

**SPECIAL COUNCIL MEETING, 430 WESTFIELD AVE., CLARK NJ
February 7, 2022**

ROLL CALL:

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

Also Present: James Ulrich, Business Administrator; Mark Dugan, Township Attorney; Edith Merkel, Township Clerk;

The Regular Meeting of the Municipal Council of the Township of Clark was called to order at 7:30 pm by Council President Minniti. 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 Star Ledger, Union County Hawk, Union County Local Source, and TAP into Clark, by posting such Meeting Agenda 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. Formal action may be taken at this meeting.

**ORDINANCE, APPROPRIATIONS AND CLAIMS:
INTRODUCTION OF PROPOSED ORDINANCE:**

**AN ORDINANCE TO SUPPLEMENT SECTION 10 OF CHAPTER 347 OF THE CODE
OF THE TOWNSHIP OF CLARK ENTITLED "VEHICLES AND TRAFFIC"**

BE IT ORDAINED by the Township Council of the Township of Clark that the following Section of Chapter 347 of the Code of the Township of Clark entitled "Vehicles and Traffic" be and hereby is supplemented in the following particulars:

SECTION 1: Section 347-10 entitled "Temporary parking prohibition for snowplowing" be and hereby is supplemented to include the following:

Name of Street	Side	Location
Cellar Avenue	Both	Entire Length
Coldevin Road	Both	Entire Length
Emerson Road	Both	Between Valley Road and Hillside Avenue and Birch Lane
Harrison Street	Both	Entire Length

James Avenue	Both	Entire Length
Janie Lane	Both	Entire Length
John Street	Both	Entire Length
Miller Avenue	Both	Entire Length
Myra Place	Both	Entire Length
Prescott Turn	Both	Entire Length
Stanton Street	Both	Entire Length
Sunset Drive	Both	Entire Length
Terry Lane	Both	Entire Length
Washington Street	Both	Entire Length

SECTION 2: **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Any ordinances of the Township of Clark which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: **Severability:** If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 4: **Effective Date:** This Ordinance shall take effect upon adoption and publication, according to law.

Moved by Councilman Hund, seconded by Councilman Mazzarella

Discussion:

Councilman O'Connor: Yes, I would like to have a discussion on this. I took a look at some of streets that were listed on our website (ourclark.com) and then I took a look at a lot of these additional streets and a couple of things came to mind. Some of these streets that are on this ordinance here are neighborhoods, entire neighborhoods, for example; Coldevin, Sunset Drive, and James. Where are they going to park if this is both sides of the street, temporary parking? Now one of the streets that isn't on this ordinance is Alice Lane which goes in between all these streets. Is everybody going to try to park on Alice Lane? People may not be able to get onto their front lawns, I understand that. But I think we need to remember, specifically I'll speak to my Ward, there are other streets from other Wards on here as well. But we had two feet of snow last year, I didn't get one complaint, right, I didn't get a complaint this year either. Now, I understand the streets may be narrow but our plow guys are able to do it. So, I don't see the

need to even have this on here with regard to who's getting complaints, not me. Things seem to be going well and I don't truly believe in taking whole neighborhoods out. For example, Terry Lane, Myra and Janie Lane, that's an entire neighborhood. Where are they going to park? I understand they can go to Brewer and park but basically jumping back to Coldevin, if you stand at Friendly's and look to the left, that whole neighborhood can't park on the street. Where are they going to park, are they going to go all the way to Brewer to park or are they going to park on their lawns? Some of those lots are not even big enough to have their cars in a driveway and on their lawn. They might have four cars and their driveway maybe can only take one, their lawns can take two. So, before we do this, I would like everybody to take a look at the list and consider, is this something that we really need to do? We haven't gotten complaints, at least I haven't I should say. And the through streets I understand, I took a look at some of those streets on the lists and streets like Tudor Drive and Meadow Road, they are just cut through streets from Lake Avenue over to Featherbed. But when you are doing entire neighborhoods, for example, let's speak about Councilman Toal's Ward. Prescott Turn, it's a cul-de-sac, it's a big cul-de-sac and it happens to be where I grew up. It's a smaller street I agree, with small lots, I think my mother's lot is 50' wide. Where are they going to park, at the gas station? And again Brian, I apologize for speaking to your streets but you know when you have some of these streets that are on the list in a neighboring street doesn't have, everybody is going to park on that street. It's just causing more problems in my opinion; I don't know what anybody else thinks.

Councilman Toal: I agree with Councilman O'Connor. If you look at the list Harrison Street, Prescott Turn, Stanton Street and Washington Street, these streets were all built prior to 1950 and these are older streets and much narrower. You go on Harrison, it's a newer section. The street is cut in half, half is old, half is new but with the older people the cars are on top of each other right now. They don't have the driveway size to go and move as Councilman O'Connor said move to another street. Now, Mildred Terrace is on this; Mildred Terrace absolutely, fine, they can put their vehicles in the big driveways, no problem. But right now, we have to get more input from the residents before we continue with this. I ask you to table this for the time being until we get more information.

Councilman Mazzarella: The only concern I have is on those narrow streets where you have parking on both sides, you realize that if we do get a sizable snow and that plow comes down the center of the road, it's going to devastate those vehicles.

Councilman O'Connor: And if I may say, I do believe we had twenty-six inches of snow last year and I don't think there were any issues.

Councilman Mazzarella: I don't know if they called into town hall.

Jim Ulrich: Well, this is coming from the DPW and just the ability to clear the streets. Again, back to what you were saying; you have streets that were built in the 50's and there's not enough room especially when there's cars parked side to side. So, we have to take smaller equipment in there, it's a bigger job #1. #2 is back to you haven't received complaints, we have received complaints, so, we get them. The last snowstorm which was six inches, we had over twenty complaints and I can give you a list of all of them.

Councilman O'Connor: Out of sixteen thousand.

Jim Ulrich: Well again it's still twenty complaints that we need to deal with. (Councilman O'Connor: okay) It's totally within your prerogative if you want to table this and sit down with the neighbors in the area and decide if you want to move this forward. Again, this is from the DPW and it is to get ahead of issues that we've had in the past. You know some of these streets have had the signs as you know. And somewhere along the line I don't know what happened with the Ordinance originally but James, Coldevin and Sunset already have the signs out there. It hasn't been enforced. And there's nothing to say that things are going to be enforced every single time it snows an inch or two but there are going to be times that there's going to be an issue. Back to your point of nineteen inches, if nineteen inches stuck around for a month you would be hearing people complaining because all of that snow is still in the street. You know we're lucky enough that most of the time you get nineteen inches and it's gone within a week.

Councilman O'Connor: Like for example I drove around and Myra, Terry, and James they have no signs up, I'm guessing this is new. (Jim Ulrich: for them their new) The same thing with Prescott Turn, there were no signs on Prescott Turn. And the streets that they are on there's only one or two signs, so, people believe, it's right where the sign is. For example, when you have the parking like we have on Dawn Drive, the signs have to be "x" number of feet apart to be enforceable. So, if people see a sign that just says "no parking when the road is snow covered" they are assuming it's that little spot area. I don't believe these residents understand that it's both sides of the street because it's an entire neighborhood.

Council President Minniti: Can it be one side of the street where it doesn't have to necessarily be both?

Jim Ulrich: You guys can do whatever you want.

Council President Minniti: Would that remedy the situation?

Councilwoman Albanese: I don't even think you could even park on two sides of some of the other streets.

Jim Ulrich: Well, that's what the problem is.

Councilman O'Connor: So, before we do that can we get some information from the DPW on that? I mean I think that's legitimate to have a conversation.

Jim Ulrich: Yes, we can table it.

Councilman O'Connor: Right, it's already February, maybe there's another storm or not but I don't think one more storm is going to upset the apple cart. Is there anybody that disagrees with that?

Councilman Toal: To piggyback on that, we are going to be going out door to door on these streets within the next couple of months. So, we can go door to door and talk to these people and see what their thoughts are about it and then we bring those thoughts back. So, I agree with you, I second to table the Ordinance.

Councilman Mazzarella: Well yes you are right. In the past I talked to Scott on a number of occasions when we were trying to implement the no parking on snow removal critical streets. And he was very concerned with just that, cars parked on both sides of the street. If it's a narrow street and even if the vehicle is smaller, you are still pushing snow on those vehicles and they are going to be buried. And you know what, yes, the complaints may not come to you, but they are going to be inundated with it because the cars are going to be buried and then they are going to want our forces to remove the snow so they can move their cars out.

Councilman O'Connor: But again, we had snow last year that I believe it was nineteen to twenty-six inches. So, those people have been devastated and I do believe when snow gets to be that big neighbors understand what has to be done and they all work together.

Councilman Mazzarella: But they haven't called you.

Councilman O'Connor: No, I understand they may have called the town but at the end of the day they understand that there's no place to put the snow.

Jim Ulrich: And you do need to realize that there's a delta between three and twenty-four inches, right. So, people are a lot more forgiving at a twenty-four-inch snow fall than a twelve or something like that, right. And like I said we had over twenty complaints about snow plowing, and salting. (Councilman O'Connor: The same twenty that comes every snow regardless) I couldn't tell I wasn't here last year.

Councilman O'Connor: Right. So, I think we had a good idea to maybe just double check with DPW. Because again both sides, the whole length entire streets, just seems a little excessive to me. I understand it may make their job a little bit easier but they are doing a great job as it is. But I just think for a day or two and again I understand it's temporary but again not knowing where you put your car or how it's going to get there and what the conditions are going to be like when it gets there meaning is it going to get plowed in, or is some person going to take their car out and put the snow on your car. So, I just have a little bit more questions and want to understand this a little bit better and see if there's a happy medium where the DPW and residents can be happy.

Councilwoman Albanese: I think that Scott's concern is with the equipment that we have nowadays it's bigger and it's easier to go through faster and get more done. Even if the cars are parked just go through slowly even if you are plowing them in, it's harder for them because they don't want to hit cars whereas when it's cleared out, I understand that, that's probably an operational issue as well as on how wide the street is.

Jim Ulrich: Well, I mean it is based on how wide the street is. I mean it's a lot easier to use one of the big plows going down Westfield Avenue obviously than doing Prescott Turn and Prescott

Turn being a cul-de-sac when you are making continual turns either left or right depending which way you are going. But again, it's up to you guys if you want to table it and bring Scott in for the next meeting and might come up with different solutions. In the end Pat it's your Ward and (Councilman O'Connor: well, it's not just my Ward...) But it's your Ward that you are going to have to be dealing with the issues and concerns.

Township Clerk: Can I just jump in a second? I just want to tell you how this came to me. Not only Scott but also Lt. Lott, it came through that most of these streets they assumed were already on the list because they are less than thirty feet wide, which this last paragraph says even if it's not a named street if it's less than thirty feet wide it's supposed to be on that list. So, it came to me as they noticed that Coldevin was not on it. And initially if you recall I sent an email out saying that we were going to add Coldevin to this list. Then they said Emerson, there's just a small section where it goes up hill and it's so narrow and they couldn't get up that incline. So, then it was only going to be these two and then Scott went around and said "wait a minute, these streets were already on the Ordinance", but somehow, they weren't on the Ordinance.

Councilman O'Connor: Well, the thing is like I said, I drove around and went down Janie, Myra, and Terry, there were absolutely no signs on those streets, there are no signs on Prescott Turn. So, I would be surprised if they were because there was no signage there. So again, listen it's February, it's what February 7th, you know what, I mean what's the harm in waiting and getting a good discussion going, until maybe there's another storm or two, but they have been doing a pretty good job until now. I think they can make it through another storm or two. What's everybody's opinion, again, it's just mine.

Councilman Toal: We have to go out at least to let these people know that we are talking about doing something and get their feedback. You can't just put an Ordinance on the books and say okay you can't park there anymore. Even if it's not this year it might be next year and we still don't want to be caught off guard but you have to let them know we are going to be making any changes to the parking.

Council President Minniti: So, do we agree that we want to...Counselor (explained procedure)

Council President Minniti asked for a motion to table the Proposed Ordinance

Motion to Table the Ordinance was made by Councilwoman Albanese, seconded by Councilman Toal

Council President Minniti directed roll call:

Aye: Albanese, Hund, Mazzarella, O'Connor, Smith, Toal, Minniti

RESOLUTION:

Resolution 22-32

Municipal Budget of the Township of Clark County of Union for Calendar Year 2022

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022:

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET YEAR 2022**

General Appropriation For:

1. Appropriations within "CAPS":		
(a) Municipal Purposes (Item H-1, Sheet 19) (N.J.S.A.40A:4-45.2)		20,306,831.00
(b)		
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes (Item H-2, Sheet 28) (N.J.S.A.40A:4-53.3 as amended)		7,170,013.89
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)		-
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)		7,710,013.89
3. Reserve for Uncollected Taxes (Item M, Sheet 29) – Based on Estimated 98.53%		
	Percent of Tax Collections	1,100,000.00
4. Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance	2022	
for Schools –State Aid	2021	28,576,844.89
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)		9,597,238.89
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)		17,988,115.00
Addition to Local District School Tax (Item 6(b), Sheet 11)		-
(b) Minimum Library Tax		991,491.00

BE IT FURTHER RESOLVED that notice is hereby given that the Budget and Tax Resolution was Introduced by the Municipal Council of the Township of Clark, County of Union, State of New Jersey on February 7, 2022; and

BE IT FURTHER RESOLVED that said Budget be published in summary in the Union County Hawk in the issue of February 24, 2022; and

BE IT FURTHER RESOLVED that a Special Meeting for the hearing on the Budget and Tax Resolution will be held at the Municipal Building, 430 Westfield Avenue, on March 7, 2022 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2022 may be presented by the taxpayers or other interested persons.

Moved by Councilman O’Connor, seconded by Councilwoman Albanese

Discussion:

Jim Ulrich: First off, this Budget will have a zero municipal tax increase. So, we worked hard to get the Budget to the place it needs to be and our revenue to offset any additional expenses that we had. That was one of the things that we were looking to make sure that our citizens were not affected by not only the reval but any tax increase from the municipal government. We’ve taken a lot of additional operations; we hired the five police officers, we have the new recycling

company, we have the communications department which is the vast majority of our expense increase. And on the revenue side we increased revenue year on year sufficiently to offset those additional expenditures. So, I don't know if anybody has any specific questions, but overall, like I said it's a zero-tax increase for the residents.

Councilman O'Connor: I had the opportunity to sit down with the BA as well as the CFO to take a look at the Budget and I think they did a great job. They worked hard, and I appreciate the zero-tax increase as a taxpayer and I'm sure the residents of the town appreciate the zero-tax increase. Thank you.

Councilman Toal: Anytime you don't have an increase where every other entity, the County, the State are just going crazy raising taxes and taking more and more and not giving it back to the communities. Anytime you have a zero budget you have to say thank you to the BA and to the Mayor and to the Administration. It's not easy getting to where they are at. And you just look down to the County and every time there's capital projects and spending money like insanity and the people feel it. People are on fixed incomes at this time, with COVID shut downs with employment, it's just been crazy and having a zero increase is very gratifying, thank you.

Council President Minniti directed roll call:

Aye: Albanese, Hund, Mazzarella, O'Connor, Smith, Toal, Minniti

Public Hearing March 7th, 430 Westfield Avenue

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.

Council President Minniti opened the public portion of the meeting

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

Council President Minniti directed roll call:

Aye: Albanese, Hund, Mazzarella, O'Connor, Smith, Toal, Minniti

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilwoman Albanese: no comment.

Councilman Hund: no comment.

Councilman Mazzarella: I want to thank Councilman O'Connor for bringing the first Ordinance up and asking that we table it. I'm very sensitive and pro our DPW department trying to make it as safe as it can be for them. I think that there's some alternatives that we can look at like one suggested on parking on one side of the road, so that would kind of lessen the hardship that all of the residents could feel within those areas. So, I want to thank you for bringing that to our

attention and look forward to working with DPW and the rest of Council to reach a happy medium.

Councilman O'Connor: no comments.

Councilman Smith: no comments.

Councilman Toal: no comments.

Jim Ulrich: no comments.

Township Clerk: no comments.

Council President Minniti: for my comments I just want to thank Jim and the rest of the team for their hard work on our Budget.

Attorney Dugan: no comments.

ADJOURNMENT:

Motion to adjourn was made by Councilman Toal, seconded by Councilwoman Albanese

Council President Minniti directed roll call:


Aye: Albanese, Hund, Mazzarella, O'Connor, Smith, Toal, Minniti

APPROVED



JAMES MINNITI
Council President

ATTEST:



EDITH L. MERKEL, RMC
Township Clerk

