

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

December 4, 2023

7:30 pm

ROLL CALL:

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

Also Present: James F. Ulrich, Business Administrator; Mark Dugan, Township Attorney;
Edith L. Merkel, Township Clerk; Elizabeth Clee, Director of Communications and Business
Development; Police Captain Christopher Lott

Absent: Mayor Salvatore Bonaccorso

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

Dispensed – Pledge of Allegiance recited at the 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.

Anthony Risoli: Eagle Scout Project presentation to Council

Anthony Risoli:

- spoke about his Eagle Scout project at Bienko Park
 - mentioned that the park has been “in need of repair” due to weathered equipment and vandalism
 - plans to replace the old workout signage by providing QR codes which aid in making workouts more interactive
 - added that repairs will be made to the wooden planks between the mulch and exercise area
 - also added he will supervise and lead the construction of two park benches
 - explained his desire to complete the project to honor the sacrifice of Benjamin Bienko, who was a Navy Seaman on the USS Monssen
 - stated that after his graduation from Arthur L. Johnson he plans to enroll in the Coastguard Academy in Connecticut

Councilman Mazzarella: Were you going to put mulch down in the area?

Anthony Risoli: explained that he does not have the manpower but is interested in working with the DPW in order to make it look nicer

Mr. Ulrich: said that mulch may not be acceptable to be used in the respective playground area

Councilman Minniti: Are you going to be buying new material? Will you be needing money for the material?

Anthony Risoli: explained that Mr. Bernardo will help with the funds for the two park benches, and adding that he will be creating the QR codes, but would need money for the material to attach it to the equipment

Councilman O'Connor:

- thanked Anthony Risoli on behalf of the 2nd ward residents for his outstanding project
 - added that he was well prepared to come before the council at his age
 - expressed that he was sure the US Coast Guard would be “very, very lucky to have a guy like you”

Councilwoman Albanese:

- congratulated Anthony Risoli on his presentation
 - clarified that the funds for the benches would not come out of tax dollars but a trust that Ralph (Bernardo) manages

Mr. Ulrich: Great job. As you are going through the process if you have any questions, or you need any help, feel free to contact me. We can always get our DPW Supervisor involved with any of the logistics that you have questions on.

Township Clerk: Do you need any documentation from the council?

Anthony Risoli: I do require your permission to go ahead with this project.

Council President Smith: We will reach out to you and bring it up at the December 18th meeting. We will do the resolution so you can move forward on starting your project.

DISCUSSION: Distribution of P.I.L.O.T. funds to the Board of Education

Mr. Ulrich:

- regarding the P.I.L.O.T funds
 - said that the school is going to be “made whole” on the property tax being paid at the time of the pilot
 - further explained that they received the first P.I.L.O.T payment with the Walnut Development
 - explained the legal aspects of handling the funds and the best approach that should be taken

Mr. Dugan: I will be speaking with you about it in the near future and we will get it worked through.

Councilman Hund: Are we required to give the county 5%?

Mr. Ulrich: Yes, it is a state law.

1. **PUBLIC HEARING**: Authorizing the submission of an application for funding for the Year 50 Community Development Block Grant Program

Council President Smith: That is for the Senior Citizen Program at \$55,000.00, and the ADA Ramp Improvement (library) at \$25,000.00.

Council President Smith asked for a mover and second on this Resolution

Mover: Entire Council Second: Entire Council

2. Authorizing the Mayor and/or Business Administrator to execute an agreement with Phoenix Advisors, LLC for professional services as the Municipal Advisor and Continuing Disclosure Services, effective January 1, 2024 for a one-year period

Mr. Ulrich: This is a reoccurring approval. They do all of our disclosure for all of our bonds.

Council President Smith asked for a mover and second on this Resolution

Mover: Albanese Second: Toal

3. Establishing a Procurement Card Program and appointing the Chief Financial Officer as the Procurement Card Program Manager

Mr. Ulrich:

- explained that the P-card is a township credit card
 - stated that vendors primarily only take credit cards and do automatic debits
 - further stated that we now pay more because we were getting invoiced
 - added that we have all of the controls in place and it will be no different than any other account
 - explained that just like we reconcile all of our bank accounts monthly that we would reconcile our P-card monthly
 - added that it operationally makes sense

Councilman O'Connor: Is there a specific amount?

Mr. Ulrich: It is about \$25,000.00 a year.

Council President Smith asked for a mover and second on this Resolution

Mover: Mazzarella Second: Hund

4. Authorizing the Chief Financial Officer to cancel the remaining balance in the Municipal Alliance Grant in the amount of \$4,606.69 for the period July 2022 - June 2023

Mr. Ulrich: explained that we did not spend the money for the purpose of what the funds could be spent on so we are returning the money

Council President Smith asked for a mover and second on this Resolution

Mover: O'Connor Second: Minniti

5. **Council as the ABC Board:**

Council President Smith asked for a mover and second on this Resolution
Mover: Mazzarella Second: Toal

6. Award of On-Call General Contractors List through a fair and open process for 2024

Township Clerk: listed the companies that sent in proposals

M & M Construction Company, Inc.	General Contractor
RJT Electrical Contractors, Inc.	Electrician
Kobra Electric LLC	Electrician
Lenny's Plumbing & Heating, Inc.	Plumber

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

7. Award of contract for Information Technology and Network Support Services through a
fair and open process for 2024

Mr. Ulrich: explained that he is still evaluating the 4 proposals

Council President Smith asked for a mover and second on this Resolution
Mover: Mazzarella Second: Albanese

8. Award of Professional Services contracts through a fair and open process for 2024

- A. Auditor – PKF O'Connor Davies, LLP
- B. Engineering Services – Grotto Engineering Associates, LLC
- C. Professional Planner – RicciPlanning, LLC
- D. Labor Attorney – Apruzzese, McDermott, Mastro & Murphy, P.C.
- E. Bond Counsel – Rogut McCarthy LLC
- F. Special Counsel – Triarsi, Betancourt, Wukovits & Dugan, LLC
- G. OPRA Counsel – La Corte, Bundy, Varady & Kinsella

Council President Smith asked for a mover and second on this Resolution
Mover: O'Connor Second: Albanese

CONSENT AGENDA RESOLUTIONS:

9. Authorizing the Tax Collector to refund overpayment of sewer fees in the amount of
\$1,743.83
10. Authorizing the Police Chief to issue Clothing Bin Permits for the year 2024

Council President Smith asked for a mover and second on this Consent Agenda
Mover: Toal Second: Hund

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 5 minutes in duration.

Michael Shulman, 382 Carolina Street:

- commended Mr. Risoli on his Eagle Scout project
- spoke of the hiring of Kronick Resolutions for the officers' hearings
- commented on the absence of the Mayor at the December 4th meeting
- talked about the council's silence after the release of the Attorney General's report
- said that it was a "good first step to have the mediator at least deal with the officers involved"
- made a statement regarding certain council members receiving health insurance benefits

Daniel Fuchs, 333 Carolina Street

- thanked Anthony Risoli for his Eagle Scout project
- questioned the council on their silence regarding the Attorney General's report

Seeing no one further coming forward Councilman Mazzaella made a motion to close the public portion of the meeting, seconded by Councilman Minniti

Council President Smith directed roll call: All Ayes

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilwoman Albanese: no comment

Councilman Hund: no comment

Councilman Mazzaella: commended Anthony Risoli on his project and wished him good luck in regards to the Coast Guard Academy

Councilman Minniti: no comment

Councilman O'Connor: reminded everyone about the Food Drive taking place on Saturday, December 9th, 11 AM to 1 PM, at the Township Municipal Building

Councilman Toal: spoke about working with everyone to come up with a solution to the parking issue in the Bartell Place neighborhood

Mr. Ulrich:

- regarding certain council members receiving health insurance benefits
 - explained that he started in June of 2021, and at the end of the year went through a lot of training
 - further explained that, as soon as he was made aware, he informed the council members who were receiving the benefits that it was not permitted
 - said the health insurance was cancelled immediately

Mr. Shulman: said that his comments were not directed at Mr. Ulrich

Mr. Ulrich: added that there was no “push back” and it was not “outright fraud”

Township Clerk: wished the Eagle Scout well

Mr. Dugan:

- explained he thinks the primary focus of hiring the attorney was to try and get the Township Police Department back under control
- said an impartial third-party hearing officer was hired because of the plethora of conflicts that have arisen as a result of all these problems

Mr. Shulman: Self-induced conflicts.

Mr. Dugan:

- said that he did not self-induce anything and there was no choice in hiring the mediator
 - further explained that he needs to stay out of it because he is being sued by Manata
 - said that the AG was insisting that a third party be appointed
 - added that he thinks that was a laudable goal trying to get the police department back under the control of the township as opposed to the prosecutor’s office
- express that the young man (Anthony Risoli) gave a great presentation
 - told Anthony Risoli that he knows of a retired commander of the United States Coast Guard that he will try to put him in touch with

Anthony Risoli: Thank you

Council President Smith asked for a motion to adjourn

A motion to adjourn was made by Councilman Toal, seconded by Councilman Mazzarella

ROLL CALL: All Ayes

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

ADJOURNMENT