

SPECIAL COUNCIL MEETING, 430 WESTFIELD AVE., CLARK, NJ
April 7, 2014

ROLL CALL:

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

Also Present: Howard Lesnik, (filling in for Mr. Joseph Triarsi), Township Attorney; Edith Merkel, Township Clerk

Absent: John Laezza, Business Administrator; Richard O'Connor, Township Engineer

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

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

This meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by sending written advanced notice of at least 48 hours to the Union County Local Source, NJTODAY.NET and Star Ledger, by posting such Meeting Agenda 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.

Mayor Bonaccorso: The Chief, I and John have been interviewing a lot of people. We got hit by the retirement bug again. We have had some real good candidates that we are very excited about. Brandon Pitts, you may know his cousin Danny Pitts who is a sergeant, he worked over at the Union County Police Department and he wanted to transfer over. From our moles in that department they said that the kid is just outstanding. The Union County Chief Danny Vaniska is very nice, he doesn't care if you want to go, go. I swore him in the other day in my office so that he could start work. This is the ceremonial part of that. He is out now with other patrolmen. He has already trained and he knows what to do. Now it is just a matter of maybe a month, Al, of learning our procedures, the internal computer in the car and things of that nature, and of course learning the town. Al has put him with some good training officers, guys that were the bright stars of the department. We expect him to do very well.

We have another guy coming on board from Union County, Sergio D'Andrea. A big guy, a very nice guy, again, we got great reports on him.

Township Clerk: Are we swearing him in too that night?

Mayor Bonaccorso: No. I am just giving them an overview because they have not heard this. Then we had interviewed two people from the Irvington Police Department, one is a Clark resident and one is from Phillipsburg. I will tell you guys, you want to talk about an unreal resume? One is a female, she lives in Clark, her resume is ...and she was sharp. This other guy Frank is a sergeant in charge of major crime scenes. They call him out in the middle of the night. Unfortunately the Mayor there has an election coming up on May 15th, and he said no for now, but he will let us know after the election. Those two hurt. When you come from those cities in a year you see a lifetime, and to bring that expertise would have been great. We are going to hold

that for now and hopefully get them over (here). If we can't then we will go back to the drawing board and find a couple of other people. Then we are going to need some more at the end of the year.

Councilman O'Connor: Sal, when they come from other towns after ten years do they come back to Clark at base (pay)?

Mayor Bonaccorso: No, they take a hit in their pay.

Councilman O'Connor: They take a hit but not base?

Mayor Bonaccorso: Not base no. What we do Pat is...we have got to complement them for their years of experience. The one girl was making like \$93,000.00, or something?

Chief Scherb: \$94,000.00.

Mayor Bonaccorso: We were going to start her at \$73,000.00. The one guy was making more than her and he would have taken a thirty something thousand dollar hit. They are probably burnt out. When DelVecchio and Loprete came from Irvington they both said that they would literally go to work and don't know if we are going home at night. Thank God that is not the case here. The other two Union County officers are very excited about this, they are very good. We are going to have some more retirements at the end of the year. The face of the department is changing one more time.

Councilman Smith: Are there four openings now?

Mayor Bonaccorso: Yeah. So like I said we found that most people that come, and not to knock anybody that we hired through the academy, but you have a whole different hire, and they are worth the extra money. But we have to accept them and their department has to release them. On the other hand we just had one officer leave us, or is leaving us, Joe Mirabile. I had negotiations with the P.B.A. a couple of weeks ago, and Al grabbed me earlier and said that Joe wanted to transfer to Scotch Plains. This is the first time ever that anyone has left here. I asked Al what was wrong and he said nothing. We brought him in and he said, "Mayor, nothing against the Chief, the Department, anybody" He said, "I live in Scotch Plains, my kids are getting older now." He wants to do what our guys are afforded. If a daughter is playing softball they drive in back, watch an inning or two, answer the radio. Al, Danco and Connell always allowed our guys to do that, and we do too. We think that it is a good thing that you see a little presence and you get to know everybody, even though they live in town, it is a nice thing. So when he said that, I said, "Joe, I will sign your papers, I am not going to hold you back from that." That is what I would probably want. So we will probably lose him around May or June.

Chief Scherb: May 1st.

Mayor Bonaccorso: So that is the Police wrap up for tonight.

Township Clerk: Council President, can I please make sure that everyone is on the Special Council Meeting, and not the Workshop Meeting.

INTRODUCTION OF PROPOSED ORDINANCES:

Township Clerk: Just for the record the Supplemental Debt Statement was properly filed by the CFO, and we have confirmation from the State that they received it.

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A NEW ENTRANCE ROAD AND THE MAKING OF PARKING IMPROVEMENTS AT VALLEY ROAD SCHOOL FOR JOINT SCHOOL AND MUNICIPAL USE AND PUBLIC SAFETY PURPOSES IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 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

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

Section 1. The Township of Clark, in the County of Union, New Jersey (the "Township"), is hereby authorized to construct a new entrance road and make parking improvements at Valley Road School for joint school and municipal use and public safety purposes in, by and for the Township. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$400,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost

of said purpose is \$400,000, and (4) \$20,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$380,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$50,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$20,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$20,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said

bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Director of Revenue and Finance who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$380,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose, shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The Township intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Moved by the Entire Council

Discussion:

Mayor Bonaccorso: Valley Road School, you guys all know, Rich you know, and I know, and I am sure that some of the At-Large people know, that it is a mess. No fault to everybody, the building was built in the 50's, they had one car and three bicycles back in those days. Some years ago when Brian Zykowski was the Superintendent we came up with this idea and he did not want us to cut into the field. That is his problem. In the meantime things went on and we did a successful job at Hehnly. Kumpf is a mess and we are going to visit that next year, we already have a plan in place. Hehnly was a lot less work than this (Valley Road School) because there is not a lot that you can do there other than moving some islands, doing some painting, and things of that nature. The Mayor presented preliminary plans to improve traffic flow at Valley Road School (Site Plan available on line).

Councilman O'Connor: First off that is a good plan. The entrance to the school is that Nassau Street there?

Councilman Kazanowski: Fulton, Fulton is the first street.

Councilman O'Connor: That is Nassau. So when people come around...now suppose I drop my kid off and I am coming around the back and there are buses. Are we doing to allow people to go out Blake Street or no?

Mayor Bonaccorso: You are now going to go out that way, it is a one way.

Councilman O'Connor: It is a one way street?

Mayor Bonaccorso: Everybody will come in this way, and then this way everybody will go out here, no matter what (The Mayor was showing a display board with the design concept). There is a drainage problem right now on the sidewalk that people are complaining about. I told O'Connor (Richard) that when we are doing this we will address that with either a drain or we will rip it out. It is probably not even the length of the room; it is probably less, because it will be a lot cheaper that way. This is definitely a public safety measure because in here there is very big public safety. What I am noticing at this school and at Kumpf School is that if you need a fire truck or ambulance in there in the morning, you are not getting them in. Now, you guys, I don't want to be dramatic...how many house fire do we have a year? Thank God that we don't have many, but Police and First Aid that is a normal occurrence; somebody having a heart attack, somebody sick, whatever. If you live on Schmidt by the time the ambulance comes in, you would be dead. This will help take a lot of pressure off those streets and make the access safer. When you go by Valley it is a nut house in the morning during drop-off.

Councilman Mazarella: Do you think that you will do it this summer?

Mayor Bonaccorso: It is going to be started and done by September 1st so that we could get ready for school.

We will put a new basketball court in because it is only blacktop, not a biggie. I told the Board of Education that the softball field is never used anyway and that they have a bunch of options

(Mayor gives different options to the fields). That is their choice and their problem and we are not going to get involved in that.

The bond estimate is about \$400,000.00. Rich will make some parking lot repairs throughout that he needs, maybe a seal coat, maybe new line stripping. It will be a very good thing.

The school district is very thankful to us for doing this because they can never get the money to do it because they have to pay cash for everything and we are able to bond. Because of the public safety factor involved in it, we are able to do it with that.

Councilman Kazanowski: It is like what we did with the parking lot over here (High School).

Mayor Bonaccorso: Exactly Rich. We are not charging them guys; you know it comes out of one tax payers pocket anyhow. So either they pay or we pay and we would rather have control of the job anyway because it will get done better. They don't know anything about this stuff, believe me they don't, they are educators, book smart and street weak.

Councilman Kazanowski: The additional parking, will we have sufficient parking for all of the teachers in there? I know that on Schmidt and Blake they complain about teachers parking out there during the daytime.

Mayor Bonaccorso: We are figuring about 46 spots. They have about 48 to 50 teachers. A couple of the extras, Beltramba said, will be able to park here or over here (illustrates where there is parking) and walk into the building. The key card as I explained to them is that if they go out to lunch and they want to come back they could swipe the key card. They know the hours of recess of their school, it is up to them to be an adult and to drive safely and make sure they don't run anyone over. They did not feel that was a problem, obviously.

Councilman Kazanowski: I have another question.

Mayor Bonaccorso: Sure.

Councilman Kazanowski: Valley Road, if you are coming down from the Holiday Inn and you are making a left turn is there going to be somebody there?

Mayor Bonaccorso: A crossing guard?

Councilman Kazanowski: Will a crossing guard be there?

Mayor Bonaccorso: I don't know. We will talk to Al and Lieutenant Pollock to see. Obviously if there is a major problem we would then obviously have a crossing guard because that is easy to do, we can have him there in 24 hours. So we will see how that works out, what we need and what we don't need.

Councilman Smith: Do you still have two crossing guards down the other end by the main entrance?

Mayor Bonaccorso: There will be one across where the kids come in.

Councilman Kazanowski: We have two there now.

Councilman Smith: You can move one down.

Mayor Bonaccorso: If we have too we could always move one down. I really leave that up to the Police Department, let them decide. Mike Pollock is all over it, he is our lieutenant and he is all over this stuff. Whatever Mike tells me we need or what we don't need, his word is good enough because he had always been right. So between him and Al, they can sit down and talk about that and bring their recommendation back. If we had to hire an extra crossing guard, so what.

Chief Scherb: Just a side note on that, the County is going to paint the street on Valley Road, the crossway, like they did in front of the high school. They were going to do it when they did the high school but they decided not to do it because we did not know how much was going to be ripped up. You have to be so many feet from an entrance, and with that going in, they didn't want to put it in and have to rip it up and then re-do it. So when that is all done too we could get that done at Valley Road School too.

Councilwoman Albanese: That is great, that is really awesome. The yellow line on the top is that were the County property line is?

Mayor Bonaccorso: I would think so but I am not sure about that. We don't need a lot of space in this area, if we could get four or five feet that will probably be more than we need, six feet, tops. Again, this is all preliminary. Richard O'Connor has to go out there and do the surveying and stake everything out and then we will know more. We want to get this thing rolling guys because obviously time is of the essence.

Councilman Kazanowski: My only concern is that entrance, that hill is a pretty steep hill. Are you making a gully and walls? A lot of kids play over there too.

Mayor Bonaccorso: Rich, look buddy, I can't give you exact answers because Rich has not drawn out the specifications. To me, from what I do, not on this level, they might be able to take a bulldozer and feather it back some, and bring the wall up. I know that you say that the kids might jump off...

Councilman Kazanowski: Yes.

Mayor Bonaccorso: That is a possibility, but this is a stronger possibility to get this done. I am sure that they are going to address some of that about grading.

Councilman Mazarella: You know it is a good thing that you told Rich to eliminate that island on the exit because it would have been a nightmare, a big nightmare.

Mayor Bonaccorso: Even if you plow and snow gets on top of it, when it melts it is going to make ice. Engineers love islands, I hate them. When you are plowing, no one thinks about those storms. When they come with those snow plows they got the blade turned so they will be able to push that stuff right up and right out, however they do it, it will make it a lot easier to do that.

Township Clerk: Right now we have a big problem twice a year for election. I am hoping that it will be okay to make a special arrangement those two times to allow the voters to go directly into the gymnasium through this parking lot (new lot) so that they don't have to walk through the hallway with all the kids. November is not a problem but June is a big problem.

Mayor Bonaccorso: The only problem Edie is that this is going to be filled with cars. So there won't be any place for them to park.

Township Clerk: We couldn't just cone it off for that one occasion in June?

Mayor Bonaccorso: We might be able to.

Township Clerk: Just because we have handicap people now that when they come in the handicap entrance that entrance is all the way down by the front office. Now they are coming up hill, because the hallway is a hill coming all the way, and coming around, and going all the way into the gym. So if you have a wheelchair then no problem but if you have a walker that is so bad. They can vote by mail but they don't want to.

Mayor Bonaccorso: Maybe what we can do is we can ask Joe when it comes that maybe we let the handicap people in this way. Do you know what I mean?

Township Clerk: Yes, and let the others just stay where they are.

Mayor Bonaccorso: And let the others just come around.

Township Clerk: Better yet give the kids that day off.

Mayor Bonaccorso: We tried to do that.

Township Clerk: November we do but in June we don't and it is a big problem, a big problem.

Mayor Bonaccorso: Do you know what Edie, look, we can talk to Joe and I am sure for one day, even if he gave us a half of a parking lot, we could probably do that.

Councilman Kazanowski: Presently you have all the poll workers parking over there where the people are supposed to park.

Township Clerk: No matter how many times you tell them.

Councilman Kazanowski: No matter how many times you tell them they park in those slots and the voters can't park.

Township Clerk: Truthfully most of our poll workers have some sort of handicap because they are elderly. They are mostly in their 80's.

No further discussion

Council President Toal directed roll call:

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

Public Hearing April 21st

CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE IMPROVEMENTS AND ACQUISITION OF EQUIPMENT TO CLARK SWIM POOL FACILITIES, INCLUDING IN GROUND VOLLEYBALL COMPLEX; ELECTRICAL REPLACEMENTS; UMBRELLAS AND TABLES AND GAME TABLES AND ANY ANCILLARY COSTS RELATED THERETO AND APPROPRIATING THE SUM OF \$21,969.55 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL OUTLAY OF THE TOWNSHIP OF CLARK SWIM POOL UTILITY

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

Section 1. The Township of Clark, in the County of Union, New Jersey, (The Township) is hereby authorized to make improvements and acquisition of equipment to the Clark Swim Pool facility, including in ground volleyball complex; electrical replacements; umbrellas and tables and game tables and any ancillary costs related thereto.

Section 2. The sum of \$21,969.55 is hereby appropriated for the improvements and acquisition of equipment as mentioned heretofore to the Clark swim pool facility and ancillary costs related thereto, as described in section 1 hereof (hereinafter referred to as “capital purpose”). Said appropriation shall be funded from Capital Outlay of the Township of Clark Swim Pool Facility for the payment of the cost of said capital purpose.

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

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

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

Moved by Councilman Smith, Councilman Kazanowski

Discussion:

Councilwoman Albanese: How did you come up with that amount?

Councilman Smith: Ralph put together a list which I can share with you, but I was in work today and I meant to do it and I didn’t get a chance. I don’t know if you are familiar with the pool where the concession was, those hideous looking wooden coverings, we took them down. We are just doing tables and umbrellas over there.... Then the holders for the umbrellas, the removal of the old concession was like \$1,500.00, we had to disconnect some electric, run some new electric, we are putting a new volleyball net in. I believe the Ralph spoke with Mayor Sal about having DPW remove the blacktop and have a small basketball court there.

Mayor Bonaccorso: Yes, we can do that.

Councilman Smith: They were going to do that for nothing. There are some chairs that we are buying and some other ancillary items. It was actually about \$16/\$17 thousand but there were some other things added to it for the year, such as the 40th Anniversary. We are trying to get it all finished and complete before we open.

No further discussion

Council President Toal directed roll call:

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

Public Hearing April 21st

RESOLUTIONS:

Resolution 14-54

WHEREAS Resolution 14-41 rejected all bids for the Building Addition at Fire Station No. 2 (865 Raritan Road) which were opened on March 5, 2014 and also granted authorization to re-bid the project; and

WHEREAS the Governing Body re-advertised for bids and received five (5) bid proposals on March 19, 2014 in accordance with specifications prepared by the Township Engineer; and

WHEREAS as a result of further review of the facility a determination has been made to forgo the alternate bid, as the specifications of the work required to be included in the base bid is sufficient to meet the needs of the Township; and

WHEREAS the three (3) lowest responsible bidders were Hull-Vicci Construction Corp. with a base bid in the amount of \$85,900.00, Fine Wall Corporation with a base bid in the amount of \$87,000.00, and K & D Contractors, LLC with a base bid in the amount of \$92,100.00; and

WHEREAS Hull-Vicci Construction Corp., 107 Walnut Avenue, Cranford, NJ 07016 submitted the lowest responsible base bid in the amount of \$85,900.00 which meets the needs of the Township as specified by the Township Engineer; and

WHEREAS the Chief Financial Officer has ascertained there are available sufficient uncommitted appropriations in Bond Ordinance 14-01 as attached hereto as a "Certification of Availability of Funds"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby awards a contract to Hull-Vicci Construction Corp. in the amount of \$85,900.00; and

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

Moved by Councilman Barr, seconded by Councilman Mazzarella

Discussion:

Mayor Bonaccorso: This was a public bid and they were the low bidder.

Council President Toal directed roll call:

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

Resolution 14-55

WHEREAS Quick Chek has requested the release of Performance Guarantees posted for site work at 186 Westfield Avenue in Clark in the amount of Seventy Five Thousand, Seven Hundred Sixty Four Dollars and Thirty Eight Cents (\$75,764.38); and

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

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

WHEREAS the Township Engineer has determined the amount of the Maintenance Guarantee required to be posted by Quick Chek to be Eight Thousand, Four Hundred Twenty Nine Dollars and Thirty Eight Cents (\$8,429.38) to be held for one year; and

WHEREAS Quick Chek may direct the Township, in writing, to retain the cash portion \$8,429.38 of the Performance Guarantee and convert it to a Maintenance Guarantee for a one year period; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby concurs with the Township Engineer and directs the release of Performance Guarantees in the amount of \$75,764.38 to Quick Chek upon receipt or conversion of a Maintenance Guarantee in the amount of \$8,429.38 for a period of one year from the date of the release at which time, after re-inspection, any funds remaining in escrow will also be returned.

Moved by Councilman O'Connor, seconded by Councilman Kazanowski

Discussion: None

Council President Toal directed roll call

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

Resolution 14-56

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator and Health Officer to execute a Memorandum of Agreement with The City of Elizabeth enabling the Township to receive TB Reactor Services, effective retroactively from January 1, 2014 to December 31, 2014.

Moved by Councilman Mazzarella, seconded by Councilman Smith

Township Clerk: In the past we entered into these two contracts and now the City of Elizabeth is requiring Resolutions.

Discussion: None

Council President Toal directed roll call:

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

Resolution 14-57

BE IT RESOLVED by the Governing Body of the Township of Clark that it hereby authorizes the Business Administrator and Health Officer to execute a Memorandum of Agreement with The City of Elizabeth enabling the Township to receive Sexually Transmitted Disease (STD) Services, effective retroactively from January 1, 2014 to December 31, 2014.

Moved by Councilman Kazanowski, seconded by Councilman Barr

Discussion: None

Council President Toal directed roll call:

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

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 opened the public portion of the meeting

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

Council President Toal directed roll call:

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: We are up to speed on the Police.

The Department of Public Works is doing the Spring Clean-up now and they will continue to do that right through April. The people are putting branches out now as part of the Spring Clean – up. They are doing a lot of Bulky Pick-up. They are still out filling potholes, they did some today again. Some we have filled and they just keep popping with the rain and everything else. Basically that is it.

Councilwoman Albanese: No comments.

Councilman Barr: No comments.

Councilman Kazanowski: I have a question for Sal. Maybe we could get that picture on the website.

Mayor Bonaccorso: Yes we are going to do that too Rich. I asked Donna if she could do that. I will bring this to the meeting on the 21st, so this way we could show them.

Councilman Mazzarella: No comments.

Councilman O'Connor: No comments.

Councilman Smith: No comments.

Township Clerk: No comments.

Howard Lesnik: No comment.

Chief Scherb: No comment.

ADJOURNMENT

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

Council President Toal directed roll call:

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

APPROVED

BRIAN P. TOAL
Council President

ATTEST:

EDITH L. MERKEL, RMC
Township Clerk