report this evening.

Councilman Mazarella: Yes thank you Council President I have two reports...one is the police department's monthly report; April of 2013 saw a total of 2,985 calls for service of which 76 were ambulance requests, 60 were fire department requests, 78 were alarm calls, 3 were vandalism, 75 motor vehicle accidents and 2,699 were miscellaneous calls that the police responded too.

My report for DPW...first and foremost I just want to say my thoughts and prayers go out to our Director, Joe Bonaccorso. I hear that he is doing quite well and he should be rebounding and coming back very shortly. And I'm sure that my colleagues on Council feel the same way. DPW wanted me to mention that they are still delivering mulch to the residents. You just have to call

to make an appointment and they would be happy to deliver it, it's free. Bulky pick-up is by appointment and should not be put out until the weekend before the pick-up please. We don't want to have the debris out for days, so put it out the weekend before pick-up. The Mayor touched on the branch pick-up. Grass pick-up is on Mondays and must be in containers only and please don't put the grass out on the roads in piles, it won't be picked up. This Saturday is grass pick-up due to Monday is a holiday, so remember that, this Saturday is the pickup of your grass. No electronics drop-off for May due to the Memorial Day holiday. The next electronic drop-off is June 29th 9:00 am to 1:00 pm. And one final note on June 5th the DPW will be having at the yard a paper shredding event, no newspapers please just bring your documents and they will be happy to shred them for you. Thank you and that concludes my report.

Council President O'Connor: And that paper shredding is from 9 to 1.

Councilman Mazarella: That's correct.

Councilman Smith: Thank you Mr. President I have two reports...before I jump into that, the mulch take advantage of it, I got a nice load of it, it's very clean it's dark and it looks great. Just a little backbreaking but do take advantage of some of the services that we provide to you.

Recreation report; one of the most popular programs the Rec Department has is the summer rec program which begins on Monday, July 8th. Forms are available in the Rec Center. If you plan on registering your child please do so ASAP as it is filling up quite quickly. The second part of the recreation report is Tennis Camp. There are still some spaces available for just about every week that they have available but the ages and times are changed slightly. So please check with Ralph in the Rec Department and the forms are also available there as well. There are also spots available for adult tennis and women's softball. Again stop in the rec department and all the forms are available outside Ralph's office or outside the two gyms hanging in the folders.

One other thing Ralph wanted me to mention was the Clark Rec Department can get substantially discounted tickets to a variety of theme parks; Hershey Park, Great Adventure, Sesame Place and Morey's Pier. So if you're interested in getting discounted tickets, if you want to go with your family or if you want to go with a group of kids, please take advantage of that.

The Clark Community Pool...we held our open house this past Saturday and we received a record number of pool memberships on Saturday. So if you plan on joining, please do so rather quickly, applications are available on our website. If you go to the departments tab and scroll down to swim pool utility you will see the application there or you can stop by the Municipal Building; they are placed throughout the building. If you weren't at the open house, there have been a few new additions to the pool. There's a new slide that was installed at the end of last year. There's going to be a new summer family movie night that they are going to do. There are also tee shirts for sale this year. There will be a 4th of July celebration so you can spend a day at the pool and then head on over to the ALJ facility and watch the fireworks. There's weekly story time, there's bi-weekly late night swims, there's bi-weekly kid parties, there's bi-weekly ceramics and there's a lot of sports; basketball, Ping-Pong, knock hockey and etc., so there's a lot more to do at the pool than just to swim, so please take advantage of it. It's a beautiful

facility. The restrooms and locker rooms were recently upgraded, so the facility is in great shape. Thank you and that concludes my report for this evening.

Councilman Toal: Thank you Mr. President, from the Historical Society... Civil War weekend at the Dr. Robinson is coming soon. This is from Scott McCabe the Director of the Dr. Robinson (Plantation/Museum). On Saturday, June 1st from 9 to 4 and Sunday, June 2nd from 10 to 3 there will be a battle reenactment at the Esposito Park. Esposito Park is a block over from the Dr. Robinson Plantation on Madison Hill Road and it will on Saturday and Sunday at 1:00 pm. And all weekend there will be demonstrations on making hat boxes, playing children's games from the olden days of the Civil War era. The people involved will be camping out overnight from Friday into Sunday. So please come out and join and see how Civil War encampments were done and how they actual lived back when the Township of Clark was actually established in 1864. There is no admission, the weekend is all free but please make donations if you are able to. There is a souvenir shop that will be opened, an herb garden and looming and quilting from the time period. The facility is ADA accessible and there is on street and off street parking for handicap accessibility. Again Esposito Park, please visit the website at DrRobinsonMuseum.org or call town hall and ask for Mr. McCabe. And again it's at 593 Madison Hill Road.

Residents of Jupiter Street I just want to say thank you. To Administration is Jupiter complete now, what is the status? I just want to know for myself.

Rich O'Connor: It's in progress.

Councilman Toal: Okay I just want to appreciate the residents of Jupiter Street, it's been a process. I thought it was done but it looks good. It took a long time and we appreciate the efforts of the administration in getting Jupiter repaved. Remember Jupiter was part of the Westfield Airport that was a runway back in the 1920's up to 1955. Our history lessons are done for today, thank you Mr. President.

Council President O'Connor: And from the First Aid Squad in the month of March there were 113 ambulance requests, 102 in Clark and 11 were mutual aid. And the most frequent calls for sick there were 14, for motor vehicle accidents there were 13, and for breathing problems there were 12. And as Councilman Barr alluded to the Fire Department these are volunteers and they are out there giving their time in all these calls. In fact I know tonight the President of the Emergency Squad as well as the Road Captain would have liked to be here tonight and they may get here but they are actually out on a call right now. So again when you are a volunteer you have your day planned out but when you commit to the fire department, the emergency squad that takes precedence over your plans and these people continue to give to our community, so thank you to everyone who gives back to the community. So that's my report for this evening thank you.

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

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

Ordinance 13-07

AN ORDINANCE TO SUPPLEMENT CHAPTER 347, SECTION 36 ENTITLED TURN PROHIBITIONS OF THE CODE OF THE TOWNSHIP OF CLARK

Council President O'Connor opened the Public Hearing on Ordinance 13-07

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

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

Discussion: None

Council President O'Connor directed roll call:

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

Ordinance Adopted

Ordinance 13-08

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2013 CAPITAL ROAD IMPROVEMENT PROGRAM AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY. TO APPROPRIATE THE SUM OF \$1,145,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Council President opened the Public Hearing on Ordinance 13-08

Seeing no one coming forward Councilman Toal 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

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

Discussion: None

Council President O'Connor directed roll call:

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

Ordinance Adopted

INTRODUCTION OF PROPOSED ORDINANCE:

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

BE IT ORDAINED by the Governing Body of the Township of Clark that Chapter 3, Article 8, Section 3-29 of the Code of the Township of Clark entitled "Department of Police" is amended in the following particulars:

SECTION 1: **Sub-Section A** is deleted and replaced with the following: "There is hereby established within, by and for the Township of Clark, the Department of Police, which is also being known as the Police Department, the head of which is the Chief of Police."

SECTION 2: **Section 3-29E(1)(2) (a) through (o)** is deleted in its entirety.

SECTION 3: **Section 3-29(J)(1)** is amended as follows: Paragraphs (a) through (f) are deleted and replaced with the following:

- One Chief
- Up to two (2) Captains
- Up to four (4) Lieutenants
- Up to eight (8) Sergeants
- Up to thirty (30) Police Officers

SECTION 4: **Section 3-29(J)(2)** is amended to delete reference to the Police Director and insert in its place and stead the title of "Chief of Police."

SECTION 5: **Inconsistent Ordinance**
Any Ordinance or parts thereof inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6: Effective Date

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

Moved by Councilman Toal, seconded by Councilman Smith

Discussion:

John Laezza: Council President and Members of Council this basically is an amendment to our table of organization to update to make it flexible and accommodate our needs of the police department.

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

Public Hearing on June 17, 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 \$248,562.52 for the period ending May 16, 2013, seconded by Councilwoman Albanese

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

Council President O'Connor: Again this difference is what Mr. Laezza addressed between the two hundred and sixty thousand, two hundred and forty-eight thousand it was the typographical error, thank you.

CITIZEN HEARING ON THE AGENDA:

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

Council President O'Connor opened the Citizen Hearing on the Agenda

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

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

RESOLUTIONS:

Council as Board of Health

Resolution 13-84

WHEREAS in accordance with the New Jersey Administrative Code, Title 8, Chapter 52 entitled “Public Health Practice Standards of Performance for Local Boards of Health” the Clark Township Health Department hereby submits the Quarterly Health Status Report for acceptance and approval by the Governing Body; and

WHEREAS the Governing Body sitting as the Board of Health has reviewed the report for the first quarter from January – March 2013 and is in agreement with its contents.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey that it hereby accepts and approves the Quarterly Health Status Report for presentation to the residents of Clark in compliance with the New Jersey Administrative Code; and

BE IT FURTHER RESOLVED that copies of said report are available online at www.ourclark.com and in the Clerk’s office, at no charge.

Moved by Councilman Smith, seconded by Councilman Mazzarella

Council President O’Connor directed roll call:

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

Resolution 13-85

BE IT RESOLVED by the Governing Body of the Township of Clark that it does hereby authorize the release of a certain escrow posted by George Sangiuliano in connection with the construction of a condominium complex on Cellar Avenue in accord with the terms and conditions of the Agreement attached hereto.

The Business Administrator is authorized to execute such Agreement on behalf of the Township of Clark.

Moved by Councilman Mazzarella, seconded by Councilwoman Albanese

Resolution 13-86

IT RESOLVED by the Governing Body of the Township of Clark that a certain contract between the Township of Clark and the Monmouth Ocean Hospital Services Corporation dated March 26th, 2012 is hereby terminated effective August 31st, 2013 in accord with the provision of paragraph 15 thereof and a copy of this Resolution shall be forwarded to the Monmouth Ocean Hospital Services Corporation and shall serve as written notice of the said termination.

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

Council President O'Connor directed roll call:

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

Resolutin 13-87

WHEREAS the Township solicited quotes from five (5) companies for proposals for a Fireworks Display on July 4, 2013; and

WHEREAS proposals were received from two companies; and

WHEREAS one (1) company Garden State Fireworks, Inc. submitted a responsible, responsive proposal.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that they hereby commit to a fireworks display presented by Garden State Fireworks, Inc., PO Box 403, Millington, NJ 07946 to be held on Thursday, July 4, 2013 with a rain date of Friday, July 5, 2013

BE IT FURTHER RESOLVED that the Mayor and appropriate officials of the Township of Clark are hereby authorized to enter into a contract with Garden State Fireworks, Inc. for 2013 as sufficient funds have been appropriated in the 2013 Municipal Budget under Celebration Events Account #30-420-223; and

BE IT FURTHER RESOLVED that when the contract is signed by Garden State Fireworks, Inc. they must include the proper insurance certificate endorsing the Township of Clark and the Clark Board of Education as "additional insured" on the policy.

Moved by Councilman Toal, seconded by Councilman Barr

Council President O'Connor directed roll call:

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

Resolution 13-88

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Mayor and/or Business Administrator to execute a Developer’s Agreement with PNC Bank, N.A., Block 49, Lot 12.05 and 12.06, 987 Raritan Road, Clark, New Jersey 07066 in connection with its site plan application to construct a banking facility with drive-up windows at the above referenced location.

Moved by Councilman Mazzarella, seconded by Councilman Smith

Council President O’Connor directed roll call:

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

CONSENT AGENDA:

Resolution 13-89

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

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

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

SEWER BILLING ADJUSTMENT 2013									
CLARK TOWNSHIP									
REF #	Acct #	Name	#	Address	Reason	Original	Revised	Credit	Additional
13 21	55-0	Gregory Jacobsen	258	Laurel Lane	pool	1,246.92	546.92	\$ 700.00	
13 22	845-0	James Molloy	23	Hall Drive	water co Issue	1,665.00	225.00	\$ 1,440.00	
13 23	4947-0	Marc & Lina Dobbins	108	Glenwood Terr	previous owner	2,945.00	225.00	\$ 2,720.00	
13 24	3054-1	Clark Homeowners Ass	10	Washington St	Per unit rate	33,231.60	4,500.00	\$ 28,731.60	
13 25	695-0	Sangiuliano Group	982	Lake Avenue	No business	585.00	-	\$ 585.00	
13 26	696-0	Sangiuliano Group	960	Lake Avenue	No business	225.00	-	\$ 225.00	
13 27	269-0	Nicholas Cuba	37	Hawthorne Dr	New homeowner	2,225.00	225.00	\$ 2,000.00	
13 28	5222-0	Sangiuliano Condo	49	Brant Avenue	billed individually	1,800.00	-	\$ 1,800.00	
13 29	2065-0	Anthony Araneo	805	Raritan Rd	Per unit rate	3,185.00	2,475.00	\$ 710.00	
13 30	5219-0	Colony Manor	71	Broadway	Per unit rate	6,793.10	1,800.00	\$ 4,993.10	
13 31	3090-0	Clark E Lim. Liab Co	67	Westfield Ave	per unit	585.00	2,025.00	\$ 1,440.00	
13 32	4115-0	Jak Eskinazi	480	Parkway Dr	Per unit rate	1,965.00	900.00	\$ 1,065.00	

**CLARK
TOWNSHIP
SEWER REFUNDS - 2013**

REF	#	Acct #	Name	#	Address	Reason	Refund
13	1	4947-0	Marc & Lina Dobbins	108	Glenwood Terrace	overpayment	\$ 25.00
13	2	4318-0	Ivone Teixeira	414	West Lane	overpayment	\$ 112.50
Total Refunds							\$ 137.50

Motion to adopt Consent Agenda made by Councilman Toal, seconded by Councilman Kazanowski

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

NEW BUSINESS ON THE CALENDAR:

Township Clerk: Yes, I have two items of new business. And just for the public that means that these items were not able to be discussed with at least 48 hours before the meeting. So we need a vote to place them on the Agenda and then a vote to Adopt.

Resolution 13-91

WHEREAS Fischer Contracting, Inc. has completed work on the 2012 Capital Road Improvement Program; Hutchinson Street and Little League Parking Lot Improvements and has requested Final Payment; and

WHEREAS the Township Engineer recommends payment in the sum of Forty Five Thousand Five Hundred Thirty Six Dollars and Sixty Four Cents (\$45,536.64) 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 Fischer Contracting, Inc. to be Nine Thousand, One Hundred Thirty Three Dollars and Thirty Five Cents (\$9,133.35).

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 Fischer Contracting, Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 in the amount of \$45,536.64 including final quantities change order and release of Performance Guarantees pending submission of a Maintenance Bond in the amount of \$9,133.35.

Motion to add to agenda was made by Councilman Mazzarella, seconded by Councilman Smith

Council President O'Connor directed roll call:

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

Motion to adopt made by Councilman Mazzarella, seconded by Councilman Barr

Council President O'Connor directed roll call:

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

Resolution 13-92

WHEREAS the Township of Clark is unable to certify the tax rate at this time and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS the Municipal Tax Collector/Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and he has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark, County of Union, State of New Jersey, on this 20th day of May, 2013 as follows:

1. The Township of Clark Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2013 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax levy for 2013 is hereby set at \$56,448,004.90
3. In accordance with law the third installment of 2013 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Motion to add to agenda made by Council President O'Connor, seconded by Councilwoman Albanese

Council President O'Connor directed roll call:

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

Motion to adopt was made by Council President O'Connor, seconded by Councilwoman Albanese

Council President O'Connor directed roll call:

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

PUBLIC COMMENTS:

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

Council President O'Connor opened the public portion of the meeting

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

Council President O'Connor directed roll call:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: I followed up on the Jupiter Street road construction project. Please note that there has been sod installed behind the new curb work and ladies and gentlemen on Jupiter Street this is your responsibility to take care of and water. Right now we've been into a rain spell so the sod, is if you don't have an irrigation system, is watering itself pretty good. New sod needs to be watered throughout the summer months. It looks nice, it's quick, it's gratifying immediately but the catch is if you don't water and it dies, you own it, you would have to replace it, we cannot be replacing sod for you not taking care of it. So please it's a great idea to get it looking nice and make sure it grows properly, keep it watered June is coming very quickly and we are going to start getting into hotter days. If the weather is not cooperating, try to get out there once or twice a week with a hose and put some water on it so you can keep it throughout the summer months.

Councilman Mazzarella the paper shredding is what date for the DPW?... (Councilman Mazzarella: June 5th)...okay, unfortunately that's after the Memorial Day parade because I was going to say maybe we could have ticker tape for Councilman Barr, wave and say hello to him and make sure it's a big hello. Come out for the Memorial Day parade it's the start of summer. The next time we meet it's going to be right around graduation time, please drive safely out there, watch for pedestrians, kids crossing, kids playing ball, balls going into the street...it's a horrible thing to hit someone so please be very careful out there and at graduation time especially. Let's keep our roads safe. To the youths...I will give a very quick report to the youths that are graduating especially at the high school level. Drinking and driving do not mix; the Clark Police Department will be out there. I'd rather hear you complain or your parents complain

about a motor vehicle summons than having to go to one of the funeral homes and pay our respects. The Chief and I spoke about (this) to make sure we keep everyone in line especially at graduation time and especially those younger newer drivers. Have fun, do it sober it's just as much fun, trust me. Thank you and have a great evening.

Councilwoman Albanese: Happy Memorial Day! It's great to have nice weather and I hope to see you all outside, get outdoors.

Councilman Barr: You know every so often when I'm in the supermarket (Shop Rite or A&P) or on the street and I bring this up at a meetings when people say "you know I watch the meeting on TV and it was yes, yes, yes, yes" and they are wondering what's going on. Well I remind everybody that at our workshop meeting everything we discuss at the public meeting like this is discussed then. It's hashed about, we bring up our pros and con's and then finally we come to an agreement. So that's why you hear yes, yes, yes and that concludes my report.

Councilman Kazanowski: Yes thank you, I would just like to compliment the police department and also the Union County Homicide Squad in the quick resolution to our little incident that we had. And Happy Memorial Day everyone!

Councilman Mazzarella: Happy Memorial Day! Hope to see you at the parade. And to the residents out there please don't forget to recycle; it's very important for our future and our children's future. Until next month be safe.

Councilman Smith: Speedy recovery to Joe Bonaccorso, hopefully we will see him in the coming weeks down at the Rec Center as usual. Come on out for the parade, Al puts a lot of time and effort into organizing it. And join the pool, maybe you will get lucky this summer and see one of these fine council people in a speedo or something, that's the end of my report.

Councilman Toal: Thank you Mr. President...get well Mr. B. See you on Memorial Day. And for those we have lost in the last month; James Cerasa Sr., Joseph Galfy, Rosemarie Mulbeck, Betty Comer, and John Merkel.

To you the citizens of Clark the spring has gone by and we just went through a whole lot of stuff that happened in town that you will be talking about for years to come but we still are a community. A community of friends, family and people who just care about the town; we have these good times and we have to have these bad times. Throughout the history of Clark there has always been something that was good or bad or something that happened like a homicide, a fire, a tragedy and a drowning. But we are always stronger from it and make it a better community. We make sure that these things don't happen again as the Mayor has said watching out for your neighbors, watching out who we are and watching our backs. The world is changing and so is Clark slowly, thank God, I always believe in keeping things simple. But we just have to help each other out and be a community of one.

Again see you at the Memorial Day parade. Al we appreciate all the time you put into it and everything that you do and we see it in all the smiling faces of the next generation of the kids who are sitting along the street lines of Westfield Avenue. You see those kids who are seeing

their first parade and that's because of your efforts Al and you are touching the next lives in the next generation. Thank you Mr. President that's all I have, see you at the Memorial Day parade and have a wonderful summer.

John Laezza: As you all know there are three forms of government; local, county and school that the property taxpayers pay taxes for. When you get your bill in late June for August and November payments...if your house is valued at a hundred thousand dollars in 2012 you paid \$2,046.00 and in 2013 you will pay \$2,085.00 which is a \$39.00 increase; for schools you paid \$3,962.00, this year you will be paying \$3,997.00 which is a \$35.00 increase; in the county you paid \$1,605.00, this year you will be paying \$1,664.00 for your county services which is a \$59.00 increase. So if you have a house assessed at a hundred thousand dollars your increase will be \$133.00. If it's less it will be less than \$133.00, if it's more it will be more than \$133.00, that's all I have to say thank you.

Police Chief Scherb: No comments.

Fire Chief McDonald: No comments.

Emergency Squad: No comments.

Rich O'Connor: No report Council President.

Township Clerk: No thank you.

Council President O'Connor: And for me May is motorcycle awareness month, so please be careful. And with that I would like to again remind everyone that the Clark PBA Local 125 will have its 5th Annual Waterson Dunham Valor Ride Sunday, July 28, 2013 rain or shine. The ride begins and ends from the Deutscher Club, 787 Featherbed Lane, Clark, NJ. Registration is from 9 to 12 noon, the ride leaves at 12, riders are \$25 and passengers are \$15, walk-ups are \$15.00 donations. It includes a continental breakfast, police escorted ride, vendors, BBQ, music and beverages. Make checks payable to Clark PBA Local 125, any questions contact Danny at (732) 259-3513. And even if you don't have a motorcycle this is worth going to. I have been too I think four of the five or three of the five I can't remember but both of these gentlemen Waterson and Dunham were ex-Marines and to hear what they did is worth the price of admission if you will. Just to hear the passion and the giving these gentlemen did to give their lives for what they believed in, it's worth it. So with that I would like to say to everyone please be safe, have a nice Memorial Day weekend.

ADJOURNMENT:

A motion to adjourn the meeting was made by Councilman Kazanowski, seconded by Councilman Toal

Council President O'Connor directed roll call:

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

ADJOURNMENT

APPROVED

PATRICK O'CONNOR
Council President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk