

**COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ**

February 6, 2023

7:42 pm

ROLL CALL:

Present: Council Members Albanese, Hund, Mazzarella, Minniti, Toal, Smith
Absent: O'Connor

Also Present: Salvatore Bonaccorso, Mayor; James F. Ulrich, Business Administrator; Mark Dugan, Township Attorney; Edith L. Merkel, Township Clerk;

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

Dispensed – Pledge of Allegiance recited at Special meeting prior to this meeting

This meeting is in compliance with the Open Public Meetings Act (Chapter 231, P.L.1975) as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Star Ledger, Union County HAWK, Union County Local Source, and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements, as well as the Official Website of the Township, and the proper filing of said Notice.

PROPOSED ORDINANCES:

1. AN ORDINANCE AMENDING SECTION 279-2C OF THE ORDINANCES OF THE TOWNSHIP OF CLARK

James F. Ulrich:

- explained that the ordinance was put in place to comply with the Rahway Valley Sewerage Authority requirement
 - continued to say that through further investigation it was determined it was not legal and it is now being rescinded
 - the ordinance in its current form satisfies the requirements and is ready to be introduced

Mark Dugan:

- explained that the State Building Code is what governs and if you try to impose additional restrictions, those restrictions are not valid
 - said the ordinance is still in existence except for the section where we required new laterals

Councilman Mazzarella:

- questioned the ordinance

James F. Ulrich:

- reiterated that the State Building Code supersedes any ordinance that we put in

Council President Smith asked for a mover and second on this Proposed Ordinance
Mover: Mazzarella Second: Minniti

2. Discussion:

AN ORDINANCE BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLARK AMENDING THE CLARK TOWNSHIP CODE OF ORDINANCES TO REPEAL CHAPTER 166 – FLOOD DAMAGE CONTROL, IN ITS ENTIRETY, AND TO ADOPT A NEW ORDINANCE ENTITLED “CHAPTER 166 – FLOODPLAIN MANAGEMENT REGULATIONS”; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Township Clerk:

- pointed out that this Ordinance has to be approved by the state, so it may or may not be ready to go by February 21st

James F. Ulrich:

- stated that this Ordinance is a state mandate
 - explained that this is flood requirements are in excess of FEMA

Mayor Bonaccorso:

- clarified that they are expanding the floodplain and that people that did not have to have flood insurance will now have to have flood insurance
 - said the township will be sending a letter explaining it to all of the addresses that are affected
 - pointed out that any questions should be directed to the DEP, the township can do nothing about it

James F. Ulrich:

- added that currently 300 residences are affected by the flood insurance requirements, there will be another 134 added to that number

Council President Smith asked for a mover and second on this Proposed Ordinance
Mover: Smith Second: Albanese

3. Discussion:

AN ORDINANCE OF THE TOWNSHIP OF CLARK, COUNTY OF UNION, APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A TAX EXEMPTION PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW FOR RARITAN ROAD HOLDINGS URBAN RENEWAL LLC FOR THE CONSTRUCTION AND OPERATION OF A CUBESMART BRANDED SELF-STORAGE FACILITY LOCATED AT 1088 RARITAN ROAD

Council President Smith asked for a mover and second on this Proposed Ordinance
Mover: Minniti Second: Hund

James F. Ulrich:

- explained that this is the financial agreement with Cubesmart on Raritan Road, next to Acme
 - said that the township is in the process of finalizing the documents

CONSENT AGENDA RESOLUTIONS:

- 6. Authorizing the Tax Collector to refund overpayment of 2023 Taxes in the amount of \$6,852.55
- 7. Authorizing the Tax Collector to apply sewer account balance adjustments as credit in the amount of \$1,100.00
- 8. Authorizing the Tax Collector to settle a tax appeal for Block 57 Lot 5.01 as authorized by the Tax Court of New Jersey with a refund issued in the amount of \$31,115.00

Council President Smith asked for a mover and second on this Consent Agenda

Mover: Toal Second: Albanese

PUBLIC COMMENTS:

Each person addressing the Council shall first give their 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.

Delia Collins, 72 Georgia Street:

- questioned Proposed Ordinance #2, regarding the flood plan, asking if the ordinance was available to review

James F. Ulrich:

- said that it is available to read now
 - explained it was state mandated and that the township had zero input into it
 - asked (the Clerk) if there was a response from the state yet

Township Clerk: There has been no response from the DEP.

Delia Collins: Is this for the whole town?

James F. Ulrich: It is for the whole town but it affects 134 new residences.

Council President Smith: They expanded the current floodplain a little wider.

Delia Collins: Does it name the areas in the ordinance?

Council President Smith: The mayor will send letters out to the 134 houses that are going to be added to the floodplain.

Delia Collins:

- asked if the contract for the aerial photography and traffic mapping will include streams in town

James F. Ulrich: The streams will be part of the aerial photography. They are photographing the whole town, so they will be photographing the steams, the streets and everything.

Council President Smith: Do they take the photographs and overlay it on an actual map grid?

James F. Ulrich: Yes, they do GPS with the map.

Delia Collins: One of the past meetings they had brought up the Year 49, Community Development Block Grant Program, according to what I wrote down, December 19th was the hearing on this. Was there any word on any of the block grants we may have applied for?

Council President Smith: It usually takes a 3 or 4 month minimum.

Delia Collins: Can a citizen submit an idea for a grant?

Councilwoman Albanese: Yes.

Delia Collins: Would that go through you (Councilwoman Albanese), or Brian (Councilman Toal)?

Councilwoman Albanese: You could do either or you can contact the County of Union.

Delia Collins: I was trying to read some of the information on it today, and it is somewhat involved as far as where you get the money from. It had “a thing” about individuals that can apply for a grant. Do you know anything about that?

Councilwoman Albanese: I have not seen any but I have not been involved with every committee. What we have been receiving here is monies for curb and ramp improvements because they are ADA related. We are getting ADA money because we don’t qualify for the low income. We also get Social Services; they support our staff in the senior exercise center and the bus driver’s salary.

Delia Collins: continued to question grant money distribution

Dominic Preite: thanked the Mayor and Council for attending his brother’s wake

Council President Smith: gave his condolences to Mr. Preite and his family

Council President Smith asked for a motion to close the public portion of the meeting.

Councilman Toal made a motion to close the public portion of the meeting, seconded by Councilwoman Albanese

Council President Smith directed roll call: All Ayes
Aye: Albanese, Hund, Mazzarella, Minniti, Toal, Smith

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso:

- welcomed Council President Smith back in the President seat
- spoke about the mild weather this winter
- mentioned that the budget is being worked on

Councilwoman Albanese, Councilman Hund, Councilman Mazarella, Councilman Minniti and Councilman Toal all congratulated Councilman Smith on his position as council president this year

Councilman Toal:

- mentioned that he will be talking to the residents on Bartell Place, Washington Street, Stanton Street, Harrison Street and Katheryn Street

Council President Smith asked for a motion to adjourn
A motion to adjourn was made by Councilman Toad, seconded by Councilwoman Albanese

ROLL CALL: All Ayes
Aye: Albanese, Hund, Mazarella, Minniti, Toal, Smith

ADJOURNMENT