

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

July 6, 2021

7:30 pm

ROLL CALL:

Present: Council Members Albanese, Mazzarella, Minniti, Smith, Toal, Hund

Absent: O'Connor

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

PLEDGE OF ALLEGIANCE TO THE FLAG: MOMENT OF SILENCE

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 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.

Regular order of business will be suspended on July 19th for Police Department Appointments: P.O. Giovannina Prisco, P.O. Steven Alleman and P.O. Kevin Chan

DISCUSSIONS:

1. Mayor: Shadow Lane – turns prohibited when school is in session

Mayor Bonaccorso: Thank you Mr. President. We had a Traffic Coordinating meeting the other day, the first one that we had in a pretty long time. There was a hot topic on the agenda. Lieutenant Lott has brought this to me and is talking about doing “No Turns” on Shadow Lane, that is right by Hehnly (School) there, neither from the right or coming from the left during school hours, once school is in session. So, the sign would read, “No Turns, Monday through Friday” I have to go back to my notes to say, “7-9 AM, 2-4 PM” something like that, “when school is in session”. So, Saturdays and Sundays, Holidays and in the summer, you can do this. So, I asked Lieutenant Lott why and he said that basically they’ve been having a real problem with that Shadow Lane and Hehnly entrance since we put it in, for a very long time. This is not the first time that I have heard complaints up there. People are cutting over the line to try to get in and they are afraid that there is going to be a pretty bad accident. Like I always say, “when you are pushing traffic from one street to another, what happens then?” He basically said to me that they put a memo out to parents, last school year, asking them to either use Chestnut or Featherbed Lane and Acorn and it seemed like it was working really well and no one seemed to have a problem with it. They said this way the cars can come up Acorn to que up and they will be making rights into the driveway and not dealing with anybody making lefts and cutting each other off doing all of this kind of stuff. It made sense when they said it. I would be a little more hesitant, but when he said that they sent a letter out to the community that goes to Hehnly telling them this, and that they have been abiding by this for several months now, without any signage up, he thought that it was working pretty well. I

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asked, “what are we going to have now the residents on Chestnut and Acorn screaming?” and he said, “No, people have been coming that way and it doesn’t seem to be a problem.” So, what do you think Council? What is your flavor on it?

Council President Hund: I think that it is a good idea especially since it has been working for a year with the letter that went out without signs. The signs may actually cause more of a disturbance now because people will actually see that you can’t turn.

Mayor Bonaccorso: Right, right.

Council President Hund: Otherwise, I think that will be fine.

Mayor Bonaccorso: They have been yelling for years about the traffic going into that driveway. People coming around; like if you look at Shadow Lane and how it comes in to the driveway, people are always cutting over the lined, and buses, they are really worried about it, they have been worried about it. So, if you would like to go with this, I will have Lott put up an ordinance, but we would need two readings on that, and we have to get it done before school, so it would be at the August...

Township Clerk: We can have a Special Meeting in August.

Mayor Bonaccorso: Yes, a Special Meeting in August. The August meeting (Public Meeting) will be two readings, and we will be able to enforce it before school (starts).

Councilman Minniti: On Raritan Road, where you make the right onto Chestnut. Is there a stop sign at the end of Chestnut and Acorn? Someone brought that to my attention that there is no stop sign there and now they are going to make the right Chestnut and to make that left onto Acorn, you may want to look at a “Stop Sign” over there. I am not sure if there is one.

Mayor Bonaccorso: Shadow Lane is okay. 7-9 AM and 2-4 PM, we could even adjust those hours, we will see what the cops think about it. We will say, Monday through Friday, when school is in session, and stop sign at Chestnut, that makes sense, and Acorn. Is that good? Okay, I will have Lieutenant Lott call you (Mark Dugan) so that you can put the ordinance together.

We talked about a couple of other issues, nothing that crazy. A lady is complaining about Janie and Terry Lane, that a lot of people, and I wish that Pat (Councilman O’Connor) was here, a lot of people are complaining that the medical business there, and a few of those businesses there, are parking up and down that street and they are looking for some sort of residents parking. I said to her that we are going to have to study that area to see how much that really is. If two cars parked down the street, we can’t stop the road. So, we have to see what happens. It is hard this time of year because this is the time of year that this town empties out. So, if you do traffic counts and stuff like that it really doesn’t work out that well this time of year.

We had a resident complaining about Lake Avenue turning onto Schwinn and Rutgers and cutting though and the committee basically nixed that by saying that it is not going to work. Doing that will cause way more problems than we need right now. So, that is where we are at with that.

Councilman Smith: (inaudible)

Mayor Bonaccorso: Again, the traffic and the cut throughs are one of the biggest problems in our town. But, you can’t just Band-Aid and go from one block and push it to another block, it is not fair. You know there comes a time where you just have to be honest with people and say the truth. You live in Clark, New Jersey, Union County, there is nothing we can do. Unless I put an upper level on Raritan Road... I mean, how are you going to do it? If you look right now, even on a

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Saturday and Sunday coming in from Central Avenue into Clark, the bridge, they are backed up all the way up the bridge, and halfway up Central Avenue, it is amazing. But, keep building apartments, and building all of this crap and the people in Trenton sit there and they have no idea. So, that is a problem for sure. But there are things that we just can't help sometimes, just can't help it, there is nothing you can do for it.

2. Councilman Smith: Council meeting Order of Business – Code Book Chapter 3-12C

Councilman Smith: So, this all started with my wife watching a Council Meeting and saying that they are so boring that she doesn't know how anyone can watch it. So, I go home and I watch the meetings and I am like, "they are boring." Now, I know why no one comes to the meetings. But it is politics and politics is boring, so there is not too much to do to get around it. So, I was trying to think if there was a way that by the flow of the meeting better where you start and go into the Mayor's Comments then we go into the Council and at the end of the meeting we go into our comments again. A lot of it is redundant, so does it make sense, or can we group it all together and do it at the end and do our little reports and give our end of the meeting comments? It was just something that I threw out there. I watched a couple of meetings, my wife watches with a few friends. I don't know, it has been this way for a long time. I talked to Sal about it and Jimmy at the meeting afterwards and he said that we should put the discussion on and talk about it and see if anyone has any ideas. My whole thing was to have the Mayor's Communication and then from there let's go on to our Ordinances and Resolutions, and at the very end when we do our Professional Comments then maybe we do our Committee Reports and try to shorten them up a little bit. I watched the meeting and by the time, when we were live, I am sitting there and by the time it gets to me I am almost sleeping. We are just listening to stuff that is, I don't know, important to the citizens, but at the same time everything this day and age, (except for mostly the elderly) is all online. Do they want to hear about every little thing that Ralph does? Do they want to hear about every traffic stop? I don't know, I am just throwing it out there. Anybody? Comments? Keep it as is? Change it up?

Councilman Hund: I think it is a good idea. Like you said, Sal's comments have to come first so we can give the report and status of where we are. We should maybe institute a time limit on our personal reports.

Mayor Bonaccorso: Brian was on (Council) back in the day, and Frank too, years ago council did not have any comments, everything went through the president, except for a report at the beginning of the meeting. Then back in 1998 or so, William Caruso used to come to the meetings and kill the Democrats and they were getting frustrated because no one could answer him back. That was when they came up to the part of let's change it where at the end of the night council can make a comment. I voted for it at the time, because I thought it was a smart thing, because a guy could sit in the audience and shoot bullets at you all night long and you really could not answer him back. I would, I could care less what the rules were, but technically they could tell you to stop and then you could not answer. That is when we went to doing it at the end of the night. I thought that was great for council because that was kind of like stupid to have you sit there and not have any say. With that being said, and with all due respect, a lot of the comments are "just like what the mayor just said", or "like the mayor just said." You don't need to say, what the mayor just said if the mayor just said it, people understand that. It is your meeting so you do what you want but I think it could work that way personally. But, tailor your comments to what is important, and what you should say, and what you want to say and go from there. If you give your report, then you give your report, if you want to give your rebuttal about what happened and why you voted for

something, or what someone can up to the microphone and said, you have that option to do that. That is up to you guys, you are the guys voting on it, not me.

Councilman Mazarella: So, make it more efficient?

Councilwoman Albanese: Well, if you don't change it, it is just changing the order. It is really about what you want the report to say. In some towns they don't give those types of reports with all of the statistics and things like that.

Councilman Smith: Correct.

Councilwoman Albanese: Even what the library activities are, they just don't do it.

Mayor Bonaccorso: Angel I think that you can do that, but like Library and Recreation those are probably the two biggest departments. I don't think that you should talk about what is coming up past the next month. Because if you say at the July meeting, "in October" like I can't remember what I ate for dinner last night, it is the truth and that is wasting everybody's time. You know, "sign up for winter recreation" and it is July, come on guys we are not even into the summer yet. When you say it in August for September that is a different thing. So, I think you should try that, I mean personally, my own opinion, keep your comments for your departments nothing more than a month ahead. Obviously, we come on (tv 36) the third week of the month, so in July, August is a week later, and that is what should be reported on. "In August we are going to do this, the library is doing that, Recreation is doing this" whatever it may be. Whatever Department had something that you want to announce to the public. Don't tell them about September events, that is way too far in advance, especially with all of our websites and stuff. Guys let me just say one thing, we are spending a lot of money here, we do that book, the Report to the People, we have a website, Elizabeth Clee is doing a phenomenal job now with "Notify Me" if you don't know what is going on then pull your head out of the ground, because that is your problem. Look, everybody is busy, I get it, just say if Mark (Dugan) lived in Clark, he is an attorney, he goes to work early in the morning, he works late at night, he is a busy guy prepping for the next day because he may be in court, but everybody has this (Report to the People) and everybody can go on and get the "Notify Me" in town which gives you information and services that are going on for that day. So, when they come to you and say that they don't know, then why are we handing out these books (Report to the People)? Why are we spending this money on these books? All the senior may need them but it doesn't seem to me that anybody puts them up in the broom closet and saves them.

Councilwoman Albanese: I have to say though that some of it is historical statistics. The police robberies, the drug arrests, things like that, as opposed to prospectively, you know, what are the police doing next week? You know ambulance calls, fire calls, it is historical data.

Mayor Bonaccorso: We had stopped that in the beginning when we first came into office. John said that we did not need to give that report, it has stopped for a while, but then it came back again... "the police had 224 calls and 17 arrests..."

Councilman Smith: Maybe (mention that) the police report is "on file, but there have been a lot of car break-ins lately and the police just want to remind you to please lock your doors."

Mayor Bonaccorso: I can see if you report on a major building, or structural fire and commend the men, but I don't really think that you have to go that much further than that.

Councilman Toal: I just wanted to say that we do the beginning with committee reports and it is basically personable that is what we want to say to the community.

Mayor Bonaccorso: You can say whatever you want then.

Councilman Toal: Because do you remember Pete Nevargic? I loved when Pete received a letter from a resident and he would respond to them directly into the camera, that was a nice touch and I miss that.

Mayor Bonaccorso: So, you do it. That is why we did that end of the meeting thing that time, so that you can do things like that Brian.

Councilman Smith: So, the question is do we keep it “as is” and try to be more cognizant and not get into too much of an issue? Shorten it down, combine it, or leave it as is?

Councilwoman Albanese: We can try different things.

Councilman Smith: We can keep as it is now but let’s be cognizant and if we think that it is dragging on again then maybe we could just say that we are going to lump it all at the end.

Township Clerk: You have to just let me know what you want to do. If you are going to change it permanently then it has to go into the ordinance.

Council President Hund: I would go along with Bill on this one and keep it as is but be cognizant of the amount of time that we are speaking and reporting.

Mayor Bonaccorso: The first thing that should be said that Police, Fire and First-Aid reports are on file in the Clerk’s Office, and if there is a highlight in it. They don’t need to know 16 smoke alarm calls and 4 carbon monoxide alarms, no one really needs to know that.

Councilman Smith: I think that we should all sharpen up our pencils and if we hear something that another councilperson says we don’t have to say it. Like the Mayor just said, “just cross it off your list and move onto the next one, unless it is that important.” I think that we leave it as is. Is everyone in agreement?

RESOLUTIONS:

3. Certifying to the Local Finance Board of the State of New Jersey that the members of the Governing Body have reviewed as a minimum, sections of the 2020 Annual Audit entitled General Comments and Recommendations

Discussion:

Councilman Mazzearella: I have a comment on that. There was only one comment that the auditors made and that is to make sure to make reference to the items purchased through cooperative pricing be shown. That has not been shown in the past, and they made a comment on that, and they said the recommendation is that it be shown.

Mr. Ulrich: That has already been taken care of. It is going to be included in the file going forward. It was an oversite and it make sense to have the pricing that we are going to be charged and what we expect to be charged, and just preparing it.

Councilman Mazzearella: That was the only comment that they had.

Mark Dugan: I think this is one of those that we have to retain a copy of these things I guess previously we weren't. (Inaudible) it is the price sheets that we maintain...

Mr. Ulrich: Correct.

Mayor Bonaccorso: But, other than that for the record it is another outstanding audit report for the community. When you have one little blip like that that is a zero to nothing.

Council President Hund asked for a mover and second on this Resolution
Motion: Smith Second: Albanese

4. Approving the 2020 Annual Audit Corrective Action Plan and Authorizing the filing of said plan with the Division of Local Government Services

Township Clerk: Speaking of which, the next resolution is approving the 2020 Annual Audit Corrective Action Plan, which I sent you by email late this afternoon, and authorizing the filing of said plan with the Division of Local Government Services. Did everybody receive that?

It is short if you don't mind. It says that the findings are that the price sheet related to cooperative or state contract services was not available for review. The explanation and corrective action states that the Township will revise its process in the future to include a requirement that the price sheets for items purchases through cooperative arrangement or state contract be retained by the Township. This will help verifying and confirm that pricing on quotes supports the related goods and services outlined in the agreement. Very simple, and then that goes to the Division, so that goes with #4.

Discussion: None

Council President Hund asked for a mover and second on this Resolution
Motion: Mazzarella Second: Smith

5. Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Mildred Terrace and Brentwood Road Improvement Project.

Discussion:

Councilman Toal: I am going to ask what this is about? What improvements?

Mayor Bonaccorso: Road improvements.

Councilwoman Albanese: It is usually for paving.

Councilman Toal: I don't think that they really need it there, on Brentwood at least. Mildred Terrace always needs to be improved but they need safety before a new road.

Mayor Bonaccorso: What do you mean by safety?

Councilman Toal: Mildred Terrace is becoming progressively more unsafe with the continue flow of traffic from Lake Avenue down, down Hilltop, down Kennedy and onto Mildred Terrace itself. Every morning it is a mess just trying to get through there, it is unsafe. But to put another road down? I didn't think that we needed it yet, that's all. Take the money, we will take the money...

Councilman Hund: Well, I can speak of the corner of Mildred Terrace and Madison...

Councilman Toal: They need lights. You need to put a traffic light there. That is a residential area...

Councilman Hund: I am not talking about lights; I am talking about the road. The road in that section there needs to be worked on.

Councilman Toal: We just did it two years ago and it is coming up? That is because of the bad patches or the bad brine that we have.

Mayor Bonaccorso: What do you mean by bad brine? Brine is salt and water, there is no bad brine.

Councilman Toal: Okay, I am talking about the blacktop then.

Mayor Bonaccorso: The blacktop, if you want to say that then I totally agree with you, we talked about that you and I (Councilman Toal: yes), (inaudible) we are back on streets that we started twenty years ago and sooner, I agree with you there, no doubt.

Councilman Toal: That all.

Council President Hund asked for a mover and second on this Resolution
Motion: Albanese Second: Mazarella

6. Authorizing the Chief Financial Officer to refund overpayment of 2021 sewer fees in the amount of \$20.10

Discussion:

Township Clerk: The next resolution, I originally put on its own because we did not have any others for Consent, but now we have a second on so it may change its position.

Authorizing the Chief Financial Officer to refund overpayment of 2021 Sewer Fees in the amount of \$20.10, which late this afternoon increased to \$1,192.67, because more came in. Then the Tax Collector also added a resolution for tax refunds in the amount of \$6,453.81, so that may start to get to be a Consent Agenda, or it may be on its own.

Council President Hund asked for a mover and second on this Resolution
Motion: Albanese Second: Minniti

Township Clerk: Okay, is that for both those resolutions?

Council President Hund: Yes.

Council as the ABC Board:

7. Rescinding the Alcoholic Beverage Club License previously held by the Gran Centurions which no longer meets the criteria to hold the License

Discussion:

Township Clerk: So, it is the club license it is not the catering license upstairs.

Councilman Smith: I have a question. So, the property was sold and they no longer need the liquor license?

Township Clerk: Correct. There is no longer a club.

Councilman Smith: So, what happens to that liquor license? Is it still available for someone in the town?

Township Clerk: Club license is worthless. So, it is not like they can sell it to someone else. There are very specific regulations for club licenses.

Council President Hund: Yes, you need 60 members to vote on it.

Mayor Bonaccorso: Say a club opened up in Clark that fit the criteria with 60 members...

Township Clerk: They would give them their own license not this license in particular because it takes 3 years, and members, and property and so on and so forth. So, this one just goes away.

Councilman Smith: Is there any update as to what is happening there? Are they still continuing to run it as the catering hall?

Township Clerk: Yes, Gary bought it from the Gran Centurions. So, his license will expand to those areas that were previously held by the club. Once he does the place-to-place expansion he will be able to service alcohol in the other locations that the club controlled.

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

Motion: Mazzarella Second: Smith

8. Authorizing the annual renewal of the Alcoholic Beverage License held by the Polish Cultural Foundation for the 2021-2022 Term

Discussion:

Township Clerk: They have had a change in who is running it and they just missed the deadline. They have complied (Councilwoman Albanese: They finally got back to you) right.

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

Motion: Toal Second: Smith

Township Clerk: Just one second Mr. President. I handed out a resolution prepared by the Township Attorney which he can explain to you.

Mark Dugan: Basically, we have a Shared Services Agreement with the Board of Education, who went out for bids for Road Improvements to pave their parking lots, and we are going to share that service that we have arranged with them, and they will reimburse us the cost of that, plus any in crude interest on the bond anticipation notes prorata based upon the amount they borrowed verses the amount that we borrowed. We approved that already by way of resolution, but we approved that as an interlocal agreement, and interlocal agreements no longer exist, that is the enabling fashion in interlocal agreements. It was repealed in 2007, and they have a new one that they have

been using since and it is basically the change in the name. This just simply makes certain it is accurate whether it is Shared Services Agreement under a different statute, but it is essentially ratifying what was already done, that we approve this agreement. Just so you all know by the way of information the County approved the other shared service agreement that we are doing with them concerning the Walnut Avenue Development. I think that is on their late July meeting that they will be adopting a resolution.

Township Clerk: So, we will do that one in August?

Mark Dugan: We have done that on already, I believe.

Township Clerk: I will have to actually look.

Mark Dugan: If we didn't what I will do it, and then I will set you up a template so I don't have to do them anymore because they are rather rogue. I will send you a template so that you can just crank them out yourself after that.

Township Clerk: Okay.

Mark Dugan: If you have a question, of course, I am available.

Township Clerk: Sure, okay, thank you.

Council President Hund asked for a mover and second on this Consent Agenda
Motion: Albanese Second: Minniti

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.

Sandra Sep, 340 Valley Road: Good evening Mayor, Administrators and Council Members. My name is Sandra Sep, and I am located at 340 Valley Road, Clark, New Jersey. My husband and I have formally requested a meeting with the Township's Administration regarding our concerns with our property line, sidewalks that have been removed without permission, property lines, steppage pitch location, and to date no meeting has been scheduled. We are here asking the Council to support us in making sure that we get our meeting and our due process.

Mayor Bonaccorso: Well, I can answer that Mr. President if you would like.

Council President Hund: Sure.

Mayor Bonaccorso: We are researching right now your allegations about the seepage pit. Our engineer does not believe that you are correct. But with that being said, I said "believe" does not mean much to me, I want documented proof. He is going to be meeting Mr. Lettini's engineer out onsite shortly. Correct Jim?

Mr. Ulrich: Correct.

Mayor Bonaccorso: We have talked about that this afternoon, and at that point he will deem if you are correct, or if he believes Lettini is correct. (Sandra Sep: right) At that time Mrs. Sep, I know if

goes for Lettini you are not going to be happy. You have not been happy since the day that the property was sold.

Sandra Sep: Excuse me, that is not open for discussion.

Mayor Bonaccorso: Yes, it is.

Sandra Sep: First of all, ...

Mayor Bonaccorso: You are asking for a meeting and I am telling you why.

Sandra Sep: I am asking for a meeting based on a current survey that I paid over \$2000.00 (Mayor Bonaccorso: correct), to have permanent markers put in. Where Lettini, because you mentioned his name... (Mayor Bonaccorso: Why not? It is his property.) It is actually not his property it is his fathers, but that is for another day.

Mayor Bonaccorso: That has no bearing. Lettini Corporation is building the property.

Sandra Sep: Bottom...

Mayor Bonaccorso: Alright, are we going to have a conversation and talk? I will make it simple, there is no meeting until I think that there needs to be a meeting.

Sandra Sep: Okay.

Mayor Bonaccorso: At that point we will call you.

Sandra Sep: I would still like to address the Board and I am still entitled to my...

Mayor Bonaccorso: You can address them all that you want they can't force me to have a meeting. You don't understand how government works you just want to be heard.

Sandra Sep: My concerns are, as a constituent in this town, I have been here for over 30+ years (Mayor Bonaccorso: correct.) I had a current survey done and markers installed. The same documents that he is looking at, and Nick Soto, Victor Venegra and Harbor Consultants claimed that they were going to put markers in, none of their markers were in. My markers, my permanent markers are there, and there is discrepancy with the permanent marker because it is a trapezoid piece of property. Which means the front end of the property... and it goes back in the corners. The location of the pit, I have documentation of it, I could not bring this forward to the Board or anyone without having the proper documents. That is why I obtained a certified survey and put my corner markers in. Do you know what? If this message may have been relayed to me that "we were looking into it" I would not be here this evening. But when you go unaddressed you have to assume that nothing is being done.

Mayor Bonaccorso: Well, we are always looking into alleged allegations. We don't know if you are correct, you are demanding meetings which we just don't do.

Sandra Sep: I did not demand anything.

Mayor Bonaccorso: Mrs. Sep, listen, I don't want to argue with you. Since the day that this project has been built you have probably made over 50 trips to this building complaining about something or another. We actually had to enact a piece of legislation because of your actions, I will tell you

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straight up. When the future when someone is building a house in this situation we can now mark “no parking” off in front of the place, verses you having to pull your car in front of his property area every day making it harder for him to get in and out.

Sandra Sep: I did (inaudible) to the next builder three weeks, from 12 o’clock at night, around the clock in front of their property, that nobody is allowed to park in the street. Since, we are bringing this stuff up, I would like to bring to the township’s attention that you have two construction ordinances, and we choose here to follow the one that we choose to follow, which is not the law. The law says that you have to follow the latest one, you can amend it...

Mayor Bonaccorso: What are you talking about?

Sandra Sep: Your times of the construction. If you read your ordinances your construction time says, Monday through Friday, 9am to 4:30, no legal holidays, it is all in there.

Mayor Bonaccorso: That has to be an old one.

Sandra Sep: No, no, no that is the new one.

Mayor Bonaccorso: No, then that is a mistake, somebody make a mistake.

Sandra Sep: If it’s a mistake it is still the law. You have to properly amend it.

Mayor Bonaccorso: We understand how to do business, trust me.

Sandra Sep: Okay, well then...

Mayor Bonaccorso: Mark, could you...

Sandra Sep: You are supposed to be following the rules.

Mayor Bonaccorso: It is not 9 o’clock, it is 7 o’clock during the week, that is what we are living by and that is what we are going to do. Listen, other than him building houses and selling them, what else can make you happy? Now, I am going to tell you how to survey...

Sandra Sep: Your property...

Mayor Bonaccorso: It is not my property.

Sandra Sep: I said if it were your property and he was putting a seepage pit, not off of the proper documentation. If you follow the rules...

Mark Dugan: Mayor, may I?

Mayor Bonaccorso: One second Mark. We are following the rules. The Engineering Department is going to look into it. When he makes a ruling, and if it is in favor of the Lettini Building Corporation, your next recourse is not my office, it’s the courtroom.

Sandra Sep: Well, I want to speak to the Board. This is what I asked for, okay? I heard exactly what you said. My concern is this, the purpose of the meeting was for everyone to be adults, come to the table, show me your documents and I can show you mine, and we can move past this. You are supposed to be impartial. (Mayor Bonaccorso: We are.) your supposed to look at both sides.

Mayor Bonaccorso: That is why we are having the engineer go out and take a look at it.

Sandra Sep: But you don't have my side of the document.

Mayor Bonaccorso: We are looking at what was submitted to the town, what was approved by the Planning Board. I don't care what your documents say. You are asking us to look at the plan at this point. It could mean something... Are you going to let us talk? I mean do you know...

Sandra Sep: If you have an open-door policy.

Mayor Bonaccorso: No, I never said that.

Sandra Sep: Yes, you did.

Mayor Bonaccorso: I have an open-door policy when someone doesn't come here 50-60 times since the day it's built...

Sandra Sep: I have not seen you in the 50 or 60 times.

Mayor Bonaccorso: You won't, and if there is any luck in God, you won't. I am not dealing with you and every little whim that you have against this.

Sandra Sep: Just so you know...

Mayor Bonaccorso: Look that is my opinion, I am allowed that opinion.

Sandra Sep: You are allowed that opinion. I am a tax payer in this town.

Mayor Bonaccorso: So are the Lettini's.

Sandra Sep: That is not the way I should be handled. (Mayor Bonaccorso: Right.) Thank you very much.

Mayor Bonaccorso: She doesn't want to hear it. Council, I will explain it to you. They are going to research if Mrs. Sep is right, if she is right, she is right, there is no arguing that. This is government, this is 4th of July week, this is the summer, as you all know people are away, people are getting back. Jim Ulrich our Business Administrator has been on the phone with our engineering company. My response has been if she is right, she is right, if she is not, she's not. But I want someone to go out there and be exact about it. At that point if she doesn't like it, she can do what she did before and sue somebody. Okay?

Sandra Sep: I did not sue anybody.

Mayor Bonaccorso: But, you can. You have in the past, but you can.

Sandra Sep: I have not sued anybody.

Mayor Bonaccorso: Yes, you have. (Sandra Sep: I did not.) Sure, you have, not here, but other entities.

Sandra Sep: No, I have never sued anyone. That is not the issue, that is slander.

Mayor Bonaccorso: No, it's not. Didn't you sue the Board of Education here, and the Rahway Board?

Sandra Sep: I sued the Board of Education and the Rahway Board?

Mayor Bonaccorso: That is what I was told.

Sandra Sep: Actually, if you want to get technical...

Mayor Bonaccorso: I don't. So, going back to what I was saying, if she is right, she is right, no one is arguing that fact. If she is right, she is right, no one is arguing that fact. If she is wrong, our message is going to be to go and get a lawyer and sue Lettini. If we look at this and it is right...the plans that were submitted to the Planning Board are what is, I believe, they are working with. If she is right, she is going to be right. We are not having meetings, we are not demanding meetings, and "you have to do this, and you have to do that" (Sandra Sep: inaudible) I could care less. The bottom line is I am administrating it through the proper channels of our Administrator to the Engineer. You have got to take a little time to look at this. You talked to Frank today, right?

Mr. Ulrich: Correct.

Mayor Bonaccorso: He is going to meet Lettini's engineer out there and figure it out. I called Lettini when I got the letter and I said, "Felix, is that tank in the proper spot?" and he said, "Sal, I have 12 foot of side yard and the tank is two feet off the house, 8 feet..." I think that there is a row of Arborvitaes on the other side? That is what he told me. I have been by there today but I didn't go there to look at the job I was actually just driving down Valley Road. I like to look at the road when I drive.

Sandra Sep: Since you are in contact with him, how far off of the property line is the seepage pit supposed to be?

Mayor Bonaccorso: I don't know that; I have no idea. I am just telling you what he told me. I said that we are going to look into this and if she is right then you are going to take it out and fix it. He said, "Absolutely if she is right, but she's not." I said, "Okay, we will find out." At this point it is in the hands of the engineer, which hopefully we will get an answer sooner rather than later.

Sandra Sep: Okay, and if someone removes your sidewalk... Do they have a right to remove your sidewalk in front of your house? It doesn't matter?

Mayor Bonaccorso: I didn't know about the sidewalk today.

Sandra Sep: Well, come on out and look. The marker is right there, a nice big tall flag, you can look in the ground...

Mayor Bonaccorso: He replacing it I would imagine?

Sandra Sep: What?

Mayor Bonaccorso: The sidewalk?

Sandra Sep: It doesn't matter if he replaces it. He removed my sidewalk and curbing in front of my home.

Mayor Bonaccorso: Did you talk to the Building Department about it today?

Sandra Sep: Did I talk to the Building Department?

Mayor Bonaccorso: Then we wouldn't know that, would we?

Sandra Sep: No, I can't talk to the Building Department because nothing gets resolved.

Mayor Bonaccorso: It does...

Sandra Sep: It doesn't. Even if you sign a complaint, or you say this... (Mayor Bonaccorso: We've had...) Let me tell you about Lettini's complaints... "I never liked the way your house looked" ... he goes to the police department, and calls the police because you are parked in front of his property at midnight. None of that is being told.

Mayor Bonaccorso: I never heard about midnight Council; I have heard about during the construction hours. You know what guys? This is obviously, as you can see, has been a bad mess from day one...

Sandra Sep: No, no it is not, you are not going to tell one side.

Mayor Bonaccorso: I don't understand, I am not telling any side. Lettini builds in this town all around and we have never had a problem.

Sandra Sep: Inaudible (speaking at the same time)

Mayor Bonaccorso: I am, I am having our engineers looking into it for you. And if you are right, you are right, no one is going to argue with you.

Sandra Sep: Bottom line is all I was asking the Board for this evening is that information (tape inaudible, no audio).

Mayor Bonaccorso: ...it is the builder. If there is a problem... (Sandra Sep: It is my property) allegedly, we don't know that yet.

Sandra Sep: What does that mean? He doesn't even pay the right tax if you want to go there. He pays vacant land tax for two houses.

Mayor Bonaccorso: Once the houses get CO's (certificates of occupancy) on them and they are up they will be assessed and put on our books like everybody else has done. We are looking into the problem, if you are correct, it will be ratified, if it is not, you won't be happy.

Sandra Sep: I want an explanation as to why I can't have a meeting and show my documents.

Mayor Bonaccorso: I really don't want to see your documents. I want to see what our engineer has to say. To you they (the documents) mean a lot but to me they mean nothing. Mrs. Sep, they (the documents) mean nothing to me, I have to be dead honest with you.

Sandra Sep: Okay, then why do his mean something to you?

Mayor Bonaccorso: His don't either. Our engineer out there, that is what means something to me. I don't really care about the Hatfield's and the McCoy's... (Sandra Sep: The Hatfield's and the McCoy's?) Oh, please, it has been a scene, it has been a scene, this has been talked about in other towns what has been going on, on that street. I don't care about that either (Sandra Sep: I don't care about what other towns...) I am not getting in the middle of it. This is what we are going to do, when my engineer comes back and tells me yay or nay, you are right or you are not, you will get an email on that back. At that point if you are not happy, get a lawyer and sue Lettini. We have nothing to do with it.

Sandra Sep: Okay. I just want you to know before our (tape inaudible: no audio) Council Member and the Board Attorney to review the documents. The reason why I ask you to review the documents is because it has already been told by the BA (Business Administrator) to me that the Township Engineer doesn't think that there is anything wrong.

Mayor Bonaccorso: At this point. We are researching to find out the validity of that.

Sandra Sep: Where are my rights to know the Board's decision?

Mark Dugan: The council is a legislative body it is not a judicial body. The mayor is an executive he is not adjudicator. We don't do that, that is not our role, we don't have the authority to do that, we don't decide disputes.

Sandra Sep: How come Lettini can get a meeting and I can't?

Mayor Bonaccorso: He didn't get a meeting.

Sandra Sep: He does. He gives beautiful baskets too, for the holidays.

Mayor Bonaccorso: Not to me. Be careful, don't go there.

Sandra Sep: Why.

Mayor Bonaccorso: It is not true.

Mark Dugan: The mayor is properly relying on township officials who are appointed to fulfil certain rolls. The engineer is the one who would be invested with the authority to investigate that and reach a conclusion. That is exactly what the mayor is doing.

Mayor Bonaccorso: Exactly.

Sandra Sep: Okay.

Mark Dugan: If you have a problem with the speed at which this is moving, with the way it is being handled, with the result that is reached, just as Lettini will, your recourse is in a court of law. You should hire counsel, and you should consult with your counsel, and have your counsel guide you. A surveyor is not a lawyer, you need a lawyer. A surveyor is simply someone who prepared a document that may or may not be credible evidence in a court. You need to go to court that is where property disputes are settled, not in townhall.

Sandra Sep: Okay. So, my concern is what I said...if you have a drawing from when he went into the Planning Board, then that is what he is approved to build.

Mark Dugan: That is correct.

Sandra Sep: So, the said drawing says that you need to be (this far) off the property line, the seepage pit needs to be blah, blah feet off of the property line. Whatever that is, that is what he is supposed to do.

Mark Dugan: Correct.

Sandra Sep: If that is not correct then that is where the issue is.

Mayor Bonaccorso: Correct.

Sandra Sep: Which is the same issue with the two houses that he built. He clearly had to take one side of it off on my side...

Mayor Bonaccorso: That was another...

Sandra Sep: That is not what he was supposed to do...

Mayor Bonaccorso: You helped us on that.

Sandra Sep: It was the square footage.

Mayor Bonaccorso: Let me tell you how you helped us...

Mark Dugan: I don't know what you are talking about right now. But land is vacant until there is a house on it that can be occupied.

Mayor Bonaccorso: Mark were you here for the bump outs? Was that you, or Joe (Triarsi)?

Mark Dugan: No, that would have been Joe.

Mayor Bonaccorso: What had happened when they built...years ago we had our code book, the old ordinance said that you were allowed a two-foot bump out, like a bow-window type thing on the side of the house. When we recodified our books, some years back, every department head was told to make sure that you read through your codifications and make sure everything is correct. Well, somebody didn't, and the codifier took that out. So, when Mrs. Sep complained about it, at first, we said, "nah, it can't be right" and then we looked in the book and she was right, because it was not in the book.

Mark Dugan: So, the bay-windows are no longer permissible?

Sandra Sep: No, you are allowed to have a bay-window. When the square footage of the house is affected, it is no longer a bump out.

Mayor Bonaccorso: What we did was then was we went back and recodified our ordinances because they (bay-windows) are all over town. So, she actually put us wise to something that we didn't know slipped through the cracks 10 years ago when we recodified because the Construction Department missed that, so that was good. Rich is going to look at it and render his opinion to us and that is all that we can do. The rest is up to her and Lettini it has nothing to do with us at that point.

Mark Dugan: That is where you really need to go.

Sandra Sep: I did ask to be at the inspection.

Mayor Bonaccorso: You can't be, it is on someone else's property.

Sandra Sep: Then why did Lettini get to be there. It is not on his property; it is on both properties. If you are allowing one you have got to allow the other.

Mayor Bonaccorso: I wouldn't allow you if I was building that, I am sorry, plain and simple English. That is me if I was building, I can't speak for him.

Sandra Sep: It doesn't matter. How Council, is he being allowed to say...? There is a line, a property line draft...I am not allowed to be at the meeting, when it is "that property" that is on both of our properties is what is being inspected, but he can be?

Mark Dugan: Is it on the property you now believe you had, then previously you did not believe you had because you had a survey done, and you had permanent markers put in?

Sandra Sep: No, I did not even say anything when this happened because I did not have the proper documentation. In order to be able to bring this forward I was told that I needed to have an updated survey, and permanent markers placed, because the permanent marker is permanent...

Mark Dugan: There are disputes all the time ma'am over property lines.

Sandra Sep: Oh, I believe it.

Mark Dugan: This is not an uncommon dispute; it is a very common one.

Sandra Sep: This is really, really simple too... because even before the property... all that you had to do is take a tape measure, an engineer can do this, I have a tape measure, all you have to go is from one corner marker all the way across the front, and it shows you right off the bat.

Mark Dugan: I would imagine that Mr. Lettini before he invested a lot of money in the property and its development also had a survey done.

Sandra Sep: Yes, he did by Harbor Consultants.

Mark Dugan: And he relied on that survey just like you are relying on yours. His survey probably shows that he owns the property that he is developing.

Sandra Sep: Then he has to go back to his buddy and tell him.

Mark Dugan: The Mayor is properly relying on the Township Engineer.

Sandra Sep: I am not talking about the Mayor, I am talking about the other engineer, I mean the other surveyor company. I was not talking about the mayor.

Mark Dugan: So, the engineers roll is to ensure, and the Construction Department's role, is to ensure that the construction is prosecuted pursuant to the documents that were submitted to the authorizing body, the Planning Board, the Zoning Board, in this case it is the Planning Board. If

there has been a violation of what was represented on those plans, that and the Township, can cause it to be corrected. The Township cannot resolve, ever, your property line dispute.

Sandra Sep: I have a completed copy of the plans, from start to finish, what went before the Planning Board, complete.

Mark Dugan: Well, the property line will be important in determining where those various improvements can be made.

Sandra Sep: Absolutely.

Mark Dugan: So, it is a property line dispute and in order to resolve that property line dispute...from Harbor Consultants survey it is proper, and from your survey it is improper, they can't determine that. You are going to have to go to court to have that determined. You are going to have to have that solved in court.

Mayor Bonaccorso: That is where Mark, I believe it is heading.

Mark Dugan: It has too, you will never get this fixed otherwise Mayor.

Mayor Bonaccorso: We are trying to have O'Connor look at this to say...whoever is right is right. I can care less who is right.

Mark Dugan: If O'Connor concludes that she is right then Lettini is going to sue, if O'Connor concludes that Lettini is right, you have to sue, that is where it gets resolved. By the way "suing" is not a slanderous term, I do it for a living.

Sandra Sep: I don't mean anything by that. All I am asking for is an impartial review.

Mayor Bonaccorso: That might come from a judge.

Mark Dugan: What you are looking for is an informal hearing which the Township is not in the position to provide.

Sandra Sep: I am not looking for an informal hearing. I was the one that requested the inspection, but I am not afforded the opportunity to be there, and I just don't understand why.

Mark Dugan: If Mr. Lettini permits you then you are allowed to be there, and if he says no then you are not, it is his property.

Sandra Sep: I could not stop him from digging on my property until I had the proper document.

Mark Dugan: He probably believed that it was his property. He probably has a survey saying that it is his property. I don't know, I am right now speculating entirely, but my guess is that he has a survey that what he removed was his.

Sandra Sep: Okay.

Mark Dugan: If he doesn't, he made a big mistake, and you have a cause of action against him.

Sandra Sep: Okay, fair enough.

Mark Dugan: That is what you need to do is bring those causes of action.

Sandra Sep: Right.

Mark Dugan: I know that we cost a lot, I understand that, no one wants to hire us, but that is all you can do if you have this kind of a problem.

Sandra Sep: I will be honest with you. It should not have to come to that. If you go before a Board, you should follow the rules to the best of your ability.

Mark Dugan: Again, you are missing the point of the fact that you have a survey that depicts your property line in one location, and I am sure that he has a survey that depicts the property line in a different location.

Sandra Sep: I dealt with him...

Mark Dugan: That difference has to be resolved only by a court. (Did she get) 10 minutes?

Sandra Sep: I'm good.

Township Clerk: You are at 24 minutes.

Sandra Sep: Thank you very much for your time.

Mark Dugan: You are welcome.

Sandra Sep: Have a great evening.

Mark Dugan: I hope that I shed some light.

Mayor Bonaccorso: Thank you.

Sandra Sep: Thank you.

Seeing no one else come forward, a motion to close the Public Portion of the meeting was made by Councilwoman Albanese, seconded by Councilman Toal

Council President Hund directed roll call: All Ayes

Aye: Albanese, Mazzarella, Minniti, Smith, Toal, Hund

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Mark, we are going to go with the ordinance for the August (meeting), I will have Lott get in touch with you for the Shadow Lane.

Mark Dugan: Alright.

Mayor Bonaccorso: Another ordinance that I would like to talk to the Council about next month will be, that on Township owned property, township flag poles, the only flags and/or symbols that shall be allowed to be flown would be our, of course, our own United States of America Flag and/or, up to, and including the State Flag, the Town Flag, POW or MIA's.

Mark Dugan: And you are talking about township property?

Mayor Bonaccorso: Yes. At your own home you can do what you want, obviously. What this is going to do over time is... there are more and more groups getting together that want townships to hang flags. I don't feel that it is appropriate for us to do that because as our Country is getting more radical there are different groups coming out and whether you agree with them or not, is not for me here to discuss, or debate, but it put it into law, it is all or nobody. This way it is no one but the flags that should fly in distinction of this great Country.

Mark Dugan: I understand. I will have that ready for you as well for the next executive meeting.

Mayor Bonaccorso: Ralph opened recreation today with 750 kids. It went very well and he was very excited.

The fireworks the other night went very well and everybody seemed to be very happy. Actually, Frank Cerasa did his count before the meeting and he said that they guy actually brought more fireworks than we bargained for. That is a smart vendor, we have been using for a lot of years, when in the past we caught two vendors trying to rob us, short us on the thing (fireworks). Elizabeth was out there with tv36, we did it live and it worked, I was happy. So, Elizabeth I appreciate all of your work and with your help with tv36. You were able to see it on tv if you were not able to make it to the event. It is on our website, and you can see it anytime you want on our Facebook page, and it will be played on tv36.

The Police Station is ending and we are getting close. The bottom patch of blacktop, the binder should be put down, maybe tomorrow, hopefully no later then Thursday. They are going to repave it, and then we are going to have to talk about doing a grant and opening the building. I don't know when we should do it, if we should deal with August or wait until September at this point. I was thinking on a Saturday around noon time, one day, to cut a ribbon and officially open it up and dedicate the building.

Councilman Smith: Did they lay concrete in front of the building?

Mayor Bonaccorso: Yes, that is all done. When you look at the front of the building, it is a jet out, bluestone has to be put on that, and then the paving, and then basically we are done. Then I will take the DPW, and I will run a landscaping job out there, to landscape the building for them. Any questions?

Councilman Smith: When is the road going to be aligned?

Mayor Bonaccorso: They are working on it right now. That duck tales right onto what we are doing Bill.

Councilman Smith: Within a month? Before school opens?

Mayor Bonaccorso: It better be done before school.

Councilwoman Albanese: No comment.

Councilman Mazzearella: No comment.

Councilman Minniti: No comment.

Councilman Smith: No comment.

Councilman Toal: Just to finish up, on July 4th we had the memorial service for Billy Waterson. The mayor was there and gave a wonderful memorial speech to Billy. To the Clark PBA #125, with retired Captain Jimmy Cerasa, did a wonderful program to honor Billy.

The fireworks were well attended by out-of-towners and in-towners, just having a good time, and again, that is why we have to keep doing it every year, it is that important to the community. That is all that I have, I am keeping it brief.

Mr. Ulrich: No comment.

Township Clerk: No comment.

Mark Dugan: No comment.

Council President Hund: No comment.

Council President Hund asked for a motion to adjourn

A motion to adjourn was made by Councilwoman Albanese, seconded by Councilman Toal

ROLL CALL: All Ayes

Aye: Albanese, Mazzarella, Minniti, Smith, Toal, Hund

ADJOURNMENT