

COUNCIL WORKSHOP MEETING
315 WESTFIELD AVE., CLARK, NJ
January 17, 2017
7:30 pm

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

(Dispensed)

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 and the proper filing of said notice.

PROPOSED ORDINANCES:

1. **BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A SYNTHETIC TURF SOCCER FIELD AT BARTELL PARK IN, BY AND FOR THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY, TO APPROPRIATE THE SUM OF \$680,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT AND A PRIVATE CONTRIBUTION, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Discussion:

Mayor Bonaccorso: Madam President and Members of Council, the Clark Soccer League came to me asking for some help. They wanted to put a turf field in at Bartell. And with that being said, Bartell is going to be Bartell, turf or grass, it is the same thing, a soccer field. They were having problems getting the whole financing together, but they can afford a quite a bit of the amount in payback yearly. By going to us, under State Contract, they are getting this deal at a very, very good price. What we are doing we're bonding and running the construction of the field for them and they are going to pay us back on a yearly basis, which they feel and they proved to John and I that they can do that very easily over the years. If for some reason they don't, it's our field, it's public property, township property, so we would have a turf field that we would be able to use for recreation, loan to the schools, whatever we may decide to do with it. So that's why we feel very confident that number one they can make the payback to the community, and two, if God forbid they didn't down the road someday whoever is sitting here or up there would be able to turn around

and just take the field and use the turf at their own discretion. It still will be a township field. The Clark Soccer League basically occupies it basically twelve months a year except for when it is snowing out in that manner and the kids need space. They put hundreds of thousands of dollars, since I have been Mayor, into that field and I know that each and every year it just gets worst and needs to get fixed, gets worst and needs to get fixed and it is throwing good money into bad money. So I'm asking for your support tonight. I think that this is a great thing for the boys and girls of our community who are in the Clark Soccer League.

Mr. Laezza: Of the \$680,000.00 Ordinance, we're only borrowing \$522,000.00 and of the \$522,000.00, the Clark Soccer League over the next ten years will pay \$400,000.00 of that, we will pay the remainder.

Councilman Toal: Again, before the meeting started I brought some concerns of the neighbors, it is a very tight knit neighborhood over there. The Mayor assured me, which I will again say it during the public portion that any concerns of the residents with regards to the construction....it is just about change, you went from a field, to lights, we are going through another change. It is not that dramatic, as the Mayor specified grass to turf, it is the same thing the kids are going to be playing on it. It is a park, it is recreational. So again, as I ask for the Mayors cooperation and help on if there are any residents concerns that they would be addressed and helped out to answer as we have always done in the past.

Mayor Bonaccorso: Brian, of course, that goes without saying. There shouldn't be any concerns because the field is far enough away from the homes. When we put the turf field in at the high school I was at that construction site three to four times every day. It goes in without a hitch. There will be a few trucks on Bartell during the construction and after that it is over. Like I said, whether they play on turf or grass it is still going to be the same faces running around out there having a good time. Also, environmentally sound, good product, so it is all positive.

Councilman Toal: Again, it was just one question was raised to me and that is what about the security at night time? Kids, vandalism, things like that. I said the whole town can be vandalized tonight, who knows? It is just a matter of not having an open ended question but basically resolving it with "the police will be watching it and making sure it...."

Mayor Bonaccorso: They always do.

Councilman Toal: Exactly, thank you.

Mayor Bonaccorso: They make checks of the parks every night.

Councilman Toal: But again my concerns are the residents' concerns, we are answering them and we will listen to anything they have to say. Thank you Mr. Mayor, I appreciate your help on this. And Madam President thank you for your time.

Council President Albanese: So once we go ahead with the bond ordinance what is the anticipated date with starting and completing the project?

Mr. Laezza: We would like to get it started being constructed in April. It probably be ready for September.

Mayor Bonaccorso: We are hoping, it depends on how busy people are etcetera and so on.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Mover: Hund Second: Mazzarella Public Hearing February 6th

2. AN ORDINANCE ENTITLED AN ORDINANCE TO FIX MINIMUM AND MAXIMUM SALARIES

Discussion:

Mr. Laezza: Members of Council this is an Ordinance every year that we update to make sure that the maximum accommodates the people that are in those positions. It always a range from the bottom to the top. No one is at the top.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Mover: O'Connor Second: Hund Public Hearing February 21st

3. AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Discussion:

Mr. Laezza: This is what we do every year before our budget with regard to setting aside money in case there are emergencies that come up.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Mover: O'Connor Second: Albanese Public Hearing February 21st

RESOLUTIONS:

4. Confirmation of the Mayor's appointment of John Laezza as Acting Director of Public Works

Discussion: None

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

5. Resolution disapproving of the Federal Highway Administration determination that the painting of a "thin blue line" between the lines of a double-yellow centerline marking

on a roadway does not comply with the Manual on Uniform Traffic Control Devices for Streets and Highways

Discussion:

Mayor Bonaccorso: Just to bring you up on that Assembly Minority Leader John Bramnick from Westfield has a bill, I have it on my desk, allowing this. I heard, but I did not hear officially from Congressman Lances office, somebody told me that he is trying to put a bill into the Federal Government to allow this. I can talk about this later on also at the Public Meeting, but I thank 101.5 for their help in this. I mean it is really hysterical when you think about it. It is something in a manual that maybe like, you know when we recodify our Ordinances at times, things that are antiquated, things that are way out of whack, that is when you adjust it, this is one of them. But the question is going to be to me is in the States Senate and Assembly who votes for it? I want to see if this gets a unanimous vote or not. So thank you again for your support.

Councilwoman Albanese: Actually Congressman Lance was on the radio station I think maybe the next day or the day or two after you were on Mayor and then they referred to your initial call.

Mayor Bonaccorso: That is why I love Congressman Lance, he represents our district and he is like cellophane, I can never see him or find him. That is why I am not the biggest supporter and fan. When you have a district and you have a sitting Mayor for five terms siting here I think you should pick up the phone and say, "I heard what your troubles are about, I am on with you and we are going to work through it." But then again, not surprised.

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

6. Accepting the revised Standard Operating Guideline to administer LOSAP to qualified Fire Department volunteers

Discussion: None

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

7. Rejecting the bid for the Collection and Disposal of Grass

Discussion: None

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

8. Authorizing transfers of 2016 Appropriation Reserves

Discussion: None

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

9. Authorizing the Chief Financial Officer to refund overpayment of Taxes in the amount of \$437.61

Discussion: None

Council President Albanese asked for a mover and second on this Resolution
Mover: Toal Second: Barr

10. Authorizing the Tax Collector to settle tax appeals authorized by the Tax Court of New Jersey with refunds in the amount of \$41,268.71 and credit to be issued in the amount of \$169,242.75 as detailed in the filed schedule

Discussion: None

Council President Albanese asked for a mover and second on this Resolution
Mover: Toal Second: Hund

11. Authorizing Final Payment to P & A Construction, Inc. for the Colonial Drive Sewer Improvement Project in the amount of \$26,613.98

Discussion:

Councilman Mazzarella: I have a question for John on this. Once we pay this they will be going on maintenance bond correct? (Mr. Laezza: Correct) and that is for how long? (Mr. Laezza: A year)

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

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one coming forward Council President asked for a motion to close the public portion of the meeting.

Motion: Toal Second: Mazzarella

All Ayes: Barr, Hund, Mazzarella, O'Connor, Smith, Toal, Albanese

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilman Barr: I'll hold off until the regular meeting.

Councilman Hund: I will hold off until the regular meeting as well.

Councilman Mazzarella: I'll hold.

Councilman O'Connor: I will hold my comments, thank you.

Councilman Toal: I'll hold till later.

Mr. Laezza: No comments.

Township Clerk: Nothing

Howard Lesnik: Nothing.

Mayor Bonaccorso: No comments, I will save them all for the public session.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman Toal, seconded by Councilman O'Connor

ROLL CALL: All Ayes

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

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
February 6, 2017
7:30 pm

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk

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Presentation at the public meeting: Volunteer of the Year

Council President Albanese: As noted when we have our regular meeting there will be a presentation for the Volunteer of the Year. Is that selected by the Recreation Director, or are you involved with that Mayor?

Mayor Bonaccorso: Yes.

PROPOSED ORDINANCES:

- 1. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 255 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROPERTY MAINTENANCE" AND TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS**

Discussion:

Mr. Laezza: Madam President and Members of Council basically you know we have always had a problem with vacant properties and properties under foreclosure. This is an Ordinance that State Statute gives us the right to have all banks report to us if they own any vacant properties or properties in the township. This gives us an opportunity and gives them responsibility to make sure they are maintained and to make sure that they are kept up to the standards of the neighborhood. Failure to do so is a severe penalty. We have been trying to run after them because we really didn't know that and I think that this Ordinance puts some teeth into our property maintenance code. So, I think that it is important that we adopt this Ordinance.

Mr. Triarsi: You are supplementing the existing Ordinance, putting new sections in.

Mr. Laezza: Yes, we are supplementing the existing Ordinance.

Township Clerk: Does it look okay Mr. Triarsi?

Mr. Triarsi: I just picked it up but I noticed that it was being supplemented. I will make sure that it is consistent with the statute, yes.

Councilman Smith: This will give us more teeth to go after the banks and everyone that owns the properties?

Council President Albanese: Right. The main goal is that we want them to maintain the property. That is the problem.

Mr. Triarsi: The present Ordinance is not going to change; this is just going to add to the new provisions to it.

Mr. Laezza: There are a few definitions and provisions.

Councilman Toal: I have a question for the Business Administrator. So essentially if someone goes into foreclosure and their grass gets high and the property becomes run down.... the procedure again...the residents always call us. The procedure is what?

Mr. Laezza: The banks have to tell us that they own that property and when we see it, we go right to that bank.

Councilman Toal: What is the timeline? 30 days, 60 days, 100 days?

Mr. Laezza: 10 days. We will charge them a \$1,500 a day fine.

Councilman Toal: Do we send our Public Works crew too in there?

Mr. Laezza: If we have to send our Public Works there then a lien goes on the property and they would have to repay us. We are basically doing that on our own now and it is a catch 22 when we get the notice from the neighbors and the grass is knee high.

Councilman Toal: Again, the neighbors who complain they come back to me and say that they saw our town truck over there. I try to explain to them that it doesn't work that way.

Mr. Laezza: Well, we will see, we will tag it and then notify the bank that we tagged it and then they will have ten days to get it fixed.

Mr. Triarsi: That is in section 17.

Councilman Toal: I know, but people are not going to read section 17 Joe.

Mr. Triarsi: I am giving it to you not the public.

Councilman Toal: I appreciate it. Thank you, Madam President. Just again, when they hit you with questions you want to give them the right answer.

Council President asked for a motion to move this Proposed Ordinance.
Motion: O'Connor Second: Mazzarella

DISCUSSION:

2. Fire Department requested changes to current ordinance

Discussion:

Mr. Laezza: The Fire Chief passed out a form for everybody today regarding why he believes that this is a necessary change and I would like everyone to take the time to sit down and read that before they go into discussion.

Council President Albanese: Let's take a few minutes to read this.

Mayor Bonaccorso: Okay Frank you might as well go through this.

Fire Chief Cerasa: Sure. Do you want me to go through the whole thing? It won't take that long.

Councilman O'Connor: We have all read it.

Councilman Barr: I have to say I am glad that you brought this in because it did clear up a lot of things.

Mayor Bonaccorso: Let's have an open conversation so that everyone else knows what we are talking about.

Fire Chief Cerasa: You guys have the first (document) right? (Council: Yes) That shows the existing Ordinance that is still in effect for the fire department which really winds down to about three pages because the last page really is in reference to God-for-bid somebody passes away, and it addresses the first aid squad too.

Councilman O'Connor: Excuse me. Did he need to give his name that he is speaking Edie?

Mr. Triarsi: She got it marked.

Fire Chief Cerasa: So, what this is, the first piece of paper that you got with the highlighted areas, it is just a continued effort what Frank and myself and the officers have been doing for the past almost four years is just streamlining and going through our Ordinances both within the fire department and fire prevention making sure that everything still applies to today. Over the years, we have changed a lot of Ordinances, as Mr. Triarsi would know. And if you are unaware, we now have in place, we have 57 (SOGs) Standard Operating Guidelines, which is what we used to call Rules and Regulations that really take care of the daily operations of the fire department. So, part of what the deletions here are is because these issues or these areas are address in Standard Operating Guidelines. So, on the first page where you see it just says "Battalion Chiefs" what we did and we did it over the years, I don't know why we didn't do it sooner, but we just got rid of the numbers. And John is aware where we have had additional Battalion Chiefs one-year, additional Deputy Chiefs two or three years down the road. We just didn't want to be held to the number. And there is no issue with the number because the numbers cannot....in other words I cannot go back to the firehouse tonight and promote four Deputy Chiefs and pay them because I am right at the amount of money that I am allowed per Mr. Laezza and the budget, that kind of thing. It just gets rid of the number. And then number three there in blue, the addition, is just a brief description of the duties of every officer to perform their acts. It is more consistent with the rest of the Ordinances and the Standard Operating Guidelines that are in place. The second page that you have that is the yellow with the lines through it, that is what I am asking you to eliminate. There is a number of issues there. Number one with is "G" is the Election of Officers: currently.... well, not currently, within the last four years, four years ago we had one of our last elections. So, this was the way, or the way the elections would be held...I am not going to go over the whole

thing.... It also states about officers, once they are here, not being able to move out of town. As you all may be aware we have an Ordinance in play where we allow firemen to move out of town. We feel it is not good to allow fireman to move a mile out of town and not allow an officer to move out of town. We now take untrained members up to two miles out of town, so we have been changing this basically on a yearly basis to try and get additional members. And then for "H" under Line Officer: for the Battalion Chief and Captains Duties, they are already in Fire Prevention Ordinance, which is 161, for the Township and they are covered a lot more than what is here in Standard Operating Guidelines at the firehouse. Which again are our old Rules and Regulations, so it just doesn't need to be there. Do you know what I mean? Standard Operating Guidelines/Rules and Regulations are consistent with Ordinances and that's what we enforce for the daily operations of the fire department, so it just does not need to be here. Since November, actually October, going over Ordinances like this to make changes, we are also going over our 57 SOGs and making changes, we are going to be reissuing all 57 of them again.

Mr. Triarsi: I have some questions Frank, just for clarification so that I know when I look at this Ordinance and the other Ordinances so that the Council knows, there is not going to be a Table of Organization designating the number of Battalion Chiefs?

Fire Chief Cerasa: Correct.

Mr. Triarsi: I just want to determine how many Battalion Chiefs are going to be in position from time to time.

Fire Chief Cerasa: I would as the Chief, and then the command staff which consists of three Deputy Chiefs and then we couldn't do anything without the Administration authorizing.

Mr. Triarsi: Well, who has the appointing authority is what I am asking?

Fire Chief Cerasa: I do.

Mr. Triarsi: Okay.

Fire Chief Cerasa: Ultimately, and then approved by the administration as well.

Mr. Triarsi: And the Captains, you are going to strike five so we don't know if there is going to be one....

Fire Chief Cerasa: Probably four.

Mr. Triarsi: There are currently four but fact of the matter is that the Table of Organization is not going to have a number there either.

Fire Chief Cerasa: That's correct.

Mr. Triarsi: And the authority is going to be appointed as opposed to elected?

Fire Chief Cerasa: That's correct.

Mr. Triarsi: And the appointing authority is going to be you as the Chief?

Fire Chief Cerasa: That's correct.

Mr. Triarsi: Okay. You struck, as I can see it, number three.

Council President Albanese: Or is that being added in?

Fire Chief Cerasa: No, I am sorry, that is in blue, that's added.

Council President Albanese: So, that one you can add and the others are deleted.

Mr. Triarsi: Okay. Then I want to go to "G"

Fire Chief Cerasa: Okay.

Mr. Triarsi: This is the policy that is presently in full force and in effect and this is the policy that is going to be rescinded by the Ordinance?

Fire Chief Cerasa: That's correct.

Mr. Triarsi: And in its place, is there going to be some kind of language regarding the appointment process.

Fire Chief Cerasa: Absolutely.

Mr. Triarsi: Do you have that language here?

Fire Chief Cerasa: I did not bring it with me. That's in the Standard Operating Guidelines, I can provide you with that.

Mr. Triarsi: Okay. I would like them because it belongs there.

Fire Chief Cerasa: Sure.

Mr. Triarsi: And as far as "H" is concerned, the "Line Officers" you defined in the existing Ordinance the duties of the Battalion Chief and the duties of the Captain, you are stripping that out of here but you are still providing the position of Battalion Chief and Captain.

Fire Chief Cerasa: Correct.

Mr. Triarsi: You said there is another Ordinance that details the duties and responsibilities?

Fire Chief Cerasa: It's Standard Operating Guidelines that details it a lot more thoroughly and a lot more detailed than what is in here.

Mr. Triarsi: I think what you should probably do is where you go into the Battalion Chiefs and Captains in Section II, you probably should simply make a note that their duties and responsibilities shall be such as may be defined in wherever else you get so there is no misunderstanding.

Fire Chief Cerasa: I understand.

Mr. Triarsi: I don't want to have positions where we have to go look crazy in timing of what kind of duties, they are responsible for. When you make those couple of changes, I would like to see it and share it with the Council.

Fire Chief Cerasa: I will have it ready for you tomorrow. The only other thing that I just want to stress, I mean obviously, there is the opening statement there but on this other piece of paper, I am sorry you only got tonight. I mean the main thing you have to take a look at # 2, where we used to have officer elections every two years, I guess at the last one we had is going to be now four years, but due to officers leaving the department, lack of officer qualifications, or lack of interest, people having no interest whatsoever in becoming or remaining an officer for the last four years, eighteen officer openings had occurred, all of those positions have been filled by appointment.

Councilman O'Connor: When you say 18 openings have occurred, 18 out of how many?

Mr. Laezza: Out of 10 positions.

Councilman O'Connor: You have positions open up?

Fire Chief Cerasa: More than once, yes that is correct. So, in other words I appointed permanently fourteen positions and four temporaries. (Councilman O'Connor: okay) So in other words we've been doing this.

Councilman O'Connor: If you wouldn't mind just go over the structure again because there's you and then there's Battalion Chief.

Fire Chief Cerasa: Sure. It's me and then second in command of the fire department is Frankie Brattole, he's a Deputy One. There's two other deputies John Pingor and Ricky Brattole.

Councilman O'Connor: So, who's the Battalion Chief?

Fire Chief Cerasa: The two Battalion Chiefs are Roy George and Matt Hampp, and then the Captains are Justin Schroeck, Matt Biondi, Adam and Mike Nenortas.

Councilman Toal: Chief you had said that 18 people have left, or resigned, or moved away?

Fire Chief Cerasa: The positions are open whether they left the department, resigned as officers. Also, if an officer does not do their job, I would replace them as well.

Councilman Toal: Have you lost any officers or men for noninterest?

Fire Chief Cerasa: There are 100 reasons.

Councilman Toal: Okay.

Fire Chief Cerasa: Guys lose interest, guys need another job, guys going back to school, guy's wives tell them to stop going to the firehouse, they quit, they move, they move out of town, they get an additional job, a job way out of town.

Councilman Toal: I guess the Fire Department is not immune. I just want to put on record what is happening to you guys as well as the rest of the community.

Councilman O'Connor: Here is my thing.

Fire Chief Cerasa: Sure.

Councilman O'Connor: So, I am a big moral guy, I lead a team, and a team has to have moral, so in going....and I understand for the past for years it has been an appointment and it is working well, I understand, however, I always think about the moral and I do understand that less and less people are interested, I do understand that it is a community now of.... we can't even get people to coach baseball, or football, so I understand. The generation that is coming up is not as giving as we are, or our parents were. My only concern is, and again, doing one thing is one thing but having it written down is another. Having you as the, be all, end all to "yes, yes, yes, and no" is that a no because you don't like him, or is that a no because he is not qualified?

Fire Chief Cerasa: I understand what you are saying but it really isn't because we would take the Standard Operating Guidelines first, the Standard Operating Guidelines are done by committee, which is all three deputies, the two battalions, and myself. So, there are six of us that write them, and then the four captains are also given a meeting to go over them, offer their suggestions, or changes, and then prior to them being given out to the membership, that is all ten officers that are authorizing those, okaying them, and giving them out. Then John DeSimone has to sign off on those as well with a copy going to town hall. So, there is a pretty serious process to go through, again, we started.....

Council President Albanese: How is that finalized? Like when you come up with suggestions with that draft of the "sog's" how do you make a determination of what goes into the final guidelines?

Fire Chief Cerasa: There are a number of things. I mean we look to see what the fit is for Clark, for our department, we look at other departments online, we talk to other departments to see what they are doing, other departments in the County to see what they are doing.

Council President Albanese: Let's say that there is a disagreement, how does that get settled?

Fire Chief Cerasa: Through those meetings, we just continuously have meetings.

Council President Albanese: Is it a vote?

Fire Chief Cerasa: No, it is not by vote, we do it until all ten officers are on board with that "sog".

Council President Albanese: Unanimous.

Fire Chief Cerasa: Absolutely.

Mr. Triarsi: Frank picking up on what the Council President and Councilman said, would it be appropriate, and I am asking a question. I don't know the answer....to lay out some general requirements for Battalion Chief, or Captain, in terms of service, whether he upheld another office, whether he had responded to various fires? Something in general that could be called criteria that you would measure everybody against. I think that is what the Councilman is concerned about (Fire Chief Cerasa: I understand) that we have some specific criteria that would measure all applicants.

Fire Chief Cerasa: We do per every officer position now, plus we have "sog's" on top of that.

Council President Albanese: Then if people don't meet those requirements, then you have a knock out, like, okay in the event that these requirements are not met then....

Fire Chief Cerasa: That is already in play, that is nothing that we need to work on tonight. That is already in place, and it has been in place.

Mr. Triarsi: But it is something that should be in the Ordinance somewhere, in some fashion. You may have it, I don't know....

Fire Chief Cerasa: I understand. It is in "sog's" and I also believe it is in 161, for the "Fire Prevention Code". I will double check that, and if it isn't, either way you will have it.

Mr. Triarsi: The problems that we run into in my business is when we have people standing for appointment to a position, and there are no objective criteria, or appointment to that position.

Fire Chief Cerasa: I understand, we have that.

Mr. Triarsi: Does that open a door?

Fire Chief Cerasa: I understand. We also have training requirements, length of service requirements in for all the (inaudible) already, we do have that.

Mr. Triarsi: That is what I am talking about. Get it in by reference or by specific title.

Councilman Smith: It basically sounds like it is the whole "sog" that you are talking about.

Fire Chief Cerasa: It is multiple things, that is correct, it is multiple "sogs" that are in play to do that.

Mr. Triarsi: I will be happy to look at it after you do it.

Fire Chief Cerasa: Sure, absolutely.

Councilman Mazzearella: Frank what is your membership right now?

Fire Chief Cerasa: 32, 33.

Councilman Mazzearella: Is it full complement?

Fire Chief Cerasa: No, our numbers used to be 55, we joke with Mr. Laezza all the time that we were allowed up to 50, and we have not had 50, like in I can't tell you how many years. We were just out in all of the newspaper, the 10 or 12 Worrall newspapers, and the phones were ringing like crazy for people from Newark, Hillside and everything else, which are way outside the area. Like I said, we had gone out to allowing our members to move out so that they stay.

Mr. Laezza: You only have enough in your budget for 48.

Fire Chief Cerasa: No, we are nowhere near there. So, we didn't want to lose our own members so we changed the Ordinance and added "sogs" to let our guys move out, then we added an Ordinance and "sogs" to allow guys to come in that are trained, we didn't get enough. So now we are going out for non-trained guys and sending them to school, miles out to try and get people. Again, I am just telling you what it is, for example, Kenilworth, the Chief takes people from anywhere, he takes people from Woodbridge, just on a hope that someone is going to come. Roselle Park Fire Chief has 3 firehouses and 12 active firemen. It is ridiculous what is going on. It is sad, it is very scary.

Mayor Bonaccorso: The town is a mile square long.

Fire Chief Cerasa: Yes. We talk about mutual aid where even our own guys don't want to go to a lot of mutual aid, but when we need them, it is there, we call them and they come.

Councilman Mazzarella: So, you have 32 active members.

Fire Chief Cerasa: That is correct, ten of which are officers.

Councilman Mazzarella: So, 22 are the lower.

Fire Chief Cerasa: 22 are other guys there, right. You guys are going to be approving, hopefully this one gentleman that come on, and we probably have another 2 or 3 that are weeks from leaving.

Council President Albanese: 2 or 3 weeks from leaving?

Fire Chief Cerasa: 2 or 3 more members are a week from leaving. Just from requirements and not being able to do the job. Honestly, if we followed the "sogs" to the hilt it should have been at least until December 31st. I am trying to give you another month, "let's think about it", "let's make sure that you need to leave", that kind of thing to try to hold somebody.

Mr. Triarsi: So, Frank how do you want to handle this? Do you want to give me a draft, a revised draft of these documents?

Fire Chief Cerasa: I will give you additional of what you ask for, I wrote it down, that is not a problem.

Mr. Triarsi: I don't care if you spell it out here, or if you incorporate it by reference, but if you are going to incorporate it by reference to another section of the Ordinance you are going to have to tell us what the section is.

Fire Chief Cerasa: Can we spell it out via reference to an "sog" and give you a copy of the "sog" so that is don't become....

Mr. Triarsi: What is an "sog"?

Fire Chief Cerasa: Standard Operating Guidelines.

Mr. Triarsi: Adopted by the fire department?

Fire Chief Cerasa: 57 of them reviewed by the Director of Public Safety too.

Mr. Triarsi: As long as we have those criteria in any ordinance that is all that is important.

Frank Brattole: (inaudible due to talking) from another Ordinance and every time that we make a change, for instance, some of the requirements are for a certain type of schooling that the officers have to go to and sometimes those classes are changed, or dropped, and we have to substitute something else. Put is specifically in the Ordinance and every time we make a change, we have to change the Ordinance.

Council President Albanese: We have to word it appropriately then.

Mr. Triarsi: That is why I said that we could incorporate it by reference, but it has got to be incorporated in some fashion.

Fire Chief Cerasa: We will do it via reference and I will give you copies.

Frank Brattole: All of the “sogs” are signed off by the director.

Chief Matos: Being that the Police Department just went through this, we did our Ordinance, we redid our Rules and Regulations and I just happen to be looking.... on our Ordinance, it does not prescribe the exact job specifications, if I remember, the Department just describes the general responsibilities of the Chief and gives him power to prescribe those responsibilities to each individual member. In the Rules and Regulations, the duties are then prescribed for each individual.

Mr. Triarsi: That is what he is talking about here.

Fire Chief Cerasa: We do have that in play in the Fire Prevention in 161. I mean we will add it here, but it is in the Fire Prevention Code already.

Mr. Triarsi: What section?

Council President Albanese: 161 Fire Prevention Code.

Fire Chief Cerasa: I will give you that as well, the reference to that.

Mr. Triarsi: Thank you Frank.

Councilman O'Connor: Thank you for the hard work that you guys do.

Council President Albanese: Yes

Fire Chief Cerasa: Thank you for your time.

Council President Albanese: Are there any comments from the audience from this particular topic?

None.

RESOLUTIONS:

2. Introduction of the 2017 Municipal Budget

Township Clerk: You have all received a copy of the budget worksheets and the Resolution for the Introduction of the 2017 Municipal Budget.

Mr. Laezza: I would like to have all of you review them. If you have questions, I would be happy to answer them so that we can get this introduced by February 21st.

Council President Albanese asked for a mover and second on this Resolution.

Motion: O'Connor Second: Albanese

Councilman O'Connor: Thank you in advance for your cooperation in reviewing the budget and getting back to John.

Township Clerk: Next, we have three Resolutions associated with the Pool Utility.

Council as Municipal Pool Utility:

4. Authorizing and Directing the Council President to enter into employment contracts with Mike Kozlowski as Pool Director and Robert Cahill and Matt Acosta as Assistant Managers for the 2017 pool season
5. Setting Resident and Non-Resident Pool Membership Rates and Fees for the 2017 season
6. Adopting the Pool Rules and Regulations

Council President Albanese asked for a mover and second on Resolution #4 and #5.

Councilman Smith: Can I say something before (Council: Yes.) I was just in the pool meeting and they are going to go through the Rules and Regulations tonight. So, we can approve them "as is" there is going to be minor changes. and then the next meeting....

Council President Albanese: So, do you just want to table this until the next one (meeting)?

Councilman Smith: Why don't we just table #6.

Councilwoman President Albanese: This way we don't have to go through any changes, we will do that in March.

Township Clerk: Also, we had a bid opening for the Pool Concession which is still in review and will most likely also be on the March meeting.

Councilman Smith: Can that be discussed at this point Mr. Laezza? I have a couple of questions on this.

Council President Albanese: Go ahead.

Councilman Smith: There were two bids submitted, one was eleven thousand and change, and the current one (concessioner) was seventy-six hundred and change. The current vendor had a two-year bid which we approved and then we extended it one year.

Township Clerk: Just the opposite, one year contract with a two-year extension.

Councilman Smith: So, we did extend it because they have been in for three years, so it was up for bid. The people who had the high bid originally, I guess we were going to say yes to it but there are some issues that arose, they were not 100% compliant to the bid. I don't think that they specifically went out and visited the concession stand. Am I speaking out of school?

Mr. Laezza: No, that's good. That is what this meeting is about.

Councilman Smith: Yes. One of the big issues is that it is a small facility over there, as most of you know if you have been there over the years, and after Nancy Raymond looked at the menu,

she wouldn't approve the whole menu because a lot of the things that he wants to do, there is no way it could be done in a space that small.

Mr. Laezza: Basically, it is a catering company and they do a lot of stuff off site. Unless Nancy investigates their site where they make things, they might not be able to bring it in.

Councilman Smith: Correct.

Mayor Bonaccorso: Can you use your license in another town?

Mr. Laezza: They are caterers, they have about five catering places and they all have good reports from the companies. They are in Summit; they are in Bayonne....

Mayor Bonaccorso: What I am saying though is if they are approved where their facility is to make the food by their Health Officer.... We should have a problem with that?

Mr. Laezza: No.

Mr. Triarsi: No. As long as she has the appropriate licenses, I don't see a problem with that. I don't see that on the agenda tonight anyway.

Mr. Laezza: No, it is not on the agenda.

Mr. Triarsi: So, are we going to move #4 and #5?

Council President Albanese: Yes.

Mayor Bonaccorso: If they are a professional organization and they have a license in a town then what should be the problem? It is like the Dunkin Donuts; they don't make the donuts here they bring them in from a warehouse from another town. Obviously, they are licensed in another town.

Mr. Triarsi: Do we have the provider come and get a license here John?

Mr. Laezza: Yes.

Mr. Triarsi: In town?

Mr. Laezza: Yes.

Mr. Triarsi: So, that person whoever they designate is going to have to get a license from our Health Department.

Mr. Laezza: Correct.

Council President Albanese: For the food that is made, there, right?

Mr. Laezza: The operation was always at the pool site.

Mr. Triarsi: The fact that they may be licensed in Summit doesn't mean necessarily that they are going to be licensed, but they probably will be.

Mr. Laezza: They are not in Summit any longer. They technically lost because what they didn't do on the bid.

Mayor Bonaccorso: You are missing the point. Did I not hear that she wouldn't allow them because of stuff that is made off premises, she would need to inspect? My question is, the place that is off the premises, was that license inspected by a health officer in that community?

Councilman Smith: Most of the stuff is going to be made on premises. A lot of the stuff that they have on that menu, that they want to make, there is no way that it could be made. The stuff that they may bring from outside are sub sandwiches, and things like that, but the funnel fries, the funnel cake, the pizza, the pretzels, the chicken fingers and all of that stuff has to be deep fried cooked, and the facilities are not there to do this whole menu.

Councilman O'Connor: But they lost the bid for other reasons not just that.

Councilman Smith: Correct, correct.

Councilman O'Connor: I think that is the point.

Councilman Smith: Well, the main thing is that they didn't come and visit the place. I think that if these people came in.... all of a sudden, they are going to get in there and they will not be able to supply the food, and do the job that the current person did, and worked so well with the current management of the pool and the parties, etc. Everything that they did fit in well. They kind of went over and above.

Council President Albanese: So, this is the low bidder that you are talking about.

Councilman Smith: The high bidder (Council President Albanese: and they can't fulfil their requirements) I think that because they are so big, they just went out and they are bidding whatever they can get and not really focus. We are a small facility compared to a huge catering place. So, those are some of the concerns....

Council President Albanese: Do you think that they may not be responsible.

Councilman Smith: That is the biggest thing.

Township Clerk: I don't think that they wouldn't be responsible but I don't think because they haven't seen the facility that they may think that they can do it but part of the requirement is to see it so you know what you can accomplish at that facility. So, let's say one option is to cut back on their menu, and they may not still want to pay the Town \$11,000.00, if they have to cut way back. So, it may require an interview with the people to see, right? Is that what you suggested?

Mr. Laezza: I want them to come and view the place and let them tell me what they can do and not do in our facility.

Councilman Smith: So, are you going to reach out to them? (Mr. Laezza: Yes.) you have already? Ok.

Council President Albanese: Okay, so there won't be a final decision until we resolve all of these open questions.

Mr. Laezza: That is not going to come until March.

Council President Albanese asked for a mover and second on Resolution #4 and #5

Mover: Smith Second: O'Connor

7. Appointing William Sevilla Valverde as a member of the Clark Volunteer Fire Department

Discussion: None

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

Mover: Barr Second: O'Connor

8. Award contract effective March 2, 2017 to FieldTurf USA, Inc. through the Keystone Purchasing Network under fair and open procedures for the Purchase and Installation of Synthetic Turf in an amount not to exceed \$517,539.71

Discussion:

Mr. Triarsi: John, there has been a lot in the press about the company that is manufacturing the turf, that is bailing it. (Mr. Laezza: Yes, we know) Is this the company?

Mr. Laezza: That is the company.

Mr. Triarsi: It is.

Mr. Laezza: We have had them for our turf field. We have exceeded the maintenance agreement, they gave us eight years and we have had it about ten (years), it has held up for us. They gave us the top, this is going to be a little difference from the Duraspine, it is going to be the same quality.

Mr. Triarsi: And we are getting guarantees from these people?

Mr. Laezza: Yes.

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

Mover: Hund Second: Mazzarella

9. Approving a 5K Run sponsored by the Polish American Sports Association to be held on April 29, 2017

Discussion:

Township Clerk: #9 is coming off, we will be removing that.

Council President Albanese: They are moving that until 2018.

CONSENT AGENDA RESOLUTIONS:

10. Authorizing the Tax Collector to refund overpayment of 2016 taxes in the amount of \$148.60

Discussion: None.

11. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$440.00

Discussion: None.

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

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one coming forward Council President asked for a motion to close the public portion of the meeting.

Motion: O'Connor Second: Hund

Roll Call: All ayes

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: I really don't have much. No snow obviously, everyone is happy about that. Let's hope we get through the next couple of weeks. It is basically all quiet.

Council President Albanese: There is a big basketball tournament coming up.

Mayor Bonaccorso: Yes.

Councilman Smith: February 17th, if you want to know the date.

Councilman Barr: I just want to say that I think that Chief Cerasa cleared up a lot of questions that a lot of us have. I think that it was a very good report that he had.

Councilman Hund: No comments.

Councilman Mazzarella: No comments this evening.

Councilman O'Connor: I just want to follow up with what the BA said, and I already said, once again, it is important that we review the budget, important that you get all of your questions to John, and it is important that we are prepared to discuss it what it is introduced.

Councilman Smith: One thing on the pool that I forgot to bring up. In the bathrooms, Mr. Laezza, is there any way that you could get the dryers in there, verses using all of the paper towels, because that is a huge part of the mess and the garbage over there. I think that it would eventually, in time, save money. I don't think that they are so expensive the dryers.

Mr. Laezza: Have them ordered.

Councilman Smith: Okay. I will have Ralph look at the prices and come to you.

Mr. Laezza: Tell him to talk to Adam.

Councilman Smith: Okay.

Councilman Toal: I stopped over to talk to a few of the men working on the Madison Hill Road Bridge. They are moving quickly now. The deck lid on the foundation on the Rahway is side is set up and it is going to be completed soon, they said by mid-February, and then the other side, they will start to switch things over by March. They are moving quickly actually on it now, now that they actually went back to work on it. I brought some concerns about the way the traffic pattern is working with the Chief, they had to put some more ash vault down because the road is messed up there, and when you have the traffic going back and forth, again speeding cars and a whole bunch of combinations are the reasons. I asked them if they could put some more black patch down. I talked to them, had a nice conversation, very nice men and they are moving quickly. The foundation abutments are done on the one side and they are working towards the conclusion.

Mr. Laezza: Nothing.

Mr. Triarsi: I have no comment this evening.

Township Clerk: We are trying to update the way that we do minutes for the meetings. Currently, well, what we have been doing for the last fifteen years is verbatim, really a transcript of every single word that you say. When you do your reports at the beginning of the meeting, what we would like to do instead is just attach your actual report to the back of the minutes. So, it will just say, "Councilman Hund, Police Report, see attached", now that is easy because I get the police reports, so your (Councilman Hund) job is easy. Now the Library is you (Council President Albanese:) if you can just provide a report, Environmental, Pool.... (Councilman Smith: I am taken care of) You are taken care of because we have all of your reports. So, that type of thing, Fire Department, the same thing. So, if you don't currently have, and I know that Frank we may have to coordinate with the Department of Public Works to do a more uniform report, this way if the people are looking for the items that are in the minutes, they can see them immediately. And if they want to read the report, it is at the back of the minutes. So, if you don't mind doing that either by email (Councilman Mazzarella: That would cut a lot of time, right?) Our office has gotten so busy, it really would be helpful, and I think for the residents as well. Besides if they want to hear every word they will have it on the computer eventually, the television, and so on.

Fire Chief Cerasa: Nothing.

Chief Matos: One thing. I know the last couple of weeks I put out those advisories on Facebook and over the Nixle, I don't want you to think that we are under some kind of epidemic, because that is the first thing that people start to think. I kind of have to walk a fine line where as if I know that I see an uptake in something going on, my opinion is to let the people know so that they can protect themselves, instead of hiding it. That does not help anyone. So, we only had six motor vehicle burglaries in the month of January, and we had two car thefts, that is a small uptake compared to what has been going on, and we do believe it is the same actor, or actors, that are coming back. I put that out there so that people know to protect themselves instead of just not putting it out there. I know that I have to respond back from everyone else who thinks that, "Oh my God, the sky is falling" but it's not.

Mayor Bonaccorso: Chief I hate to say it, part of the problem here is, and I was asked tonight by my mother, "What if somebody said that we are no longer cleaning up grass in the town?". I said, "Well, tell the person that we are cleaning up grass, we are looking for a better financial way to do

it” So in this instant if you hid everything, nobody would know nothing, so what you are doing is the right thing.

Chief Matos: Especially if I know that there are some people out there specifically targeting Clark. They are so hard to stop in the middle of the night, if someone is walking down the street, they are going to see us before we see them, it is going to luck if a patrol car comes around the corner and sees someone doing this. Obviously, I told all of my patrol officers, especially the night shift officers, and especially in the early morning hours, stay off the main roads, I want them all on the side roads patrolling the neighborhoods. All that we are hoping that we are doing is scaring them out of the neighborhoods. Maybe they will go to Rahway or Westfield, whatever.

Councilman O'Connor: Chief, of the six burglaries’, how many were preventable?

Chief Matos: We did charges on one, which was on Dawn Drive, which the victim knew who the suspect was, so we did charge that. The other five, I mean obviously, there were all unlocked vehicles.

Councilman O'Connor: That was my point.

Chief Matos: I know I also put out that little statement there about not leave your cars running in the morning with these proximity keys, and these transponder keys, your car cannot get stolen unless your key is there. So, that is one way they are going to target (your car) and that is if the car is running, and the keys are in the car.

Councilman O'Connor: Right. So, what people fail to remember at times is that their car is unlocked, they have access to garage door opener, which usually has access to the house, which actually could lead to a bigger crime. So, I think that it is important to reiterate the importance of locking your car.

Chief Matos: One of the vehicles that were stolen, the other vehicle that was in the driveway was unlocked, and the key to that car was in that car.

Council President Albanese: I just want to thank John and his team for getting us the budget so timely, I don’t know if it is a record but, consistent. Also, to go for the financing, I know that is a lot of work for you guys, so, thank you very much for that.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman O'Connor, seconded by Councilman Barr

ROLL CALL: All Ayes

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

ADJOURNMENT

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

March 6, 2017

7:30 pm

ROLL CALL:

Present: Council Members Barr, Hund, Mazzaella, Smith, Toal, Albanese

Absent: O'Connor

Also, Present: John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney;
Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

RESOLUTIONS:

1. Discussion - Council as Pool Utility: Pool Concession

Discussion:

Mr. Laezza: As so the Members of the Council serving as the Utility Committee understand, we went out for proposals for the concession of the pool. We got two bids, one for \$7,600.00, and one for \$11,300.00, I believe. We investigated the references of high bidder and he meets all of the criteria and all qualifications. He was inspected by our Health Officer, and his menu is about the same as the original menu. So, there were certain concerns, we had then received a formal complaint by the low bidder indicating that the high bidder did not meet all of the qualifications of the bid proposal. We sent his complaint to our attorney, our attorney has prepared a document. Maybe Howard would like to read for the Council (Howard Lesnik: Sure.) Just so that they understand our attorneys position on the situation as it presently stands.

Howard Lesnik: After our office received the objection, Mr. Triarsi and myself reviewed the objection and the pool concession contract. Mr. Triarsi offered a letter indicating that the specifications authorize the Pool Utility to waive any informality where the same is not detrimental to the Township. In this case the specification indicates that the Township reserves the right to waive any informalities when such informality is not detrimental to the best interest of the Township, this repeated, but it is in the actual specifications for the bidding. In light of that Mr. Triarsi is of the opinion that the Pool Utility should waive the requirement of the kitchen being inspected in this case. The concession stand specification that does require concession can be waived, it is not detrimental to the town. That is our position that it can be waived and that you should waive it. Any questions?

Mr. Laezza: It is now in your hands Councilman Smith.

Councilman Smith: We had a concession the last three years, one year, and we renewed it for two additional years. The Pool Advisory Board was very happy with it, the management was very happy with the current concession company. We had all the plans with all intent and purposes to continue to going forward until the bid went out and we received the other bids. Now it is in our hands to decide what to do with it. I spoke with Edie, well, she filled me in on the information, and the complaint, and went back to Mr. Triarsi, and I was copied on the letter today. After reading it, I think that we covered our bases with the attorney's letters. Is the \$4000.00, worth it to the town? The attorney thinks so, I actually think so as well. It is \$4000.00, it is not \$400.00, it is not \$40.00. The menu, everything that was offered in the past is offered in with the current vendor. Any questions?

Councilman Smith: Well, I think that we have no choice we have to do what is right for the taxpayers and the community. It is going to be hard to explain that we went with the lower bid.

Council President Albanese: There is nothing detrimental is what you are saying. You have made that conclusion?

Councilman Smith: I would. Personally, I know him, and I would love to stay with him, but my hands are tied and I am not going to.... I am going to have one unhappy person over there (Mr. Pandolfo) but I will have many unhappy citizens screaming at me. Like I said, I have to make the right decision for the community and the taxpayers. It is a significant sum of money, and after reading Mr. Triarsi's letter and the information.... Howard basically read it all and summarized it.

Councilman Toal: Madam President (Council President Albanese: Yes), Councilmen were there any complaints or any issues in the past pool season that were raised by any of the members of the pool for this vendor?

Councilman Smith: With the current vendor?

Councilman Toal: The one that was in.

Councilman Smith: Not at all.

Councilman Toal: Everyone was happy?

Councilman Smith: Yes, they were very successful.

Councilman Toal: They have been doing it how many years?

Councilman Smith: Three, one year, then it was renewed for another two years as per the Council discussion.

Council President Albanese: I think that what we need to focus on is whether it would be detrimental if they didn't go to visit, that they didn't comply within the bid.

Councilman Smith: The person who did submit the bid, and if I misspeak Mr. Laezza let me know, was a vendor at Summit for years. Ralph did a follow-up on some references, as did the Clerk's Office, and they were very happy with them.

Mr. Laezza: They did hire them again.

Councilman Smith: I know that Nancy also went through the whole menu and went through everything, all of the health stuff, and said that everything was fine, because there was a concern in the beginning.

Councilman Toal: Is the person that is challenging this here tonight?

Council President Albanese: Yes.

Mr. Laezza: So the criteria basically, other than Councilman Smith's recommendation, if you decided not to take them, then you would have to go out for bids again. You cannot take the low bidder, you would have to go out for bids again.

Council President Albanese: Right.

Councilman Toal: Is there just cause to do that? I make a motion to throw it out and open the bid again.

Councilman Toal: I tried.

Councilman Smith: Does anyone else have any questions?

Mr. Laezza: Basically, the motion will be on the March 20th meeting (Council President Albanese: Right) This is only an action that you want to take, and then the Clerk will put it on the March 20th meeting.

Council President Albanese: What is the negative side of going out for a second bid. What are your thoughts on that?

Councilman Smith: It could be a timing issue, but I think that we would be ok.

Mr. Laezza: The down side is that the high bidder can bid lower, or the low bidder can bid higher. You can lose money one way or another.

Councilman Smith: It is a one year deal with the opportunity, as we did in the past with the Council, then we renewed it (the contract) for two years. So, we are taking the money for at least 1 year and then seeing how it goes. There was a high grade, a high score on the highest bidder, where they were currently at, and after Nancy did her due diligence, and Mr. Triarsi and Howard did theirs by going through the bid.

Council President Albanese: The risk, as John said, is that we could get someone.... I don't know why the other company would bid lower?

Mr. Laezza: Why? Because they figure that they are \$4000.00 ahead. We don't know if they are going to go up to \$11,000.00, the old bidders, I doubt it, or the high bidder can come down.

Councilman Barr: So, it is a game.

Councilman Smith: Or we could get no bids.

Council President Albanese: We have had that situation in many years. I know when I was on the pool (Mr. Laezza: You got no bidders) yeah, we had no bidders.

Councilman Smith: It is a tough decision, one that I wish we didn't have to make but like I said....

Councilman Toal: Give it a shot.

Council President Albanese: I know that we can devalue really unless they had a negative reputation, but we can say that it can't be a reason for us not to accept this bid.

Can I have a mover.

Township Clerk: Can I just clarify that you are moving to accept the higher bidder.

Councilman Smith: The higher bidder, correct.

Council President Albanese asked for a motion to move this.

Motion: Smith Second: Hund

Council President Albanese: Just a reminder that we are not voting tonight and that you will have an opportunity to speak. We are going to make our decision on this later in the month.

Mr. Laezza: (At the) March 20th meeting.

Councilman Smith: This just moves it to the Public Meeting.

Township Clerk: This is a workshop meeting; the action meeting is March 20th.

Council President Albanese: We are just discussion items.

Councilman Barr: They can discuss it here.

Council President Albanese: When we get to the Public Comment (section) we would like to hear your thoughts.

2. Award of Contract for the 2015 NJDOT Lexington Blvd. Roadway Improvements (Bid opening March 15th)

Discussion: None

Council President Albanese made a motion to move, second by Councilman Barr.

CONSENT AGENDA RESOLUTIONS:

3. Authorizing the Tax Collector to settle an Added Assessment Tax Appeal authorized by the Tax Court of New Jersey as a refund in the amount of \$1,126.73 for 2016 and credit to be issued in the amount of \$1,126.73 for 2017

Discussion: None

4. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$4,168.51

Discussion: None

5. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$36,541.10

Discussion: None

6. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$440.00

Discussion: None

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

PUBLIC COMMENTS:

Council President opens the meeting to the public

Chris Pandolfo, 75 Victoria Drive: As far as the Summit thing (pool concession bid), with them losing that from what I was told, they lost it also for a technicality in the contract, over a check mark in a box, so it is kind of a very similar situation. But, really in regards to the difference of the \$4,000.00, I am sure Mr. Smith has spoken with the management over there, and from what they have indicated to me in years' past, is that they would be lucky to have two to three parties throughout the entire season at the pool. They equated to us, our management, our operation, that they have had, if you go through the records, some weekends there are two, three, four or five parties and that might be 30, 40, 50, 60 people, majority of which are not pool members. So, that is pool fees. They specifically account that to the way that we run the stand, and how easy we

make the food, and the set up. I don't think that they are going to gather the same type of experience from the higher bidder moving forward. I do believe that what you are going to experience is some sort of drop off from gates fees from that. I don't know if that is something for you to consider. We have been doing it for quite a while, and as Councilman Smith said, there has never been a complaint. They did surveys on us, 120 surveys came in? (Councilman Smith: Something like that)

Zero negatives, everything is a four or five star. Realistically I understand as a taxpayer. I know you want to watch out for the taxpayers' dollars, that is obviously what we are all here for. But out of our quarter of a million-dollar budget for the pool itself, \$4,000.00 is not a huge amount of sum to rock the boat for what you have been experiencing from us over the last few years.

Council President Albanese: I guess, and you can correct me if I am wrong John or Edie, it is not a matter of the quality of the work that you did, or the additional revenue that we made. We went out to bid in a fair and open process, by law we are bond by the requirements to accept a certain bid unless there was some error in it. So, what our legal advisor is saying is that there is no detriment from them not examining...you know that one point that you brought up.

Chris Pandolfo: Along with that part of the law though, you are open to continue accepting a lower bid that you have been quite very satisfied with.

Andrea Nocks Pandolfo: I mean I can go through the bid contract, if you would like, but you already discussed that they have to comply in all areas. You said that Mr. Triarsi said that it is not detrimental and I understand that. The next thing says that the award of bid shall be based upon the following "Price" they have us, #2 is "Menu" if you think that it is comparable that's fine, but I didn't think that Nancy Raymond had the same thought, I would say, by the previous meeting that I had with her. #3 is "Experience" we have that, #4 is "Reference" we have that, #5 is "Financial Ability", again, we have that.

Chris Pandolfo: Under "rejection of bid" section of the contract also, it very plainly states that, "you are permitted to submit to a lower bid, to reject the higher bid, if it is advisable to do so".

Andrea Nocks Pandolfo: It is under B8, "Rejection of Proposals", the owner reserves the right to reject any and all.

Chris Pandolfo: That is the reason that we bring us the quality of service because I think that (inaudible).

Andrea Nocks Pandolfo: "A" was are there "Errors of Omissions", which there was one, "B" is "Bidder is Not Qualified to Perform", "C" is "Complete Competition", obviously is has been suppressed, "D" is "Bidder has previously performed work, or not unsatisfactory", no. "E" is "Evidence of Conclusion", no. "F" "Limitations", no, "G" "It is deemed advisable to do so in the interest of the owner". There are plenty of reasons to not go with someone new and find out that you will have a problem the second year. We live here, I know that it has nothing to do with..... it shouldn't be personal.

Chris Pandolfo: It is not personal this is business.

Andrea Nocks Pandolfo: It is business but we could have had a room filled with people here, I didn't want too.

Council President Albanese: Anyone else want to come forward.

Andrea Nocks Pandolfo: I have one closing note. Tap into Net, is it? (Mr. Laezza: Tap into Clark) Tap into Clark even posted a paragraph that the bid...there was a lot of doubts on the bid, that there was a \$7,600.00 bid, and that the high bid had not met the requirement of the site. There was doubt that the proposed menu could be accommodated, and it was more considerate then \$4,000.00. Thank you.

Councilman Smith: The only other thing that I am going to say is when we received the bid with the menu, I think that we looked at it last month when we were here, there was some questions on it and Nancy went through it. One of the issues, or questions, were slicing cold cuts there, which we know that there is not a slicer there now, but someone could bring it, but there are just no accommodations for it, because you would need a certain kind of sink, a three-bowl sink verses a two bowl, etc., etc. So, that part of it would not be part of the menu, the cold cut end of it, but everything else, the chicken fingers, the wraps, or they can bring in sandwiches from outside, pizza, ice cream, and all that kind of stuff, basically the same. That is what we pay Nancy for as the Health (Officer).

Council President Albanese: I would say that all those items that you listed, I mean, it would have to be an extraordinary item, usually it does come down simply to price, it is pretty much the norm, unless there is some major discrepancy which didn't come up from the bid process, from what I am hearing.

Andrea Nocks Pandolfo: Thanks, I just feel that I have a second shot. I have to run to Triarsi, but, we'll see.

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

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

Motion: Hund Second: Toal

Roll Call: All Ayes

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilman Barr: Some decisions are very hard to make.

Councilman Hund: I will keep mine (comments) until the next meeting.

Councilman Mazzarella: I will save mine (comments) for the Public Meeting.

Councilman Smith: The basketball tournament just concluded yesterday. There were 181 teams, probably 60 different towns represented. Most town have multiple teams, and they were amazed at the facility and all of the accommodations of the town. I am not as involved in it as I used to be, I know that Steve is a Trustee of the Board, or Sal is. I just wanted to let the Council know, and the Administration that thanks for the use of the facilities for three weekends.

Council President Albanese: It is a big sacrifice.

Councilman Smith: It is, but it is great for the kids. Three Clark teams won out of sixteen, or seventeen divisions. There were a lot of volunteers, the coaches and parents. There were 371 games

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in three weekends between the high school, and Saint Agnes, that allowed us the use of their gym because we had some overflow. I just want to say thank you and that is all that I have this evening.

Councilman Toal: I am sorry about that (pool concession) I tried to throw a life line, but I can't do it all. I have a couple of issues that I am going to be giving to the Clerk. I have been delivering the fliers, people are okay, nothing major on the horizon, or is there. Again, we are just dealing with the people. What is hard about it is that one day it is 70 degrees, and the next day it is 14 degrees, that was rough. So, we got through it, and hopefully we won't have six inches of snow, or plus, but we will get them (Report to the People fliers) out there. I will save my comments for the Public Meeting. Again, it is never easy being a council member, they never said that it was going to be easy.

Council President Albanese: We must follow the law.

Councilman Toal: Absolutely, and we do follow the law, but we also throughout a lifeline for somebody who is a nice person.

Mr. Laezza: Lifelines are not laws.....

Council President Albanese: I don't have any comment.

Mr. Laezza: No, I just don't remember \$50,000.00 in receipts from the concession stand.

Township Clerk: The Business Administrator did such a good job as the Acting Clerk, I hope that he doesn't mind doing the March 20th (meeting), because my 1st grandson is turning one year old on the 19th and it would be hard to get back here from South Carolina in one day.

Council President Albanese: I am sure John that you wouldn't mind.

Township Clerk: Everyone said that the BA did such a good job. We actually got a call from the newspapers asking when is the BA going to become the Clerk? (Laughter) He already has too many jobs, he doesn't want that one.

Mr. Laezza: I was officially elected Clerk at one time in my life.

Council President Albanese: I know, yes, he was, and tax collector too, right?

Mr. Laezza: I did everything.

Howard Lesnik: No comment.

Chief Matos: No comment.

Council President Albanese asked for a motion to adjourn
A motion to adjourn was made by Councilman Barr, seconded by Councilman Hund

ROLL CALL: All Ayes
Aye: Barr, Hund, Mazzarella, Smith, Toal, Albanese

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
April 3, 2017
7:30 pm

ROLL CALL:

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

Also, Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

Police Department Promotions and Awards Presentation April 17th

RESOLUTIONS:

1. Award of Contract for 2017 Capital Road Improvements; Bartell Place, Cutler Place, Garside Place, Haliday Street, Schuyler Drive, Sunrise Drive, Terminal Avenue, Walter Drive, West Lane, and Woodland Road (Bid opening April 12th)

Discussion:

Mr. Laezza: Madam President, and Members of Council, these are the proposed streets predicated on the bids. I really wouldn't go running around and telling (residents) what streets there are there because we may not do all of them.

Mayor Bonaccorso: It depends on what the number comes in at (Council President Albanese: absolutely) then we'll go worst (street) to best (street).

Council President Albanese: We are not going to do the L'Oréal section of Terminal (Avenue), right yet?

Mr. Laezza: No, well maybe, we might just do it roughly if we have enough money.

Councilman Mazzarella: If I may, I have just a general question for Sal, on Lake Avenue would you know what is the County portion and what is the towns (portion)?

Mr. Laezza: Rahway is the County portion.

Councilman Mazzarella: of the whole thing?

Mr. Laezza: Rahway passed Skylight Drive to Colonia.

Councilman Mazzarella: Because I have been getting calls from some of the residents because the Ledger posted that they are not going to be doing Lake (Ave). Is there any leverage with them? Could we put a call out to them?

Mr. Laezza: Who? The County? No, the County is not going to be doing it, because Lake is not ours.

Councilman Mazzarella: I know that.

Mr. Laezza: So, they are not going to do our streets. Basically, Lake Avenue will probably be in our next year's State Aid Program, 2018.

Councilman Mazzarella: Even though it's a County Road?

Mr. Laezza: No, it is not a County Road.

Councilman Mazzarella: Oh, okay.

Mr. Laezza: The Rahway line to Colonia is a County Road.

Councilman Mazzarella: Okay, so it is our road, okay, alright, I've got that.

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

Mover: O'Connor Second: Barr

2. Appointing Luis Casais as a member of the Clark Volunteer Fire Department

Discussion: None

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

Mover: Barr Second: Mazzarella

3. Council as the Pool Utility: Appointments to the Pool Advisory Board

Jennifer Freese	Regular Member	3-year term
Donna Borrelli	Regular Member	1-year term
Eddie Mitjans	Regular Member	1-year term
Geraldine Peyre	Alternate Member	1-year term

Discussion: None

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

Mover: Smith Second: Hund

CONSENT AGENDA RESOLUTIONS:

4. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$1,053.01

Discussion: None

5. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$23,894.41 and additional charges in the amount of \$140.00

Discussion: None

6. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$1,894.60

Discussion: None

7. Authorizing the Tax Collector to refund \$2,287.78 for the 1st Quarter of 2017 with credit in the amount of \$2,279.81 for the 2nd Quarter for Block 80 Lot 16, Zion Lutheran Church and to make the proper adjustments to exempt 100% of the taxes for as long as the Church owns the property

Discussion: None

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

Mover: Toal Second: Smith

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one coming forward Council President asked for a motion to close the public portion of the meeting.

Motion: Barr Second: Toal

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Nothing.

Councilman Barr: Nothing.

Councilman Hund: No report.

Councilman Mazzarella: No comment.

Councilman O'Connor: Nothing for this evening.

Councilman Smith: The Softball and Little League Parade is this Saturday morning weather permitting. It looks like now the weather changed and it is supposed to be a decent Saturday morning. It is at 8:30 am instead of 9:00 am, the kickoff, so if you are available.... I don't think you are available Mayor?

Mayor Bonaccorso: I am not in town on Saturday, so you guys have to fill in. Also, Al is not going to be there. So, whoever is around we will meet over there. They asked if anyone would speak at Softball, I am sure someone could speak at softball, and some can then go over to the Little League, I will talk to you afterwards. That is all that I have to say.

The Easter Egg Hunt starts at noon and ends at 2 pm.

Mayor Bonaccorso: Do me a favor that day, whoever is there, make sure that you tell the Little League that when the Softball steps by the driveway at the school, to follow. Last year there was a gap and I had to go down there and yell at everybody.

Councilman Toal: Nothing.

Business Administrator Discussion: Action required by the Governing Body on the Affordable Housing Plan subsequent to the Planning Board's formal action on April 6th

Mr. Laezza: Basically, as you know the April 6th Planning Board will be having an Affordable Housing hearing, and the new Housing Element and Fair Share Plan. It will take a great deal of time. This week I will give you a copy of the documents that they have to review because you will have to be taking action predicated on the actions of the Planning Board on April 17th, as your initial role. If the Planning Board passes those things there will be Zoning Ordinances that you will have to be making amendments to, our zoning complex, as it relates to affordable housing to accommodate the present rules as set forth by the court, and as we discussed. So, take the time to read it, and if you have any questions I would be happy to answer them. The Mayor and I think that we did a reasonably good job over TV36, in responding to fliers and the comments in those flier, but it is important that each of you look at it and ask me anything that you have in your mind about it. I am not the expert but I am better than most experts.

Council President Albanese: Did you get any feedback since the televised airing?

Mayor Bonaccorso: Yes, a lot of people have approached me. People that I have talked to, once you explain it to them.... Well, the flier has a fear factor, and that is what people got upset about, but when you explain it they understand it. They understand now that it is only 15% of the building not 100%, the fact that we are not the only town, this is a Statewide thing. The fact is that not me, nor the Planning Board, or you folks are happy about doing this. It is our job as I said on television, we have to put our big boy pants on and act like legislators and elected officials and do what we need to do, it is the best of a lousy situation as far as I am concerned. The focus of most of it is down Westfield Avenue, which, eventually, hopefully will create a downtown, which everybody wants. That is what we heard last election, everybody wanted it. The Democrats even thought that they may have a plan, they didn't. The Evening Reality property on Valley and Walnut that's in play because they were a mitigating factor in starting this off. So, that is an area that is in play, and probably the old A&P, at this point. From what we are hearing, we don't know. I don't think that it is going to be for the record, a plan that going to be implemented over night. This is a five, to ten, to twenty-year plan, as property becomes available, you just have to wait and see. You already see what Cranford is doing, what Westfield (is doing), all the towns around us. This is when the people go to vote in New Jersey and they vote the snowflakes in, the liberal extreme left, this is who did this to you, this is who did this to you. Because the legislature could not find a plan to do this, and the Supreme Court of New Jersey gave it to the Superior Court and the Masters, to sit down and to come up with a plan. Another thing, overcrowding and things of this nature, that is all that this is about, because when you look at a town like Clark that is 99% built, there is no need for this. I also read, and Councilman O'Connor in one our conversations earlier, read the same

article that the Democratic Party believes that this will be a way for them to take over Morris County in the next 8, 10, or 12 years. So, at the end of the day it is all about politics. So instead of citizens just running to the polls and vote for the Murphy's, and the Corzine's, and McGreevy's, and the nice snowflakes from the liberal left, this is who they appoint to the courts, and this is what you get. It will finish off New Jersey in the next 30-40 years, it will finish New Jersey off. That is why they're fighting for their lives to keep Gorsuch out of the Supreme Court in the United States, they are fighting for their lives down there, because they can't allow more left wing liberal ideas to hit our country, if you have people in there that are going to interpret the law, and not legislate from the Supreme Court.

Mr. Triarsi, how do you like that? That was good.

Mr. Triarsi: I am not going to say anything.

Mayor Bonaccorso: You would never legislate from the bench if you were an attorney, we know that.

Mr. Triarsi: No, I wouldn't.

Mayor Bonaccorso: You know that's the problem. So, like I said, a lot of people have a lot of nerve putting flier out when they are part of the problem with their party. Sal Bonaccorso didn't wake up one day alone with Clark Council and say, "Let's put affordable housing in and raise the density of Clark", we didn't do it. But we have to deal with it because we are responsible to the citizens and we need to keep builders remedy out of this town. That would be suicidal, builders remedy. This phased in over a long period of time, we will live with, we will get through, but a builder's remedy, Hyatt Hills would be in play, you'll have five of those buildings right up there, and you will have big box shopping in front, you might as well fold the town up, and throw it away, at that point. Other areas would be open to builder's remedy, it is just not there, it is other areas throughout the community. So, you guys will read it, and see it, and you will do what I'll do, you will chew on an old ugly piece of leather and pass it, because there is nothing we can do. We could thank the snowflakes on the left.

Council President Albanese: I don't know if anyone has any questions but I was going to ask about the CVS. Do we have a timeframe on that?

Mayor Bonaccorso: Nope, this may throw that into a tail spin now, we have to see.

Council President Albanese: Okay.

Councilman Hund: I am going to ask a question but I am pretty sure that I know the answer, no one stepped forward to claim responsibility for the flier?

Mayor Bonaccorso: No, of course not. I asked if that person would like to come on television and discuss it and chat. The flier, sadly, is when people think of low income housing, they are thinking the gang bangers in Newark and Irvington are going to pour into Clark, and that is not necessarily true. We have it over in the Senior Housing, we have people of all different (inaudible due to coughing) there, all different ethnicity, it is nice, the people are nice, it is not a problem. This could also help some of our own children who get out of school, or don't go to college, and are making \$30,000.00, \$35,000.00 a year, and need a place to stay in Clark. They would be able to put their name in for the low or affordable housing. There is some good out there too in it, don't get me wrong, it is an opportunity. When you send a flier like that, you are sending with one innuendo

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behind it, and it is sad, because you know that they can't beat us because they can't even hold a candle, they know that. They put fliers out hoping to pollute the pond hoping that we get people out who say, "that bad Mayor, that bad Council" and then they give them a chance. You would see what you have then.

Council President Albanese: Would any of our professionals like to make any comments? Any other questions on this?

Council: None.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman Smith, seconded by Councilman Barr

ROLL CALL: All Ayes

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

ADJOURNMENT

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

May 1, 2017

7:30 pm

ROLL CALL:

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

Also, Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

Regular order of business will be suspended May 15th for Cheerleader recognition

PROPOSED ORDINANCE:

1. **AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #17-04 ADOPTED MARCH 20, 2017 ENTITLED "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 255 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PROPERTY MAINTENANCE" AND TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS**

Discussion:

Mr. Laezza: Council President and Members of Council, basically if you recall we passed the Ordinance about two months ago so that we had better control over foreclosed properties and maintenance of properties that are abandoned. And there is a format that has to be put together on these banks and mortgage companies to advise us of their presence and then we have to send them a form as to what is they have to do. And in developing that form, we saw some other communities that developed this form, I hate to do work over again that has already been done, and I recognize that they had a registration fee. And in looking at the registration fee, although it does bring dollars into the community, it is not the dollar per say, but the regulation fee grows each year from \$1,500 dollars, to \$2,000, to \$5,000 or something similar to that. And basically that's to encourage these banks and these foreclosure companies to make sure the property gets back on the market again. Because the longer they wait the more it's going to cost them to register each year. So it seems like a good process and it also absorbs some of the cost of administering these programs. That is what you have in front of you.

Council President Albanese: I think that our goal really is not to punish people, or make them pay money, it is to not have situations where there are properties that are not maintained.

Mayor Bonaccorso: What we have a couple in Clark over the years, one up on Hilltop, per say, and one home down on Largo Lane that hung around out there for years, and you couldn't get in touch with anybody, and they wouldn't get back to you, so hopefully this will try and get these

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properties sold. Because if they are on the market and they are priced accordingly they are going to sell in Clark, that is proven, with about thirty homes on the market now they are selling as quick as they go on. (Council President Albanese: Absolutely) So, good move.

Township Clerk: Also, I would just like to just add that the form gives us plenty of information about the lender, so that if there is a health issue it gives the Health Officer all the contact information, which will be kept in my office, in an electronic file, as well as, on paper, so that they can have it. If the Code Official needs it, all that information will be there readily available which right now sometimes it is difficult to know who to contact to get action. It is a very good Ordinance in addition to that.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Mover: O'Connor Second: Hund

RESOLUTIONS:

2. Authorizing and directing the Mayor to enter into a Shared Services Agreement with the County of Union for 9-1-1 emergency medical telephone call screening services

Discussion:

Mr. Laezza: This is a continuation of our Shared Service Agreement, it comes up each year with a relationship with our emergency assistance, first aid.

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

3. Award of contract to Schaefer Pyrotechnics, Inc. for the July 4th Fireworks display in the amount of \$15,000.00

Discussion:

Councilman Toal: Madam President can we have an EC (Entire Council).

Council President Albanese: Sure, does anyone object to that?

Councilman Toal: It is appropriate, we are a community. And to Mr. Laezza, the bids are awesome, they are down, the costs is down this year. What happened?

Mr. Laezza: It is the same as it has been. It just didn't have any inflation.

Mayor Bonaccorso: This is the company that delivered exactly what they said they were going to deliver, we have caught other companies shorting us.

Mr. Laezza: Each year we go out for about three or four proposals.

Councilman Toal: Good work sir, thank you.

Council President Albanese asked for a mover and second on this Resolution,
Mover: Entire Council Second: Entire Council

Council as ABC Board:

4. Approving the Person to Person/Place to Place Transfer of ABC License #2002-33-011-008 from 1199 Corporation to Tarantella's Restaurant, Inc. (pending final paperwork)

Discussion:

Township Clerk: Basically, Tarantella's Restaurant is selling their restaurant and license, it is pending the final paperwork which is mostly in order, we are expecting two more pieces of paper, one from the Division of Taxation, so if they come through in time, they will be ready to close on May 15th. Also, just so that you know he is keeping it exactly the same, so Tarantella's will still be Tarantella's.

Council President Albanese: I am sure everyone is glad to hear that.

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

Mover: Mazzarella

Second: Barr

CONSENT AGENDA RESOLUTIONS:

5. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$13,840.00

Discussion: None

6. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$229.53

Discussion: None

7. Authorizing 100% disabled veteran property tax exemption for Block 17 Lot 8 as deemed by the US Department of Veterans Affairs with a refund of \$3,595.33 for the 1st Quarter of 2017, credit for the balance of 2017 and to make the proper adjustments to exempt 100% of the taxes for as long as this veteran owns the property

Discussion: None

8. Authorizing the Mayor as Hyatt Hills Commissioner to sign an amendment to the operating agreement with RACER Trust

Discussion: None

Council President Albanese asked for a mover and second on the Consent Agenda

Mover: Toal

Second: Hund

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one coming forward Council President Albanese asked for a motion to close the public portion of the meeting.

Motion: Barr

Second: Smith

Roll Call: All ayes

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Our grass, the biodegradable bag process is now underway, this is the week we start picking up grass. What we are going to do for this week and this week only, if people are not adhering to what we asked them to do, because believe it or not, with our media coverage, our websites, our TV shows, and whatever, there are certain people who just do not get that, and pay attention. I found that out to be when we did the sewer utility back in 06', that thing was pounded out there so much, and the day that they got their bill there was a line at town hall from the Tax Office halfway down the sidewalk with people saying, "What the heck is this?" So, what we are going to do is if we go by and there is grass in pails, or unfortunately on the street, we will clean it up this time only. There will be a letter delivered to their front door with 10 bags, the free bags that we are giving away, and they will be told that this has to stop, here is the new procedure, to give us a call if you have any questions, and here are your 10 bags for next week. After this week Council, do not call me and say that a resident called and said.... I don't care. It is now their time to understand the rules. The first week we are going to be nice to everyone because we should be, but after that they are on their own, they have to get their head out of the grass and look around, and hear what is going on. We want to be fair to everyone, and there are people that are working and running around, and really don't pay attention, we know that.

The other thing is that I would like to congratulate Detective Captain Pat Grady who was honored the other night for the Valor Award from the New Jersey Law Enforcement Association, and he is going to have the Union County 200 Club, and that's a very, very high honor for one of our Detective Captains to achieve or any of our Police Officers. It's really great to see that they recognized his efforts that night up on Lake Avenue with that machete wheeling maniac, that worked out really good. We are proud of Pat and what he has done here, and the Chief and his department. Other than that, Chief 147 gone but not forgotten, thank you.

Councilman Barr: Yes, I would like to say something a little different tonight. I have been in Clark now about 46 years, and I have been on Council going on my 17th year, and I see people all the time on the streets, in the supermarkets, seniors and after listening to all of the things that we say tonight and all the times that we speak, I just want to tell you not as Councilman Barr but as Al, that this Mayor, Council, and all of the departments from my heart, sincerely care about this town. I really mean that. Thank you.

The parade is underway, I sent out all of the invitations, I have gotten the ones who are coming back, I got all of the lineups. I would like to see, if you are not a participant, I would like you to be a spectator.

Councilman Hund: No comments.

Councilman Mazzarella: No comment this evening.

Councilman O'Connor: I would just like to say to the Mayor that I have 5 biodegradable bags in front of my house, I did not pick up my 10 free, I went to the store and bought them, they were not expensive and I put the grass in, it was a little bit different but it was not that hard.

Councilman Smith: No comment.

Councilman Toal: See you at the Public Meeting, there is a meeting in this month of May, the third Monday, which is May 15th, see you then, and thank you very much for everything.

Township Clerk: No comments

Mr. Laezza: No comments.

Mr. Triarsi: No comments.

Police Chief Matos: No comments.

Council President Albanese: No comments.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman O'Connor, seconded by Councilman Barr

ROLL CALL: All Ayes

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

ADJOURNMENT

**COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
June 5, 2017
7:30 pm**

ROLL CALL:

Present: Council Members Mazzaella, O'Connor, Smith, Toal, Barr
Absent: Hund, Albanese

Also, Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

RESOLUTIONS:

1. Discussion: 2% Arbitration Cap to Expire at End of Year

Discussion:

Mr. Laezza: Basically, as you know, or should have known over the last five years is there has been a 2% arbitration cap on union contract negotiations, basically related to police and fire, but they applied that to all contracts in local governments. That 2% cap expires the end of this year, it also expires while the other part of the reform legislation for title 8:78 will be expiring. Each of those legislations were put into effect to try to slow down property tax increases and said criteria for the public employee's retirement commission when they review arbitration awards have a determination that salaries can only be at a 2% cap. The other items in the negotiations are still open to negotiation, as well as the 2% cap, the 2% cap is the max. The interpretation of that max on the caps remains in the court for the last five years and has not been decided yet in regard to police salaries that have steps in their programs. Governor Christie and his lawyers say that those steps cannot exceed 2%, other interpretations is the 2% cap relates to total salaries for the total budget in its entirety as to how it meets the criteria, there are a number of different interpretations, I am giving you the interpretation that we have taken, let it be specifically a cap on salary increases, we have not followed the interpretation of steps, level steps to get to a salary range in a certain number of years but we have lived within and below the 2% cap in our annual budgets in total throughout the operation of our budgets. So, I think that it is a piece of legislation that you should support because it is minimal control on budgets but it is a control. The health care budget is another criteria that they are looking into. That is going to probably be part of any reform package, if any one of the eleven get nominated because they are all ignorant on what the problems are in Trenton.

Council Vice President Barr asked for a mover and second on this Resolution

Mover: O'Connor Second: Smith

2. **Council as the ABC Board:** Authorizing the annual renewal of the Alcoholic Beverage Licenses for the 2017-2018 Term

Discussion:

Township Clerk: It is that time of year where the ABC licenses are being renewed. I have most of them in and so everyone who is ready on the 19th will be authorized to renew their licenses for 2017-2018.

Council Vice President Barr asked for a mover and second on this Resolution

Mover: Toal Second: Smith

3. Authorizing the Mayor and/or Business Administrator to execute an Acknowledgement of Continuation of the Shared Services Agreement with the Plainfield Municipal Utilities Authority for certain solid waste services with respect to bulky waste

Discussion: None.

Council Vice President Barr asked for a mover and second on this Resolution

Mover: Mazzarella Second: Toal

4. Seeking approval of the Director of the Division of Local Government Services for insertion of a Special Item of Revenue in the amount of \$29,433.86 for the Clean Communities Grant

Discussion: None

Council Vice President Barr asked for a mover and second on this Resolution

Mover: O'Connor Second: Smith

CONSENT AGENDA RESOLUTIONS:

5. Endorsing the submission of the recycling tonnage grant application and designating Jennifer Kobliska to ensure that the application is properly filed
6. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$2,295.78
7. Authorizing the Chief Financial Officer to apply sewer account balance adjustments credit in the amount of \$5,838.40
8. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$263.67

Council Vice President Barr asked for a mover and second on this Consent Agenda.

Mover: Toal Second: Smith

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council Vice President opens the meeting to the public

Seeing no one coming forward, Council Vice President Barr asked for a motion to close the public portion of the meeting.

Motion: O'Connor Second: Mazzarella

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: I think that I might like to add a Resolution to the agenda. I will give you guys a look of it tonight and also talk to John to see how we want to do this. This whole affordable housing thing that we are going through and that we complied with, we did the right thing, so I am not trying to retrace our steps, but the only way this could be corrected is by the State Legislature opening up a COAH type of operation again to working through the Fair Share Housing and the Low and Moderate-Income Housing. You know when you look around at every town and what it is going to be going through, twenty years from now we are going to be queens in Union County. And I think the density that they are asking is a burden, not only in Clark but every town around us. Now you see in Cranford, they are going out with 700 odd units (Township Clerk: 900) I thought that they dropped it, okay. 900 odd units, and you know when we did our presentation and you heard it, the bottom line was the Legislature was supposed to do something on Affordable Housing and punt it, they never did. The Courts came back and said, "okay, if you don't want to do it then we'll do it." And they hired these Magistrates, I guess John, is that the right word? (Mr. Laezza: Masters) Masters, and you know, here we are. I mean look, it is not about that we are against Affordable Housing, I am not saying that, it is about that it should be done...COAH in its own right was sort of a disaster the way they did things, but it was more palatable to deal with then what we had to deal with, and what other towns have to are dealing with, so I think I want to put a resolution up for the legislature asking them to perform their duties and do what they are supposed to be doing and look at putting together a COAH type agency to take this housing out of the Fair Share and out of the builder lobbies hands to stop destroying these towns in and around Union County, and throughout the State. Maybe out in Tewksbury it might work where they are building on 5 acre lots but here in Union County it is going to be like Queens in twenty years from now. If it is not our town, it is the town next to us, do you know what I mean? Sooner or later it is going to catch up. So I think it's something that I want to do, if you guys have blessings we will get something ready for the regular meeting and put it out there.

Councilman O'Connor: I think like you said Sal, I think that the concern is there but for the town and the roads they just can't handle more people.

Mayor Bonaccorso: Well, you know what it is too Pat? Again, we are talking about the State Legislature who obviously do not do their job in Trenton properly. You know you want to fix and Affordable to Low Income Housing problem, fine. I have no argument with that, but eventually it is going to put the burdens on school districts throughout the State of New Jersey. And where are these people supposed to get money to pay these taxes for the school, taxes go up, schools are going to have to add additions on? Again, I am not just talking about Clark, for the sack of us being here, I am talking about throughout the State of New Jersey. I mean they are fixing one problem and creating another problem. And I think it has got to be said and it has got to be put out down there. Even when we do this, I would like send it out to the League of Municipalities, and out to every Legislature in Union County, every town in Union County, to see who else feels the way we feel because it is just ridiculous. We put together a good plan, and like I said to people, a guy stopped me at the Acme tonight and said that we did a great job on that, and I said, “yeah, great job in a lousy situation, if you are asking me”. It is not about affordable, or low-income properties, it is about the density that you have to build to do it. And you know I have never been for that. We have our Senior Housing and that has worked out great, but is something that we have to get onboard here with and see if we can do anything with it.

Councilman Barr: Basically, the future is going to be a disaster.

Mayor Bonaccorso: For every town Al.

Councilman Barr: I am not saying for us; I mean....

Councilman Barr: Every town has to come up with this plan, you know, you guys all know what we had to do and why, you all voted on it, so I am not going to tell you something that you don't know. I just think that it is going to be complete destruction.... especially in Union County.

Councilman Smith: Well if that plan in Cranford goes through with 900 units, you are looking at 1.5 cars, 2 cars per unit. Where are those cars going?

Mr. Laezza: They are figuring 1.68 kids per apartment.

Councilman Toal: I just want to comment on this, in the history of Union County in 1941, Clark and Cranford faced the same dilemma, and the dilemma was where the Federal Government came in and said that we are going to put in shipyard workers from Kearney here and they bought the Osceola Farm, and they were bringing 900 shipyard workers into Clark. The Clark's Governing Body agreed to it, the residents didn't. They went out and changed the form of government, they through the people out of office, the government leaders. They changed the form of government from committee to commission.

Mr. Laezza: Cranford has always been a Township Committee.

Councilman Toal: Correct. Cranford got hammered this election cycle because of that. What I'm saying is that the Federal Government came in and you actually then...the leaders of Clark, the new leaders, turned around and they established... “well, Federal Government is going to be your project, you create your own town” and that is what they did. They created Winfield Park. If you

are going to put 900 units down here on Beachwood or what we called it, what it's where the Bank of America is now, you put in 900 units then you are creating your own town. Let the Government take over....

Councilman O'Connor: I think didn't they postpone Hartz Mountain?

Mr. Laezza: They only postponed the hearing of the Planning Board.

Councilman O'Connor: But they are still going to go through with it?

Mr. Laezza: I have the plans on my desk, we are going to oppose it.

Councilman Toal: It is going to kill the second ward. It is going to affect the second ward and the township a lot. How are those people going to get in and out of that area? They are going to come right through our circle, 135.

Councilman Mazzarella: That area over there is so congested. What are they going to do with the roads? They are going to have to widen them. They will have to do this whole infrastructure.

Mayor Bonaccorso: I'll tell you one thing, if you have an eatery in the Clark Commons, you must be happy. They are already making good cash in there, could you imagine now with apartments over there?

Councilman Toal: In Cranford's mindset...well, it is on the other side of the tracks so it is really not Downtown Cranford, it's in Clark.

Councilman Mazzarella: It is fine that we pass a Resolution opposing that but we have no hammer.

Mr. Laezza: Basically, the Resolution I think that the Mayor is having you send, hopefully the League will pass in November for the new Governor, this Legislation will do nothing.

Councilman Mazzarella: That is not going to squelch the development.

Mr. Laezza: First of all, the Courts are not going to resolve 350 court cases by January 1st of next year. It is not going to stop Cranford, the only people that are going to stop Cranford are the citizens of Cranford and us.

Councilman Toal: True. We have to step up on this one.

Mayor Bonaccorso: We don't have a big hammer as a town.

Councilman Mazzarella: No, we don't.

Mayor Bonaccorso: We don't. I mean, look, if you want to use the Sal Bonaccorso theory of complaining, you pay taxes here, you vote here, if not, then hit it, I don't want to hear what you have to say, I will make my own decisions or my people. I mean, we are going to do it because it

is the right thing to do but if they want to do you think they are really going to listen to us saying, “don’t”. I am not saying they do or they don’t, I have no idea what they are saying.

Mr. Laezza: We have no idea but basically, I am trying to give them some direction to minimize the 900 to a respectable number.

Mayor Bonaccorso: Yes, 650, 700.....

Mr. Laezza: Well no basically it can be done similar to what you are talking about with homes, maybe a center for assisted living, seniors, so that it is a little colony of its own.

Mayor Bonaccorso: I don’t know but anyway getting back to what I propose....

Councilman O'Connor: Sounds good Sal.

Mayor Bonaccorso: It is not so much for Cranford; it is so much for everybody. We had to do what we had to do and the Legislature is going to sit down there, and worry about passing and legalizing marijuana and getting 350 million a year flushed right down the toilet, and I think that money when that comes down will be passing a resolution asking you guys to support me on that the money should go to special education students equally across the board for schools with similar property taxes. Because all they are going to do is find another pork barrel of pot once that money gets taxed, and it is going to happen, it is going to happen.

Mr. Laezza: Well the police will use it for pension.

Mayor Bonaccorso: No, they are not going to use it for anything John, it is going to be squandered away, you know Trenton better than I do.

Mr. Laezza: Oh yeah.

Mayor Bonaccorso: It is going to get squandered away and it’s a shame. Why don’t we do it for special education students across the board because the school funding formula is completely wrong.

Councilman O'Connor: It gets crushed, they get crushed.

Mayor Bonaccorso: Eight hundred-million-dollar rejuvenation of the State House.

Councilman Mazarella: No comments.

Councilman O'Connor: Quickly, so it was community day at Acme over this past weekend. The fire, police and emergency squad showed up and volunteered their time, as well as Dr. Robinson Museum, I know that most of the Council was there as well. And again just more people giving their time.

Councilman Smith: I just want to say with the William Robinson Museum I know that Scott did a great job with the whole anniversary ceremony and opening.

Councilman Toal: Madison Hill Road Bridge is coming along nicely, thank you guys, it too how many years? But we are getting it done. And again, to the graduates of Clark, congratulations.

Councilman Barr: I have to say that next year is going to be really a better parade on Memorial Day.

Mayor Bonaccorso: I have two more things, #1, I want to congratulate the Chief, if you saw we are the 22nd safest town in New Jersey which is great. And #2, the grass collection with the DPW is going fantastic, fantastic, it really is. The bags are working, they are picking them up with the claw, they are making great time with it. Pat Hofschneider was in today, and I talked to Scott the other day and his assistant Pat came in today and he said they he couldn't ask for a better system right now, really, really working out great. The golf outing for dinner at 4:30 on Monday night if you are not playing.

Mr. Laezza: Nothing.

Township Clerk: I just want to point out that the Mayor said that Elizabeth Clee is here. We just want to wish Susan well in her new endeavor, she is no longer with the Tap (Tap into Clark, online paper). So, welcome Elizabeth.

Chief Matos: Nothing.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman O'Connor, seconded by Councilman Toal

ROLL CALL: All Ayes

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

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
July 3, 2017
7:30 pm

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

Council President Albanese: We already covered Resolution #3, at our Special Meeting this evening July 3rd, so that will be omitted from the agenda.

RESOLUTIONS:

1. 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 2016 Annual Audit entitled General Comments and Recommendations

Discussion:

Township Clerk: I sent the audit report to all of you by email.

Council President Albanese: Thankfully we have no comments. Great job John.

Mayor Bonaccorso: Last year we had one and it had something to do with the courts and the tickets not being process quick enough or something, which is understandable. But it proves that I remember being on this Council, sitting where you were when there used to be 32 major violations of our audit report. We know who we have to thank for his diligence for the last 17 years, and for putting this town in its fiscal shape and really keeping his thumb on it, so thank you John.

Council: Yes.

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

Mover: Entire Council

Second: Entire Council

2. Authorizing the Business Administrator to enter into a contract with Inservco Insurance Services as the claims servicing organization for one year at an annual fee of \$14,565.60

Discussion:

Council President Albanese: Is that the same vendor that we used in the past?

Mr. Laezza: Yes, there is a two percent increase over the contract that we've had over the last two years.

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

Mover: Mazzarella Second: Barr

3. Opposing the Cranford Planning Board application submitted by Hartz Mountain, proposing the rezoning of the property located at 750 Walnut Avenue in Cranford

Removed for action July 3, 2017

4. Award of Professional Services contract through a fair and open process for a Police Off-Duty Detail Management System

Discussion:

Township Clerk: You have in your packet the Request for Proposals and we will be opening on July 12th.

Mr. Laezza: Let me explain this process Council. Down through the years it is the responsibility of the Finance Office, through the Police Department, to accommodate outside services for off duty details for our police officers. And it is a pretty complicated system that each department has on its own, as to how they appoint, and how they select people to do these duties and that is one problem for the Police Department. The second problem is that companies call them and then it is the Finance Officer's responsibility to collect the cash of the companies to pay these police officers. But the State statute says that we can't wait for that cash, we have to pay the police officers the next pay period. So, we are kind of stuck holding the bag, looking for money. We have two professionals who have an outstanding background in their prior growing up years, both in security, in finances in Wall Street, and alike, and decided that in their late 40's, early 50's, they decided to go out in business for themselves, and they found this little niche. They have been in business probably about three years. In the eleven months that they have been in New Jersey they have a number of municipalities performing this service. What is this service? This service is they will come to our Police Department, and look at our Ordinances, and follow whatever procedures we want them to find. They will then select our patrol officers for off duty management in accordance with our guidelines as we set forth. They will guarantee that if they even do not get paid from the outside agencies, they have the money upfront to pay them. So, they will be paid on time. They have a very detailed system and they explained it to us, they were with us for about, I would say, close to an hour and a half. They have this system working all over the country, they designated an in-person service, 24/7, if someone calls at three o'clock in the morning they are there to answer the call for Clark, this is like somebody if there's an emergency in the middle of the night. Every police officer will have an app, so when someone contacts

them, they will contact them immediately as to whether they accept the job, and it will be there. So that it's a system where it cost the Township of Clark nothing, they take all of the risk, and they handle all of our duties. So, then I said, being who I am, how do I disappoint you without going out for bid? And they said well some have done. I said, "well, we will not" so we are going out for bid. I don't believe that anyone else will bid on it but everybody else will have a chance to bid on it. And so, this bid is going out, we will accept he bids on July 12th, and hopefully have an answer for you at the July 19th meeting.

Councilman Mazzarella: So, we would pay for these services.....?

Mr. Laezza: We pay nothing?

Councilman Mazzarella: We pay nothing.

Mayor Bonaccorso: They collect it through the vendor?

Mr. Laezza: They collect it through the vendor.

Mayor Bonaccorso: Chief Matos is very, very hot on this and one of the reasons is, as John explained, that police details are a pain in the butt for him to administer, number one. There is not really a list of saying the highest seniority to the lowest seniority, and you go to the bottom of the list and the list keeps working up, I don't agree with this for seventeen years but I don't really care because it is their inhouse thing. And we can control the details, once or twice people got a little smart and I had to tell them that I would end their details, which I have statutory right to do, and I will go hire company to come in and I gave them a little religion and they smartened up, that was twice over 17 years, not a big issue. I never agreed with the fact that what they try to do is have everyone makes close to equal. And here is the hypocrisy that I don't like, Brian goes out in January, February, March and April, cold weather, snow, rain, he's doing details, he is hungry and he is making money. All of a sudden come May, June and I decide that the weather is pretty nice and I don't mind standing out there collecting some money directing traffic....

Mr. Laezza: You need some vacation money.

Mayor Bonaccorso: Right. So, I jump out there, now I got to go ahead of Brian, I am only using two examples, it can be many more. But now I decide that I am not going to stand out in that heat all of July and August and other men are out there working July and August, and now all of a sudden September comes and I say that I am available for details, but Brian made \$5000, Pat made \$4,800, Angel made \$3,000, I only made \$800 so far, I get the opportunity to catch up to go to the top of the list to help catch up. I never liked it, I thought it was stupid, and I told every Chief that has worked for me that it is stupid, but that's their thing. So, it doesn't matter a hill of beans to us one way or another, they all seem to get along with it so that is fine by me. But collecting the money, now when John came in, again knowing the state statues the way he does, at first the cops were not getting paid for their details so they are coming in and saying, "gee, you know, I am off \$2,000, I am off \$1,500, what is going on?" So, John looked into it years ago with the Finance Department and said, "You have to pay them!" But then our finance office had to go and chase the water company, the gas company, the builders who are building a project like down on Woodcrest, I am just giving you some examples, that they had to go out and chase that money. So not only will they chase the money, they'll distribute the money through our Finance Department, they will also work with the Police Department in developing that schedule, so the men of the department can get their jobs and go on it that way. So, it does take a lot off of the Chiefs back, and probably the lieutenants back, then it does at scheduling.

Council President Albanese: Yes, because that takes away from their time at work.

Mayor Bonaccorso: And since it is not costing us anything, we are favorable.

Councilman O'Connor: So, me being a little bit like John, here is my question. So, if I am a police officer and now you tell me that I need to get an app on my phone, I am going to say that I don't have a smart phone, you have to buy me one, and you have to pay for my data plan.

Mr. Laezza: We have given them all of their phones for police services.

Mayor Bonaccorso: Not the Patrolman John.

Councilman Toal: Specials?

Mr. Laezza: They all get one.

Mayor Bonaccorso: You are going to give them all one?

Mr. Laezza: They are all getting one.

Mayor Bonaccorso: But the bottom line to that Pat, I don't believe that we have to (Councilman O'Connor: right) because a detail is not a contractual obligation. Pat, if you want to work, you get the phone, you don't want to work then don't get the phone, it's plain and simple to me.

Mr. Laezza: One of the Lieutenants that was in the meeting said he will still make the most money because not only will he have his police phone, but I will have my personal phone, so they will get me two ways. Most of the guys now that know that they are going to get paid will have it at their bedside in the middle of the night.

Mayor Bonaccorso: Because they get a good dollar working jobs. And right now, if there is a down powerline on whatever street that you want to say, a car hits it, whatever, (Mr. Laezza: At two o'clock in the morning), it is \$90 an hour for them, it is an emergency job. So, they make money. I don't see Pat, anybody saying that if we are not going to pay for it (the phone) then I am not going to do it. My answer to them is fine, don't do it, I will hire a company then (Councilman O'Connor: Okay, alright) then you will see how quickly they'll do it.

Council President Albanese: So, are the rates that we are charging to outside companies, that need to have an officer on duty, are we changing that rate?

Mr. Laezza: We are going to change it a little bit because we are low, we are lower than any place in the whole world, we have the lowest rate going.

Council President Albanese: So, you did a survey?

Mr. Laezza: Yes, we are the lowest all around.

Mayor Bonaccorso: Let me tell you how hungry our men are, not all, but a lot. This year we have had Clark Police officers actually doing work in Linden because there was so much going on in Linden, Linden could not fill the jobs, and they called Clark and said, "would you like to fill the jobs?" and we had our guys running over to Linden directing traffic, which they can do, it is their day off, not a problem to go out there and make extra money. God bless them, you know what, I have no problem with the men making extra money, that is what it is there for. We tell people when they get hired here, young officers, that if you are a hustler you can make a good buck here between blue jobs, overtime, and things of that nature.

Mr. Laezza: The contract basically that this company has is 8% of the revenue that they collect, and \$5.00 an hour per man. So, we will probably have to go at least to \$65.00 an hour just to cover their contract, but we were considering a different change anyway.

Council President Albanese: So, the police are going to get the same but we will cover those costs by changing the rate with the outside vendors?

Mr. Laezza: Yes, they are going to get a percentage. We have a 15% administrative fee on it now, so their 8% cuts into that. We don't have any administrative work to do other than the 7.65 social security that we have to match.

Councilman Mazzarella: But once we do that we don't have to chase....

Mr. Laezza: We don't have to chase anybody.

Mayor Bonaccorso: Not that they are trying to stiff the town John, correct? It is just that they go through their process of taking their sweet time.

Mr. Laezza: The worst payer is PSE&G, the Water Company is excellent, Verizon is not great, but you have to go chase them. They have the money, it is just that they will tell us that they don't pay bills before 120 days. So last time that they gave me that answer I told the dispatchers that we are not taking PSE&G jobs unless they bring the money up front.

Council President Albanese: They don't want to put up escrow.

Mr. Laezza: They don't want to put up escrow, so I am saying the heck with you.

Council President Albanese: So, when do we get paid?

Mr. Laezza: We don't get paid anything.

Council President Albanese: When they buy the receivable?

Mr. Laezza: They will give Terance how much he has to pay them in the payroll. We don't get any money, we never get any money.

Council President Albanese: When do we get the payroll?

Mr. Laezza: Every fifteen days we'll give them notice.

Council President Albanese: Okay.

Mr. Laezza: We have plenty of time. You can do it either way but we do it on payroll. Some of the places in North Carolina they do a 1099s, but we are not doing that. They will give it to us every week, they will give it to us five days before payroll is due for the time period.

Councilman Mazzarella: So, they would pay us and we would pay them (the officers).

Mr. Laezza: They will send us the check to pay the men.

Council President Albanese: That is all we need.

Councilman Mazzarella: That's good.

Mayor Bonaccorso: Something that you can bring to South Amboy.

Council President Albanese: Well, in Sayreville, I don't know which firm they are using, probably not the same one.

Mr. Laezza: They are using the same firm.

Council President Albanese: Same firm? They have been doing it.

Mayor Bonaccorso: Well you know you are the CFO there.

Council President Albanese: Well, a lot of roads are torn up, we had the biggest year ever.

Mr. Laezza: They have all of the towns in New Jersey.

Mayor Bonaccorso: Do you have to chase a lot of people Angel?

Council President Albanese: Yes. The biggest problem is that we have a manual ledger, it has been maintained for ages, so you don't know where the balances are all the time, so the auditors don't like that. Think of all the time that is spent assigning all of those assignments for our Police Department. I am sure that is not done on free time.

Mayor Bonaccorso: The Chief is happy because he said to me this is a major headache for them.

Council President Albanese: And then could you imagine all the disputes about the juggling of who gets the assignments.

Mayor Bonaccorso: That could be a problem also.

Mr. Laezza: Our system is used in a lot of places, some people have a point system, some people have the seniority system, whatever system that you have, they accommodate. And we will let you know who the bad guys are and who the good guys are, they will report weekly, they will report daily, they will report on the hour, whatever we want to know.

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

CONSENT AGENDA RESOLUTIONS:

5. Authorizing the Mayor to enter into a lease agreement with the Union County Educational Services Commission for use of the gyms in the Municipal Building from September 2017 through June 2018

Discussion: None

6. Authorizing the Mayor and Clerk to Execute an Agreement with Union County to Modify the Cooperative Agreement for the Community Development Block Grant program dated June 16, 2014

Discussion: None

7. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$31,935.91

Discussion: None

8. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$812.48

Discussion: None

9. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$175.00

Discussion: None

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

Mover: Toal Second: Barr

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one coming forward, Council President asked for a motion to close the public portion of the meeting.

Motion: O'Connor Second: Hund

Aye: Barr, Hund, Mazarella, O'Connor, Toal, Albanese

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: I am going to open up a conversation with John and I, this is a subject that my friend here, I have never seen him so animated in 17 years working together. And I am thoroughly disgusted also. But our Affordable Housing Plan that was supposed to get passed on the 29th of June is now back in our laps. The Court Master Elizabeth (Betsey) McKenzie, who we were

reporting to through the Court, and I will let John get into more detail with it, we had submitted everything to her in a timely fashion, they had us running from the time we negotiated with them, full sprints, to make timelines. As we told Council, we have timelines that we have to make because we don't want to lose our Builders Remedy protection. Everything was going smooth as silk. Last Saturday night, at night, Saturday night, the Township gets an email from Betsey saying that she has a bunch of changes that she wants to go through. Not the number, the number is staying the same, what we talked about is staying the same, okay, that is not changing. It is a lot of verbiage in the Ordinances, she said our fee schedule, which is a sore point with John is outdated and blah, blah, blah, so we need to adjourn the court date and you need to get this worked on. So immediately John, Joe Triarsi jumped in and said to her, "where the heck have you been?" And basically, in her email she said, "Your hearts are in the right spot, doing the right thing, it is my fault, I was away in Paris for two weeks on vacation, prior to that I was busy, I will go to the judge and I will make this right with the judge on Clark's behalf, but you did everything possible, but I need this stuff changed. A lot of it is verbiage, but we may have to reopen Public Hearings and go through all of that again. I mean the truth be told... (Mr. Laezza: advertise) re-advertise, go back to the Planning Board. We are very sore over this, and I want to eventually speak to this judge.

Councilman O'Connor: So, we're still protected?

Mayor Bonaccorso: Yes, we are fine, we are fine right now like we were protected a month ago Pat.

Councilman O'Connor: I was just making sure.

Mayor Bonaccorso: There is going to be new mail that has to go out, new hearings, new work. And if she would have just communicated this with us, fine, you can say alright, if she wanted it then or now what is the difference, we still had to do it. She wasn't responding to our professionals, and our professionals were under the assumption that we keep sending her stuff and she seems happy, we are not hearing anything.

Councilman Toal: Paris, huh?

Mayor Bonaccorso: Hey Brian, everybody has a right to go on vacation, I am not complaining about it, but to get a Saturday night email a week before the court hearing, after we ran our tails off trying to get everything, the first thing I said to John is what the heck are we rushing for? He said, "We have to rush we are under a court mandate", I said, "okay, I get it". Then we came to you guys, and we came to the Planning Board and to the public. We are completely OPRAable, we are glad to share that stuff with anybody. We are not making this up, she has apologized in an email basically saying that "it is my fault, you did the right thing, Clark's heart is in the right spot, I will go to Judge Cassidy and make it worth wild". This is where I get back to my comment that the Tap has so eloquently put out there, this is what happens when legislature refuses to do their job, they dump it into courts, they dump it into Special Masters and now whatever money we have to spend on this, taxpayers of Clark have to eat. We spent, what John about \$140,000.00 over the process?

Councilman Mazzarella: Who pays the Special Master?

Mayor Bonaccorso: We do.

Councilman Mazzarella: For her error, she can't absorb that cost?"

Mayor Bonaccorso: That is the conversation that we would like to have with the Judge once we get our ducks in a row. First, we want to get our obligation to keep this town protected done, and then we will have a conversation with the Judge on that. Because I think it's utterly ridiculous that this went on and when we were working hand by hand sending her everything we did and doing it the right way right to her letter. We didn't just decide that we are not doing it that way and then she sent an email saying, "Hey, I have been asking you and you haven't done it" (Councilman Mazzarella: right). Oh, this is my fault I was on vacation in Paris for two weeks, I'm busy, this and that.

Mr. Laezza: She is going on vacation in mid-August. I don't know if it is going to get done in September, she claims it is.

Councilman Toal: But that responsibility is on her to bring it to the court, not on us.

Mayor Bonaccorso: We are covered Brian, we are fine, we are covered. But it's the point Brian, you know it is like any other task that you do, I mean let's just relate it to someone's home. You are outside spending the whole day gardening and your wife or your mother or whoever you are living with says, "I want this, this and that" and when you are out in the mode you are doing it, you don't want to finish it you think you have the project done and a week later you have to come back and restart everything again. And that's what is going on here but on a bigger scale.

Councilman O'Connor: Now we start on everything from the number it's been agreed to.

Mayor Bonaccorso: Yes, the number is exactly what it is.

Council President Albanese: Same plan rearranging it.

Councilman O'Connor: Right.

Mayor Bonaccorso: The plan is the same, none of that is changing but it is more verbiage, our fee ordinance, this and that.

Councilman O'Connor: Okay.

Mayor Bonaccorso: I have to say guys, John is my friend and he is the best guy that we have got here by far, but I have got to say, I thought that he was going to have a stroke the other day. Donna said to me today that in the eleven years working for him, I have never seen him so angry for so long. Because it's that much of a nuisance to us.

Councilman Mazzarella: And cost.

Mayor Bonaccorso: And cost, well that's what he is worry about more. We are not hiding anything, if you want to see the email, you are welcome to see it. Save yourself and not fill out an OPRA form, come in and ask, we are not hiding anything here. We have one thing on our side, the truth and the facts here. So, like I said we did nothing wrong, we have to comply. In my yelling and John's yelling and screaming back and forth, Mr. Triarsi has basically said, "Look, you're right, you're right, and you're right, but I don't want to hear it, let's get it done, let's get it taken care of, and we will fight with them a little later, and that is probably good advice.

Council President Albanese: Definitely.

Councilman Mazzearella: Do you have like a ballpark of what it is going to cost us again?

Mr. Laezza: I haven't got the slightest idea.

Mayor Bonaccorso: The 4th of July fireworks are tomorrow night. They always put 9:00 out on the board, it is probably more like 9:20 pm. As soon as the sky gets dark, we light them up. We will have our Fire Department counting the fireworks to make sure that they are all accounted for.

Mr. Laezza: The Fire Department will be working from about 11:00 in the morning.

Mayor Bonaccorso: Yes. We have caught vendors in the past, this guy has been good. We liked him, we knew him and we told him that we were going to do it. And I think that we are going to see about 8,000-10,000 people out here. And I expect, like always, everyone acts lady and gentleman like, they enjoy the show and they go on their way. It is a nice day in Clark. So, I just would like to wish everybody a good 4th of July.

Councilman Barr: No comment.

Councilman Hund: No comment.

Councilman Mazzearella: No comment.

Councilman O'Connor: I just want to say thank you to John. I know that it is hard work keeping the books clean from the auditors stand point. I know that he does a great job but normally they are paid to find mistakes, that is what they do, that is their jobs. And John worked hard enough and his administration with people to make sure every I was dotted and every T was crossed, so thank you John for that. And Sal, thank you again for the leadership on the Cranford project, I appreciate it and so do the residents.

Mayor Bonaccorso: We are all in this together buddy. We will work on it together and get it done.

Councilman O'Connor: Thank you.

Councilman Toal: Is the Waterson Memorial at 9am or 10am?

Mayor Bonaccorso: 9:00 am.

Councilman Toal: Thank you. Yes, if you are able to come out, I know that it is early but come on out. Again, see everyone at the fireworks, it is a lot of fun, a lot of different people, a lot of out of towners. I need your help on the following issue Mr. Laezza.

Mayor Bonaccorso: If we can help you Mr. Toal, you know we would like to.

Councilman Toal: A property condition issue on Westfield Avenue, 81, which is one over from the Rice Bowl. It was just one resident complaint but now we have 4 businesses that have all come together and said that it is hurting our business.

Mayor Bonaccorso: Okay buddy. We are on the old A&P.

Mr. Laezza: Danny's house. He wants to build a three family but he doesn't want to put affordable housing, I said, "You don't have to (inaudible).

Councilman Toal: I understand that but you have a building there that is becoming horrible, horrible site.

Mayor Bonaccorso: It is. Just to let you know also, we are on the Sahni, the Doctor, he is one of our perennial building maintenance problems.

Councilman Toal: Yes, for years.

Mayor Bonaccorso: And now the old A&P, we have sent a letter out to them, they haven't responded. I told the construction department to issue a summons to the court for a fine, it's another problem.

Councilman Toal: Whatever you can do boss. Before it was just at the pizzeria across the way, but now you have the two salons, you have got Tom Brown with Prudential saying that it is ridiculous (he said) "I am looking at this every day, my people, my customers are looking at this" I am asking for help on this one, have them clean it up or take it down.

Mayor Bonaccorso: Well I have to say one thing, and not being a Christie fan, I don't blame him for this. The Assembly Speaker had his bite in the budget and chose not to have a vote and pass it. Here is my question, with everything being so corrupt and political in Trenton, if the Democrats in the Senate passed the budget, what is going on with the Democrats in the Assembly? So, my question is how bad could it have really been if the Senate Democrats went along with it but the Assembly Speaker doesn't? Now, I know that everyone is upset with Christie because he is out on the beach, but truthfully, as Governor he's afforded two residences in the State, Drumthwacket and that beach house. So today when I heard him on the news saying, and again, not a fan, (Governor Christie said) "It is a residence of mine, and as Governor I am afforded that residence"

Council President Albanese: I do have a question or a request, on School Street we had a speed bump and then we repaved it and there is no speed bump anymore. Is it possible to put some speed signs because it is a cut through street?

Mr. Laezza: No.

Mayor Bonaccorso: Angel, I could do whatever you would like but I am going to tell you this. The people that are speeding do not read signs and that is just a fact. If you want them, I will get DPW to see if they have some around, I am glad to do that for you, like any Council member, But I am being honest with you, the people who are driving like morons, you could put a sign out saying....

Mr. Laezza: “Children at Play”, and they will still run through it.

Mayor Bonaccorso: They don’t care.

Township Clerk: They speed down this driveway here (Brewer Building), you can’t believe it (Council President Albanese: it’s unbelievable) When there are kids on the playground.

Mayor Bonaccorso: I drive through town a lot and just for the heck of it I look at the signs that are out there, warning this, that, the other thing, and I just say to myself, “I wonder how many people really pay attention to this?” And I really believe it’s done because we’ve put signage on other streets and they just kept going through. Where are they having the problem? Did they say morning or night? Are you talking down by Wendy’s or down by Lexington?

Council President Albanese: Closer to Wendy’s. It is a cut-through, you do not save time with that cut-through. I get on the Parkway every day and I never go that way, never. I see the cars turning and I see them waiting in the que, near Wendy’s. The thing is it is the speeding problem.

Mayor Bonaccorso: What I am going to do Angel, better than the signs is Sergeant Lott is taking over traffic and he is a heck of a worker that kid, he is out there all the time and he has the unmarked Explorer that he goes out in. I am going to have Chris do some radar up in that street, morning and night and throughout the rush hours.

Councilman O'Connor: Have them do Gibson while he’s there because they speed down Gibson Boulevard, they speed down that and then they make a right.

Mayor Bonaccorso: But you know what I just want to end this conversation by saying one thing, if you guys remember we had a problem out on Skyline, Lake Avenue coming down into the 1st Ward. And Chief Matos sat out there himself with a radar gun clocking cars and writing it down. And a lot of times and I hate to say this because it sounds like we are just trying to say “your nuts” and move on, a lot of times people are proceeding the speed to be a lot more than they really are. He got a couple that were out, one he actually pulled over himself because the guy was out of line, he was going like 60mph. But that is one here and one there, I mean it is not saying that it is every 3 cars that are doing it. And I think the average on that street is somewhere between like 27-35mph.

Councilman Mazarella: That’s right.

Mayor Bonaccorso: Which really isn’t that far over.

Council President Albanese: No, it is just that one that it is just memorable.

Mayor Bonaccorso: Because he sat out there and he logged it and he went and knocked on the resident's door the next day and said, "Here is the log, I sat here myself".

Councilman O'Connor: He's a good Chief.

Mayor Bonaccorso: Yes, he is. But I am just saying though, that is what happens sometimes folks. But we will send a radar unit up there.

Council President Albanese: Okay. The only other comment I have, and I am not going to repeat what Councilman O'Connor said about the audit, the whole issue with Hartz, I mean no matter where you live in town, we are a cut through town. You have to get on and off the Parkway and all of these units will be going through those tunnels and that is the bottom line of it.

Mr. Laezza: It is going to kill Lexington and Sunset, it is going to go through them. That is going to be terrible because they are going to come right there and go straight across.

Councilman Mazarella: That's right.

Mr. Laezza: They are not making a right on Walnut, that is not going to happen.

Mayor Bonaccorso: Maybe if they are going south....no, they are going right down to Osceola and make a right.

Mr. Laezza: That is the way they are going.

Mayor Bonaccorso: That is why if they did age restricted it would be better because you wouldn't have as much are that. The age restricted unit, people trickle out throughout the day at all different times verses the rush hours to get to and from work.

No further discussion

Mr. Laezza: No comments.

Township Clerk: No comments.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman Barr, seconded by Councilman O'Connor

ROLL CALL: All Ayes

Aye: Barr, Hund, Mazarella, O'Connor, Toal, Albanese

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
August 7, 2017
7:30 pm

ROLL CALL:

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

Also, Present: John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney;
Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

Council President Albanese: As noted when we have our meeting on the 21st, we will have our soccer award presentation prior to the business meeting agenda. At this time, we will go on to discuss Proposed Ordinance.

PROPOSED ORDINANCES:

1. AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 26 OF CHAPTER 279 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SEWERS"

Discussion:

Mr. Laezza: Basically, we have about 150 retail stores in Clark, that for some semblance of State Health Laws, are considered "Food Establishments", however, they don't have grease traps. So, they looked at the licenses that we have now and everyone violates those innate grease trap laws (Council President Albanese: all 150?) All 150, because they sell packaged food, it's considered a food license. The grease trap law, which everyone has, basically says that there are certain things that have to be done, and quarterly reports have to be given. These retail establishments do not have to do that, it basically relates to restaurants who get the same retail license. So that law basically says that if somebody violates the law quarterly with regard to reporting, or regard to ineffectively using their grease traps, we have to give them 10 days' notice, then they have 10 more days, to make it right. What we are trying to do is restrict it to just those restaurants that have grease traps that affect our sewers, not to these other retail stores. So, we are putting on the retail store licenses that do not have sewer grease traps, a notification on the back, if you violate this law as it relates to your license, that this is your notice, we are not giving you an extra ten days, that's basically what it says.

Council President Albanese: If you have a grease trap already?

Mr. Laezza: If you have a grease trap that has to be cleaned, we want to make sure that the grease doesn't come into our sewers for clogging, you have to go through the 10 days because we want to make sure it is cleaned. But the other sewers, their notification is that they came in late for their license they are in violation that they haven't gotten their license. Come January, if they have not renewed they are done.

Councilman Mazzearella: But they are not required to have grease traps?

Mr. Laezza: No.

Council President Albanese: But they are required to have a license?

Mr. Laezza: They are required to have a license.

Council President Albanese: Wow, that is confusing. The key words are "that **have** the grease traps"

Mr. Laezza: Correct.

Council President Albanese: It wasn't clear to me that it had the grease traps... it sounded like they don't get the grace period. The way I read it, it sounded like they don't get the grace period.

Mr. Laezza: Look at the last sentence. "The violator(s) shall be given 10 days from the date of mailing of the notice" So they are going to get a 10-day notice. It is difficult to put legalese into English.

Council President Albanese: Shouldn't it be the ones that don't have the grease traps?
If you have a grease trap you get a notice, but if you don't have a grease trap.....

Councilman Smith: So, if you don't have a grease trap....

Mr. Laezza: You are just a food retail establishment and your license is going to have it on the back, but we would rather give you 10 days' notice. But if you have a grease trap we are going to go through the process that we have in our sewer law.

Councilman Smith: But we are giving them a notice for not having a grease trap.

Mr. Laezza: If they don't have a grease trap we are putting them in jail. They all have the same license for a retail food establishment, but if you look at the violation then we would have to tell everyone that didn't have to have a grease trap, we would have to give them a 10-day notice to renew the license.

Council President Albanese: It doesn't look like that wording though.

Mr. Laezza: Well, we could set it aside and you can write it, it took three months to put this together.

Council President Albanese: Well I thought it would say the ones that don't have the grease trap. The ones that don't have the grease trap, this is the notice, you just have to get that license, there is no grace period, right?

Mr. Laezza: Just read, "when the inspector determines that there is a violation of any provision of this chapter, written notice of the violation shall be given to the owner and any occupant of the property by mail" and go back to "the violator(s) shall be given 10 days from the date of the mailing of the notice in which to remedy the violation or contact the Building Department to set up the timetable". The exception to that is "That Retail Food Establishments that have grease traps but the Annual Retail Food Establishments Notification cover sheet and license shall serve as the official notice of the grease trap requirements and grace period, and that there is no provision of prior notice of violation required" Retail food establishments....

Township Clerk: But that does sound like what Angel says.

Council President Albanese: It says that the ones that have the grease trap.... it should be "that do not have grease traps", or that are "not required to have grease traps", something like that, right? I think that if we just put that in then it is fine. That "are not required to have", or "that do not have", one or the other. Maybe take a look at that and tell me what you think, right?

Councilman Smith: Isn't it saying Mr. Laezza, correct me if I am wrong, that this is saying with the exception.... if the person violates, they get a notice and they have ten days (Mr. Laezza: Right) what we are trying to do is the food establishments that have these grease traps now, we want to stop them immediately verses having ten days, then having to wait another tens day, so twenty days' worth of time went by, and all this stuff went into our sewer.

Council President Albanese: Well, that is what I was wondering because that is not what John explained though because....in other words, my question originally, before we had this discussion was, are we taking away the ten days to remedy, because there is no grace period?

Mr. Laezza: I think you're right, they are not required to have grease traps.

Council President Albanese: Alright, very good.

Councilman Mazzarella: Okay, so what are you doing now?

Mr. Laezza: We will make that change.

Council President Albanese: Just what John explained, it is just that the wording doesn't reflect it. If they don't need a grease trap all you get is the license and no grace period.

Councilman Mazzarella: Because you are not going to be in violation?

Council President Albanese: Right.

Councilman Mazzarella: Because you don't need a grease trap.

Councilman Smith: So, if you are in violation....

Council President Albanese: You have ten days.

Councilman Mazzarella: Why even say that for those establishments though?

Council President Albanese: We want to make sure that they do it right.

Councilman Mazzarella: Why don't you just have language stating that restaurants or retail establishments.....

Mr. Laezza: We have that under our sewer ordinances.

Council President Albanese: It is already there. This is for the ones that don't need it.

Mr. Laezza: We have it under the sewer ordinance for the sewers. The retail licenses also have grease traps, they are not the ones that cause the problem.

Council President Albanese: So, there is no notice given to them because they don't need it.

Mr. Laezza: No, they all have grease traps that's why we can't say what you what to say.

Council President Albanese: Oh, okay.

Mr. Laezza: We are basically saying that under the sewer ordinance it basically talks about people have grease traps, and what they have to do to grease traps. Those are the people that we have to notify. The retail food establishments that have grease traps but do not use them for anything other than what every household has in their house, they are not affected. But according to our grease trap law you would have to give them notification.

Councilman Mazzarella: Okay.

Mr. Laezza: People are concerned about renewing their regular retail approved license.

Councilman Mazzarella: I understand it, I understand it better now.

Councilwoman Albanese: It really has nothing to do with the grease traps, we want that license renewed.

Mr. Laezza: Your license basically tells you if you violated what your penalty will be. They already have it on their license when they get it, they pay for it.

Councilman Mazzarella: I will move that.

Councilman Smith: You are going to have to reword it?

Mr. Laezza: No, I don't think that you have to reword it.

Councilman Toal: Look at this second part, you get to see the consistence of the ordinance okay? So, it covers yourself of any misinterpretation.

Mr. Laezza: The retail food establishments are not restaurants, because restaurants are retail food establishments with grease traps that are active. Everybody has a grease trap, every store, every house has a grease trap of some sort.

Council President Albanese: We need some experts, it is very confusing to me.

Mr. Laezza: I will get clarification from the Counselor before the 21st.

Council President Albanese: Thank you.

Councilman Mazzarella: We will get clarification on that. I will still move that, and then we can get that clarification and then if we decide that it is not useful enough, we won't act on it.

Council President Albanese: I am sure it will work out.

Howard Lesnik: And I will clarify it.

Council President Albanese asked for a mover and second on this Proposed Ordinance

Mover: Mazzarella Second: Smith

2. AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF
CHAPTER 84 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED
"ANIMALS"

Discussion:

Mr. Laezza: I think after the discussion tonight I want to have another meeting with Nancy before we do anything on this.

Township Clerk: I can let her listen to the testimony tonight.

Council President Albanese: Very good, thank you.

Township Clerk: So, we are going to pull that one.

Mr. Laezza: Yes.

Council President Albanese asked for a mover and second on this Proposed Ordinance

Mover: Second:

3. CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING MUNICIPAL IMPROVEMENTS AND ACQUISITION OF EQUIPMENT TO VARIOUS CLARK DEPARTMENTS, AND APPROPRIATING THE SUM OF \$85,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS

Discussion:

Mr. Laezza: Basically, this is a small capital ordinance we put aside (tape inaudible) surplus monies, it's to put in an e-ticket system for the courts and the police, it's a five-year program, to get some rifles for the police. We're in some discussions for amending our webpage to make it more conducive for the ease of the citizens, to accommodate certain needs that they want with regard to permits and licenses, in joining recreational programs, etc., etc. So basically, we have been talking to a number of people and setting aside some money to accommodate it.

Council President Albanese: What's the e-ticket system, could you elaborate further on that one.

Mr. Laezza: The e-ticket system is if the police officer that know how to use the computers in their car, put down the license number, put down the ticket and it automatically goes into the courts, and when it's ready for adjudication. It is better than spending \$5,000 a year buying paper tickets and then they have to be counted for individually, and at the end of the year we get comments on our audit report that the officers haven't turned in their old tickets. This will make it more efficient, more effective, it will make our court operation more cost effective.

Council President Albanese: It will make it easier to read too, right? Does it autofill?

Mr. Laezza: It will be easier to read and you will be able to check every police badge number.

Councilman Smith: What is going on in Curry Field?

Mr. Laezza: Curry Field is being paved with a walkway. They need some final action on that (Council President Albanese: Yes, we do need that).

Council President Albanese asked for a mover and second on this Proposed Ordinance

Mover: Barr Second: Smith

RESOLUTIONS:

4. Award of Contract – 2016 NJDOT Broadway (Bid opening August 16th)

Discussion: None

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

Mover: Toal Second: Barr

5. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$3,252.53

Discussion: None

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

Mover: Smith Second: Albanese

Township Clerk: And then we have one more that I handed out tonight, I didn't have it on time for Friday, Rivers Edge, who has been picking up our leaves since 2014, we bid the job last year, they won the contract at \$3.40 per cubic yard, and to have the option to renew. And they have agreed to do it for the same price as last year, so this is a resolution authorizing us to sign that.

Council President asked for a mover and second on this Resolution

Mover: Mazzarella Second: Smith

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Delia Collins, 72 Georgia Street: Unfortunately, when you were talking about the vehicles and traffic, I wasn't paying that much attention to the areas that were involved but I did notice that there is a "do not block the box" sign by Shoprite Way and Raritan Road going toward Central Avenue. Could there be a possibility that a lot of the people that come out of Shoprite Way block the box coming out onto Raritan Road. Could there be another sign facing the Shoprite exit for the people making a left onto Raritan Road going towards Central.

Mr. Laezza: They should be making a left onto Raritan Road that is what we should do.

Township Clerk: The two lanes should fix that.

Council President Albanese: They shouldn't block the box.

Delia Collins: They can't see the....

Council President Albanese: Why can't they see that?

Delia Collins: Because when you are coming down Raritan Road it is facing Central.

Mr. Laezza: Let me tell you, they think that the box is only on the other side, not on their side.

Delia Collins: Right.

Mr. Laezza: That is the County, that is the way the County did the box.

Delia Collins: Alright, okay.

Councilman Barr: I am glad that they did a box because that was horrible.

Delia Collins: I know. Another thing that I thought of was one of the meetings about the signage of Clark Commons, about "No parking".

Mr. Laezza: If it is a fire lane they are painted, we told them to repaint it but we can't put signs up on the sidewalk.

Delia Collins: Also, from the front of Petco to the front of Five Below and Models there is no signage.

Mr. Laezza: The street is painted fire zone.

Delia Collins: Right.

Mr. Laezza: They shouldn't park there.

Delia Collins: I know but they do.

Mr. Laezza: Well then, we have to have police there all day.

Delia Collins: Because I go to Petco every day, almost, and they are always parked in front of Michaels or Petco.

Mr. Laezza: Well call the cops.

Council President Albanese: That is what you are going to have to do because that's a fire violation.

Delia Collins: Yes, I know. And then we did call them about the.... I have a picture of a "stop" sign that you can't see, you know? And that's up to the owner to get their...

Mr. Laezza: They will be on that again.

Council President Albanese: There has been a lot of growth with all of the rain and the weather that we have had, right?

Delia Collins: Yes. Can I ask a question on #2 on the Proposed Ordinance regarding the animals? Is that regarding what was brought up tonight? Or is that regarding another issue?

Township Clerk: What is was tonight.

Delia Collins: Oh, okay, alright. Now the public is not permitted to review the Ordinance before it is....

Mr. Laezza: Once it is introduced.

Council President Albanese: We did not introduce one.

Councilman Mazzarella: It is not public record.

Council President Albanese: Once the Administration reviews it. They have pulled it and they are going to review it again, they'll present it.

Mr. Laezza: When we are ready to introduce it, after it is introduced then you can get a copy of it.

Delia Collins: So, it's introduced that it gets....

Mr. Laezza: Then there is a public hearing a month later.

Delia Collins: Now since you are going to have the discussion with Nancy Raymond, do you think there will be anything coming up at the next public meeting.

Council President Albanese: No. It would be next month. I would say, right John?

Mr. Laezza: Not until the Workshop meeting in September.

Delia Collins: Alright, just so I know so I can get the crowd in.

Council President Albanese: I mean normally that is how we do it.

Township Clerk: The Friday before a public meeting I put all of the documents on the website.

Delia Collins: So, it will be on the Friday before the next meeting.

Township Clerk: Whatever meeting it's on.

Delia Collins: Will it be the same type of wording?

Township Clerk: Most likely. The title doesn't change.

Delia Collins: Alright.

Township Clerk: It will be about Chapter 84.

Mr. Laezza: Just so you know the process though because she might be bringing people to the wrong meeting.

Delia Collins: Right, that's why I don't want too....

Mr. Laezza: If you bring them to the Workshop meeting we don't really have to discuss it. At the Public Hearing is where you make your comments and then the Council will have the right to say yay or nay.

Delia Collins: Oh, alright great. And it was nice to see some Clark representation at the Cranford Meeting. Hopefully the carpet baggers will lose.

Mr. Laezza: So far it looks good. I would just like to make one comment to the newspaper. Basically, we had a Planning Board Meeting last Thursday, and after we did the business of the Planning Board the members of the Board were kind of concerned with regard to the inconsiderate citizens who continually violate our branches law, our grass laws, we try and keep the town clean. And they were very upset, that the work we do in the Township to try to keep the City clean, the Municipality clean, we have too many inconsiderate people who put their branches and grass still on the street even though they have to put it in the bags. Thank you.

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

Motion: Toal Second: Barr

Aye: Barr, Mazzarella, Smith, Toal, Albanese

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Councilman Barr: No comment.

Councilman Mazzarella: No comment

Councilman Smith: No comment

Councilman Toal: The entrance to Hayes and Holland when you come off of Lake Avenue going up into our wayward neighborhood, the road conditions have become absolutely deplorable, and I'm getting now one phone call that turns into ten, so if you can send DPW out to do a spot patch, or whatever. We just need one section repaved down there, emergency, it is that bad. I'm talking about that intersection just needs to be redone, the whole section, not the whole street, just that one area.

Council President Albanese: You might as well do the whole street.

Councilman Toal: No, they don't need the whole street done.

Council President Albanese: Other than patching I don't know how you would do it.

Councilman Toal: Let the professionals look at it. When you go up past Ciro's Pizzeria, it is right where State, and Hayes and Holland match up, okay? (Council President Albanese: I know where you mean) It has gotten bad, really bad.

Mr. Laezza: Do you want Lake Avenue done or do you want Hayes done?

Councilman Toal: The entrance into State, Hayes and Sherold is right there, that intersection, it is a tri-corner, just the intersection alone now has really gotten bad from the winter.

Council President Albanese: You know where it is? It is all pot holes.

Councilman Toal: And it has just gotten worst, but when you go beyond that it is fine, the streets are actually okay, it's just that one area you just can't fill anymore.

Council President Albanese: I think we should do some kind of filler or something?

Councilman Toal: They tried filler there. The guy on the corner who I see every Sunday morning with Mrs. B, he gets my ear when she is listening, Mrs. B, the Mayor's mother, how is at 7:30 mass. And the other issue is I have a resident on Bartell issue, I will have the house for you, the lot and block, property condition issue that I just found out about tonight. Thanks all I have Madam President.

No further discussions

Motion to go into private was made by Councilman Barr, seconded by Councilman Mazzarella

Council President Albanese directed roll call: All Ayes

Aye: Barr, Mazzarella, Smith, Toal, Albanese

Any Opposed: Nay

EXECUTIVE RESOLUTION 17-124

WHEREAS Section three (3) of the Open Public Meetings Act, Chapter 231, P. L. 1975 permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS this public body is of the opinion that circumstances presently exist; and

WHEREAS the Mayor and Council wish to discuss:

Possible Litigation

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from the meeting at 8:37pm and invited back to resume the regular order of business at 9:01pm; and

BE IT FURTHER RESOLVED that the subject matter of this meeting will be released when the reasons for discussion and action on it in closed session no longer exists.

Council President Albanese directed roll call: All Ayes
Aye: Barr, Mazzaella, Smith, Toal, Albanese

Workshop meeting resumed: 9:01pm
Motion to resume workshop was made by Councilman Mazzaella, seconded by Councilman Smith

Council President Albanese directed roll call: All Ayes
Aye: Barr, Mazzaella, Smith, Toal, Albanese

Council President asked for a motion to adjourn
A motion to adjourn was made by Councilman Barr, seconded by Councilman Mazzaella

Council President Albanese directed roll call: All Ayes
Aye: Barr, Mazzaella, Smith, Toal, Albanese

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
September 5, 2017
7:30 pm

ROLL CALL:

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

Also Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

PROPOSED ORDINANCES:

1. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 248 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "PEDDLING AND SOLICITING"

Discussion:

Township Clerk: Just to give you a brief summary of what has happen with this Ordinance. The original Ordinance said that the permit lasted for 30 days, which would mean that the police would have to do a background check every 30 days, which is just not practical. So, then they talked about possibly doing it for a 6-month term and the Chief finally decided that it's reasonable to expect that no matter when they apply for a permit, it's all permits end on December 31st.

Councilman O'Connor: Calendar year.

Township Clerk: Correct. So, \$275 for the permit whether you start it January 1st or December 15th, it doesn't matter, nothing is prorated. That fee was changed a while back if you recall, and this really just cleans up the Ordinance to make sure that it doesn't say 30 days anywhere.

Council President: And also, the times of solicitation...

Township Clerk: The times were inconstant and we had changed that a while back. The only other thing is to delete the areas that pertain to food because those licenses don't come out of my

office at all anymore. So, any food trucks, food vendors, vendors at UNICO or other events are all for the Health Officer.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Motion: Smith Second: O'Connor

DISCUSSION:

2. CY 2017 Best Practices Inventory

Prepared and certified by John Laezza, Chief Administrative Officer and Terance O'Neill, Chief Financial Officer –This discussion is held for the Governing Body's acknowledgement in compliance with the guidelines set forth by the New Jersey Division of Local Government Services in Local Finance Notice 2017-14 dated August 1, 2017. The discussion will be incorporated into the minutes of this meeting.

Mr. Laezza: Council President and Members of Council this is once again the annual inventory to see if we take care of your records properly. The questions that come out of somewhere, sometimes I don't know where they come out of, but they seem to make the percentage every time. You know we say no where we are supposed to say no, but most of the time we say yes and we are accommodating. Are there any specific concerns that you have with regard to this?

Councilwoman Albanese: I just have two questions, one is on the PERC, who actually files that? Is that the Administration or does the Clerk do that?

Mr. Laezza: We send it down to DCA yes. The Clerk will send it down for us.

Council President Albanese: The contracts? The Union Contracts, item #1....

Mr. Laezza: Union Contracts, no, I send them down, we send them down to PERC.

Council President Albanese: Obviously we are above the 85% at this ratio.

Mr. Laezza: Right. Made the cut.

Councilman O'Connor: Thank you.

Council President Albanese: Very nice, 88% is very good.

Mr. Laezza: Yes.

Council President Albanese: We needed to get 80%, it's nice. Does anyone else have any questions or comments?

Councilman O'Connor: No, thank you.

Council President Albanese: Yes, thank you. Also done quite rapidly which is nice, it is not due until October, it is nice to get it done early.

Mr. Laezza: Before we go into the Resolutions maybe I can accommodate all the Resolutions related to the Fair Share Housing. Resolution #3 through #8, basically are Resolutions that you had already passed once in April. The Court and their Master did a lot of words smiting, none of which made any significant changes to anything that we did. They could have adopted this on June 29 and saved us a substantial amount of money, but they did not. These are Resolutions that we will...I am asking you to do on September 18th, so after the Planning Board gets to hear the Public Meeting on September 7th, to re-go through the whole process that we went through in April. That will be done on September 7th at the Council Chambers. I don't believe there will be any concerns with the Planning Board because as I said I did an analysis of every change that we had to make and there was not one significant change in the whole thing. They are all word smiting, I guess the Master wanted to make sure all of the commas were in the right place, but they had no significant change with regard to what we are doing, where we are doing it. So, these Resolutions are all repeats. If you want to go through them one by one, I will be happy to do that.

The first one is the Resolution endorsing the Housing Element and Fair Share plan that will come upon recommendation of the Planning Board.

The next is adopting the Affirmative Fair Housing Marketing Plan and we have already done that, this is a repeat, there are no changes in that.

The next one is a Resolution adopting the Affordable Housing Spending Plan, it is basically the same spending plan, what we had in 2009, with some changes to update it to accommodate the court.

The next one is chapter 66 which is the Affordable Housing Code of the Township, that is almost identical to the one we did, we are just doing it in total.

The next one is appointing the Administrative Agent, which we have done already.

Then a Resolution adopting the Affordable Assistance Program, that was something new they added but basically it is a contract that we have with the Administrative Agent but they wanted a separate Resolution. The contract says everything that is in this Resolution.

Council President Albanese: And I think that you mentioned John that in substance, well that there are no significant changes but it was really for her convenience because they wanted to almost make it boiler plate with all of the other agreements that they are making.

Mr. Laezza: I think that we are going to be the template for the other towns in Union County. That is basically each of them. Any questions on them?

Councilman Barr: What are we going to do with the mover and second on all of them?

Council President Albanese: We are going to go through that right now.

Councilman O'Connor: I think that Al is recommending Entire Council on all 8.

RESOLUTIONS:

3. Endorsing the Housing Element and Fair Share Plan dated September 7, 2017 as adopted by the Clark Township Planning Board
4. Adopting the Affirmative Fair Housing Marketing Plan
5. Adopting the Affordable Housing Spending Plan
6. Award of a Professional Services contract to CGP&H as the Administrative Agent for the Township's Affordable Housing Program
7. Adopting the Affordability Assistance Program prepared by CGP&H and directing CGP&H to commence implementation
8. Authorization to Appropriate Funds or Bond to Fund for Shortfall in the Township's Affordable Housing Program

Council President asked for a mover and second on the Fair Housing Consent (3 thru 8)
Mover: Entire Council Second: Entire Council

9. Confirming Board of Adjustments appointments of William Helm to fill the unexpired term of John Moricz and Christopher Tierney to fill the unexpired term of William Helm, both terms expiring December 31, 2018

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

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Delia Collins, 72 Georgia Street: Hi, good evening. I am a little confused regarding the Workshop Meeting that occurred on August 7th, when we had Mr. Cohen and the owner of Shake a Paw here with regarding the ban on the sale of animals in the Township of Clark. I looked through the Code

Book of the Township Ordinances, Chapter 84, under Animals and there is nothing listed regarding that ban. And Mr. Laezza had said that there is an Ordinance in the Town stating that.

Mr. Laezza: It's our land development ordinance with regard to pet shops.

Delia Collins: Oh okay, I have to look under there?

Mr. Laezza: Right.

Township Clerk: That is Chapter 195.

Delia Collins: Chapter 195, okay. Now has there been any further discussion between all of your members or anything with Nancy Raymond? I know that Mr. Cohen received a letter.

Mr. Laezza: Yes, Nancy Raymond gave us her thoughts regarding the comments made by both Mr. Cohen and the other gentleman. And she's recommending that we do a ban, however, at this time the Administration doesn't think that it is necessary.

Delia Collins: With the Ordinance that we already have in place?

Mr. Laezza: Basically, if the State wants to ban pets, then let the State do it by their State Statutes, we are not ready to do that.

Delia Collins: Okay. Now, I am not that familiar with the county government, but does county government also have Ordinance that can govern through the towns? So, we can go to the county next?

Mr. Laezza: Yes, you can.

Delia Collins: And that would govern over the 21?

Mr. Laezza: No, it would just be an Ordinance that the county would say. The county cannot tell the towns what to do, they can only run their operation through the services that they provide.

Delia Collins: Okay.

Council President Albanese: So, it would have to be a state statute, right?

Mr. Laezza: It would have to be a State Statute.

Mayor Bonaccorso: We are not allowing pets to stay overnight here anyway here so it is immaterial.

Delia Collins: Right, no I am not disputing it, I am just asking.

Mayor Bonaccorso: No, I'm just saying for the record that you can't do it, so there is no sense in getting involved more than we are.

Delia Collins: Okay, alright, thank you very much.

Mayor Bonaccorso: No problem.

Delia Collins: I did see two people Mr. Laezza make a left turn into Clark Commons coming the opposite way when you are trying to get in the out.

Mr. Laezza: Yes, they are still going to try and get in. We haven't got the signs up yet but they will be up.

Delia Collins: I never saw that before. They did cut the tree back at the entrance.

Mr. Laezza: Right.

Delia Collins: Thank you and have a good evening.

Mayor Bonaccorso: Thanks Delia.

Council President asked for a motion to close the public portion of the meeting.
Motion: Hund Second: O'Connor

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: September is the last month for branch clean up, we posted it on the sign because it is probably one of the best ways to get to people driving by. I think that Scott is going to call Liz and ask her to put something out about it. We have to get grinding so we can have all mulch, so we can start leaf clean up on the last Monday of October.

School is back, police will be out watching the roads, watching speed, things of that nature.

Basically, everything is going pretty good. I appreciate your support on the COAH Ordinances tonight, the Fair Share Housing Ordinances. I am going to have some fun, I am going on Comcast Newsmakers tomorrow morning and talk about it for a couple of minutes, so I am going to aggravate a lot of people. That is what I plan to do.

Something very interesting, if you saw the Local Source, is it? (Councilman O'Connor: yes) two weeks ago, the gentleman from the NAACP supposedly wrote a letter against me and the Mayor of Fanwood. I was tipped by someone who said it was bogus and I called them and told them that it was a bogus letter sent by somebody that must be trying to stir a racial pot. And to me, with the subject that is very simple, we showed our authenticity towards low income housing when they

built Woodcrest and we were able to...the developer asked us if we wanted to see low income in there or not and we said yes, please do. So, you know our beef, my beef especially is density, it has nothing to do with race, quality, or anything else. It is the people who try and win their point to try to further their agenda that like to use that whenever then can. I want to remind you too that on September 13th is the Senior BBQ, at noon until 2pm, at the Deutscher Club, you're invited if you would like to come. On September 11th we have our 911 ceremony at 8:45 at Nelson Park.

Council President Albanese: Isn't the Senior Breakfast coming up?

Mayor Bonaccorso: The Senior Breakfast is in October. So that is basically it, everything went pretty well over the summer for all of the departments, there was nothing really to complain about or hassle about. Thank you for your time.

Councilman Barr: No comment.

Councilman Hund: No comment for tonight.

Councilman Mazarella: No comment.

Councilman O'Connor: The Mayor talked about school being back in session. So, Mayor with school being back in session, I know that Chief Matos does a nice job, but again, the parking on Dawn Drive is going to become an issue. As the year extends, more and more kids are going to be getting their licenses that are not assigned parking spots at Johnson, so if they could have a patrol car there to enforce parking, loitering, littering, and all of that.

Mayor Bonaccorso: That seems to be our May problem but yes.

Councilman O'Connor: But it's going to start again, so.

Mayor Bonaccorso: Right. What they will do Pat is go on the first two days this week (Councilman O'Connor: Right) they will just park at will, and then they will go to their lottery system to assign spots. So probably next week by Tuesday or Wednesday I would think the parking should be assigned and we will have the police up there. The other thing is I want them scattered right after they get out of school, take your car and go, don't sit and smoke, and hang out and spit, and curse, you know I'm not interested in hearing that stuff.

Councilman O'Connor: Thank you very much.

Councilman Smith: The only thing I need to mention is the UNICO Italian Festival is October 5th through 8th, it is a Thursday through Sunday.

Councilman O'Connor: Did anyone check to see if there is a football home game?

Councilman Smith: There is, that Friday night.

Councilman O'Connor: Alright, so that is going to be a parking issue.

Council President Albanese: That is usually good business.

Councilman Smith: Yes, that is good when they have a home game and if the weather cooperates it's a homerun.

Mayor Bonaccorso: Yes, everyone comes right over.

Councilman Smith: So, Ralph is asking for volunteers if anyone available to volunteer for a few hours to let him know, and that's all I have, thank you.

Councilman O'Connor: One of the things that there has been a lot of stir about is what is going on, on Westfield Ave, on Raritan Road behind the bank where they are taking the land down. And I talked to our Business Administrator this evening and they are just clearing the land.

Councilman Toal: The Mady property.

Mayor Bonaccorso: That's across from Manny's.

Council President Albanese: What is it zoned for?

Mr. Laezza: It is zoned for affordable housing.

Councilman Toal: Very quickly, I mentioned it briefly at the last meeting, I am asking, and I am going to do a formal letter with Madam Clerk to have traffic (Traffic Committee) have another look at Mildred Terrace and Madison Hill Road. School has returned into session and the neighbors over there, two of the loveliest people, who will not let me go because I was doing my physical exercise and she got me and called me everything in the book. I have done nothing. But she is a sweetheart and we are going to make sure that we send it to traffic (Traffic Committee) and have them take another look at it and see what upgrades or improvements we can to improve the safety of Mildred and Madison Hill Road and the children of Clark. I am asking for the Traffic Committee to take another look at is at their next session in September or October.

Mr. Laezza: We haven't scheduled one.

Council President Albanese: As needed.

Councilman Toal: I'm just going to ask respectfully to send it on to traffic and have them look at it so I can show her a letter that we did bring it to them.

Council President Albanese: I have a few announcements. I know that everyone was invited to the LOUC Reception. I don't know if everyone is going, usually, occasionally, some of the Councilmen go. That is on Thursday, September 14th, that is at the Linden Library. The guest speaker will be Joanne Rajoppi, I guess she will having her book on Northern Women in the Aftermath of the Civil War. On September 29th, I had mentioned several months ago, that we were putting together an archiving so that it would be on a common website, the Clark Eagle

Newspapers, the ALJ Yearbooks, all of the historical images, books, etc., there is going to be a reception, with refreshments, at the Library on Friday, September 29th at 7pm, so if you can make it to that and meet some of the citizen and hear about what is happening with that website, that would be great.

Councilman Smith: 7 o'clock on that Friday night?

Council President Albanese: That's on Friday night, September 29th, Clark Historical Achieves, so pretty exciting stuff with that. Clark will be known worldwide, we will have all of our historical pictures on a site that is accessible throughout the world.

I just want to mention some other things that are happening in September regarding the Vendor Day on Saturday, on September 16th from 9am to 4pm, Vendor and Craft Show at the Dr. William Robinson Museum. I would like to plan something before the Council Meeting on September 18th, I am going to talk to the Chief. We went for a tour last year, maybe there is something that he wants to show us, I don't know if it will be a half hour, maybe something like 6:30pm to 7pm, we can get together and do a walk through, we will see what he says. I want to do something similar at the Clark Library on October 16, meet the Director, she will also be there on September 29th, but also just to go over what the capital needs are, what the set-up is, what the mission is, what the long-range plans are, feedback from the community. I think that I mentioned that we have over 10,000 Library card holders in Clark. So, it is pretty significant, I think to get that kind of a turn out, I think it was 10,400 plus. Also, the Friends of the Library, again, if you want to meet citizens from the community they are going to have a Halloween carnival. Again, if you are in the area and you want to breeze through. I will leave some of these (fliers) at the Tax Office or the Clerk's Office, just some brochures on that. I also saw that we had this letter from Shop Rite about the bagging, we used to do it at the same time, but this says just donate an hour. Is anyone going to that?

Councilman Hund: I think I am planning on doing that.

Council President Albanese: In the past we did it at the same time.

Councilman Barr: They put you are different aisles.

Council President Albanese: So, if you have time there are a lot of different events going on during October.

Mr. Laezza: No comments.

Township Clerk: In the beginning of the September 18th Meeting, the Mayor is going to present a proclamation to the Susan G. Komen, "For the Cure North Jersey" and has agreed to photo of the pink ribbons being tied around the Clark poles.

Council President Albanese: We should wear pink that night, pink ties or whatever, pink shirt.

Township Clerk: The only other thing is every year the county does a Columbus Day Parade, so they've ask that I just announce it at the meeting.

Howard Lesnik: No comment.

Council President asked for a motion to adjourn
A motion to adjourn was made by Council Toal, seconded by Councilman Barr.

ROLL CALL: All Ayes
Aye: Barr, Hund, Mazzarella, O'Connor, Smith, Toal, Albanese

ADJOURNMENT

**COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
October 2, 2017
7:30 pm**

ROLL CALL:

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

Also, Present: Sal Bonaccorso, Mayor; Joseph Triarsi, 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 and the proper filing of said notice.

Mayor's Proclamation – October Italian Heritage Month

Township Clerk: Read Proclamation

Mayor Bonaccorso: Thank you. We have our UNICO Feast coming up, we have attacks on Christopher Columbus now a days, and a lot of towns are giving a proclamation for the UNICO people for their spirit of Italian American heritage and what they do for our nationality. I am very proud to present this tonight to Joe and Ralph. Ralph (Bernardo) was past president, and Joe is now the president. These guys are great Italian Americans, great citizens of Clark, great members of UNICO and great friends of mine and ours. We thank you guys.

PROPOSED ORDINANCES:

1. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 279 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED "SEWERS"

Discussion:

Mr. Triarsi: The Ordinance just creates certain definitions and establishes a fee schedule.

Mayor Bonaccorso: This is basically for any new house that is being raised to have to put a new lateral in. Our infrastructure is getting old, we are going to start repairing it and the people are going to have to, when they build that new house, put in a brand-new lateral. Remove the old home and going from there in. Obviously, if it is a brand-new development it will all be new anyhow, and this Ordinance is making them do that. It is important for our inflow and infiltration.

Council President Albanese: Absolutely.

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

2. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 195, ARTICLE XXVI OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “WIRELESS TELECOMMUNICATION FACILITIES”

Discussion:

Mayor Bonaccorso: This is for cell towers, well not cell towers, it is for companies that want to use our right-a-ways and the telephone poles. PSE&G is the only company that has the right to propose in the right-a-way by law. Comcast, phone, whomever, they have got to through PSE&G. If any off-shot companies want to come into town and use those poles or put up a pole in that area they have to come before myself, O’Connor and John to lay it out, show us what they want and move on from there. So, it prevents that from happening and having these poleis popping up all over the right-a-ways.

Council President Albanese: Who prompted that?

Mayor Bonaccorso: Inquiries, people want to do it, so we had to have some kind of something written on it.

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

RESOLUTIONS:

3. Award E-Ticket System – Proposals will be opened October 4th

Discussion:

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

Councilman O'Connor: We support the police, so absolutely.

4. Award 2017 Capital Roadway Projects; Locust Grove Drive (base bid) West Lane (alternate #1) Bartell Place (alternate #2) & Ginesi Drive/Anthony Circle (alternate #3) - Bids will be opened October 11th

Discussion:

Mayor Bonaccorso: If they could be done this year, they will be done, if not they will be done first thing in the spring. Hopefully we can get them done this year.

Councilman Hund: West Lane is the extension that they didn't finish?

Mayor Bonaccorso: I believe so, yes.

Councilman Smith: I have a question for you Mr. Mayor. I did read it and I see that it says "base bid", and then there is "alternate one" so that depend on the amount of the bid coming in to see what money is left over?

Mayor Bonaccorso: Yes. I mean we have money left over, we are not asking for any new money, we have it left over in the capital account. But that will be in the order, and hopefully we have the money to do all of them, but you never know.

Councilman Smith: And then shortly we will be looking at the 2018 ones, right?

Mayor Bonaccorso: 2018, right.

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

Mover: Mazzarella Second: Barr

5. Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2018 NJDOT Lake Avenue Roadway Improvement Project

Discussion:

Mayor Bonaccorso: That will be for next year obviously.

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

Mover: Mazzarella Second: Smith

6. Authorizing the Mayor or Business Administrator to execute the Municipal Approval Statement for the replacement of a NJ Transit Bus Shelter on Oak Ridge Road

Discussion:

Council President Albanese: So, we get to pick from the options.

Councilman Smith: They picked it out, it's nice.

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

Mover: Hund Second: Mazzarella

7. Appointing Carmen Brocato as the Alternate II Member of the Board of Adjustment to fill the unexpired term of Christopher Tierney until December 31, 2017

Discussion:

Township Clerk: You have the option to reappoint him. The way the alternates work, you are not supposed to appoint both in the same year. So, in order to keep it alternating years he only has the appointment from now until December, then it is you option if you want to reappoint him.

Council President Albanese: Similar to what we do with all of the other Boards, we like to have it terminating at the end of the year, fulfilling an unexpired term.

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

CONSENT AGENDA RESOLUTIONS:

8. Authorizing the Chief Financial Officer to refund overpayment of Sewer Fees in the amount of \$250.00

Discussion: None

9. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$28,244.10 and additional charges in the amount of \$140.00

Discussion: None

10. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$874.33

Discussion: None

11. Authorizing the Clark Special Events Committee and the Department of Recreation to conduct a Community Bonfire

Discussion: None

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

Township Clerk: I just have the one that I sent you earlier regarding the Visiting Nurse Contract. That would not be on Consent, that would be as a separate Resolution, so the numbers will change slightly. And just so you know on that one, the price increased significantly but Nancy said to me today that they added services and the BA said that we will offset with our health budget.

Council President Albanese asked for a mover and second
Mover: Smith Second: Hund

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Seeing no one Council President Albanese asked for a motion to close the public portion of the meeting.

Motion: Smith Second: Toal

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Tomorrow Chief Matos is going to be hosting (inaudible). I also got a call from the Chief when he was up on his fishing trip this weekend but he recommended through a State Program, I will let him fill in the details on that. One of our police officers a UCERT member can go to Puerto Rico to help them out.

I sent a letter to the Board of Education, I got a text back tonight, we are going to be funding a turf field, and repainting the track. The Board will be picking up 50% of the cost and we will be picking up 50% of the cost. It is at its life for 10 years, they just put an \$8,000.00 repair into the center where the Crusader emblem was, it was all torn up. And so, I told the Board that it is 50% their responsibility and 50% our responsibility, we will borrow the money and they will pay us back \$75,000.00 a year over a 5-year period.

Councilman O'Connor: So, Sal one of the things that I have noticed other towns do from back in the day is the walkway across the track then normally put to cover the tracks so it doesn't eat up the paint.

Mayor Bonaccorso: Well, we started out doing that.

Councilman O'Connor: I know.

Mayor Bonaccorso: So, the people got lazy and didn't do it over there.

Councilman O'Connor: Right.

Mayor Bonaccorso: We told them to do that, but you know what guys, the whole track is faded.

Councilman O'Connor: Yes, the whole track is faded.

Mayor Bonaccorso: I actually had a call to Gus today and I said to him, "Look, my recommendation is to do a black track with white lines" and he said, I agree with you." If they want blue for esthetics then they better be prepared to paint it five years from now. So, I think that will be the way to go, just do a black track with the white lines and that will be fine.

Council President Albanese: Blue is the brightest color to obtain.

Mayor Bonaccorso: The turf field will get ripped up, they might have to do some work underneath it, who knows, and then they will put another one in.

I cut the ribbon yesterday morning at Bartell Park, it came out beautiful, it came out great, the soccer league is elated, they were thankful for all of you. So that worked out very good.

Councilman Mazzarella: Remember when way back when they put the turf field in (Mayor Bonaccorso: Sure) the tracks were a substandard, they were a little narrow.

Mayor Bonaccorso: They were five lanes versed six.

Councilman Mazzarella: Right, now that's the reason why we couldn't do regional or something like that.

Mayor Bonaccorso: Right.

Councilman Mazzarella: Now are they going to change that or anything?

Mayor Bonaccorso: No, and I am going to tell you why Frank. Funny you say it because I have no idea what a track meet looked like until my daughter started throwing javelin a couple of years. They actually look like a State Fair when you have them. Our facility is not big enough for it forget the track, that is why at the time, we were going to add a lane and Gus came to me and said, "Don't do it, we cannot host this kind of an event". I went up to Governor Livingston last year when Kelly was throwing in the Mountain Valley Championship, it was packed. You go to the States, they got tents, you would think that you are at a State Fair, I swear to God, I have never seen anything like it. So, there was one woman at the time, a former Board Member, she was a little mad at me because she lost her seat on the Board and this and that, and she made a big deal out of it. But I had Tom Lewis talk with the County track guy, which is Joe Picaro at the time, and he was like "Clark does not need it" Gus came back and told me that Clark didn't need it, and the minute we put that track in Johnson won like two championships in a row for having a nice facility to practice on.

Councilman O'Connor: If you recall Gus actually came to a meeting and asked us not to approve the extra lanes.

Mayor Bonaccorso: Yes right. You know, they don't have the room Pat, not for the parking, the buses, for the people and all of that.

Councilman Smith: What do you estimate about \$750,000.00?

Mayor Bonaccorso: Yeah, around \$700,000.00.

Councilman O'Connor: Again, the leg work was done, I mean all of the hard work was preparing it to be a turf field and now it already is so it is substantially cheaper than it was back then.

Mayor Bonaccorso: If I haven't been told two hundred time, I have been told once, it was probably the best thing that we ever did because so many people got so much use out of it. And now this year I went over to the field to take a look at it and right by the emblem, on the field, it was torn up badly, like a safety hazard. And they had to spend about \$800.00 to cut that out and put new turf in. The idea is not to do repairs, you know? We might as well go back to grass then. It had a lot of use out of it. Governor Livingston put theirs in in about 2006 I was hoping to get another three or four years out of it, and they just replaced it this year. We put ours in in 07', we are replacing it next year. We will be bringing you that Ordinance next month, I guess, or maybe later this month. The idea is guys is that I saw something at Bartell that I didn't like, there was like a delay, and I went into John and I said, "What is going on with this?" Because I remember that we did that whole project within a month, I was there five times a day but we did it within a month. And he said to me that field turf was behind the manufacturing turf. So, what I want to do is get the money in place, get a contractor and then sit down and say, "Okay, here is the start date, you make sure that you have everything ready and you go in and do it". I also want to find out how long is it going to take? If they say it will take two weeks to do the field, we have everything in place I will ask if they can do it March 1st this way the spring sports can do it, lacrosse and all of that stuff. If they say no, then we are going for the Monday after graduation. And I want to know how many weeks and I want to get it done so that the fall sports can start on it. Painting the track, even if you couldn't paint the track in March because it is too cold, you can do it in April, it is like a one day, a two day...they cover the bleachers and they just paint it, so it is not a big deal.

Councilman O'Connor: Two things, one is they are going to continue to have the Clark Crusaders (emblem) in the center?

Mayor Bonaccorso: I wasn't all for it because I thought that maybe that was contributing factor to it (Councilman O'Connor: okay) but I would say yes.

I talked to Gus today, he kind of likes the idea of that. I said, "what about a big "C" with Crusaders written under it? He said that he didn't care, he is thankful for us for doing this for him again. But I said, "let me talk to the manufacturer and see what they think?"

Councilman O'Connor: And the stripping will still be the same?

Mayor Bonaccorso: Everything is going back exactly the same. The only difference this time is I am making the field dark green. I did the Rutgers last time, dark panel, with white panel. I don't like the way the white held up. So, I'm going with like a sod colored field.

Councilman Hund: Will we limit the usage of the field?

Mayor Bonaccorso: No, the more the better.

Councilman Hund: Well in regards to a point though from where people from out of town come in there.

Mayor Bonaccorso: They shouldn't, it is private property.

Councilman Hund: A group of men come in and play soccer every Sunday morning.

Mayor Bonaccorso: At Johnson?

Councilman Hund: Yes.

Mayor Bonaccorso: They shouldn't be on there unless they have permission from the school. When we put the field in, I asked the guy from Field Turf, and he said that the more you use it the better it plays. Believe it or not, that is what he said to me. I think that we are getting the new, modern, updated turf and like everything else, you perfect it, you perfect it, you perfect it. It is safer, it is better, and you get a ton of use out of it. That thing has been used around the clock.

Councilman Barr: No comment.

Councilman Hund: No comment.

Councilman Mazzearella: Two quick things. I just want to advise Council and the Mayor, I am sure that he was around when this had happened with Clark and the Sewerage Authority. Do you remember way, way back in the day when they put a moratorium on building here and all of that? (Mayor Bonaccorso: yes) and we had to go out and we had to purchase flow rights and all of that rigmarole, well, we required Springfield to come before us because they are having real big issues. And we went through Bruce Bergin and got all of the players together and they came before us and we may just do that, place a moratorium on their building because any new building that would happen in Springfield, it is very minimal, but anything that happens they would have to put a stay on it. Now, they said that they were going to do this whole rehabilitation thing in the community. They came and the engineer was there and I said to him what your doing is just bandaging it, you are not really taking a constructive "I" and "I" remediation program throughout your whole community. You are just looking at areas and then if there's a broken pipe or something like that you are going to fix it, you have to have a defined program to come before us. But as it stands right now, they are going to come before us supposedly with a mission and a program and all of that. And if it's not to our liking, we are going to place a moratorium on them (Mayor Bonaccorso: alright) until they purchase flow rights, they don't want to purchase flow rights. Because Garwood if they sell it to them, you know, it is going to go through the roof.

Mayor Bonaccorso: Prior to me being on council we sold flow rights, we picked up the interest on the money, the attorney fees and all of their ancillary cost. I put the legislation in to say no. When you buy flow rights, you are picking up attorney fees, interest on that bond and everything else. Because why the heck would the people of Clark be funding some builders project? It is not a McDonalds where you drive up and say, "give me 30,000 gallons today and they give it to you at

a takeout window. So, you have to buy this when you were lower and there was interest on a bond, there was ancillary cost, attorney fees, things like that. I made sure it was paid for by the builders.

Councilman Mazzarella: I presented that to them at the meeting that we had, that when you do have any building, if you don't want to purchase the flow rights, put it on the builders and all of that.

Mayor Bonaccorso: I mean, you sell it to the builder. I don't know what the problem is?

Councilman Mazzarella: Well, they don't want to do anything, they really don't. It is unbelievable how much they are over on their allocation and all that. So, I just wanted to let the Council know that we may be going into litigation because they may file suit against the Sewerage Authority.

The second thing is RVSA is looking for a new CFO. We went through the AEA down in Trenton and all of that. We are having difficulty getting candidates. So, if anybody knows anybody that is competent enough that could be a CFO at the Sewerage Authority, let me know. I will get you the information on what it entails, what their price range is, what they are looking to pay and if someone is interested then just give me a resume and I will pass it on to the Sewerage Authority and take it from there, we're interviewing candidates. That's all I have this evening.

Councilman O'Connor: Thank you very much I understand that there is going to be a Duck Donuts coming to Clark, everyone is going crazy about it.

Mayor Bonaccorso: That is what I am hearing.

Councilman Smith: The UNICO Feast is Thursday, Friday, Saturday and Sunday, if you are around, please come by. Sunday at noon, is the Columbus Day speeches that Henry Varriano put together with the schools. So, if you are around it is business casual, and hopefully y the weather will cooperate. If you want to volunteer, just reach out to Ralph, because he is handling that.

Councilman O'Connor: Just remember on that Friday night there is a Johnson football game, so the parking is going to be atrocious.

Mayor Bonaccorso: It is the UNICO Bowl, so they are hoping everyone comes over.

Councilman Toal: As you can see on Madison Hill Road, the long-awaited bridge project is coming to an end. Two and a half years and they are finishing up the second part towards the dam itself, so hopefully it will be done sooner or later.

Mayor Bonaccorso: It's unbelievable.

Councilman Toal: It has been two and a half years folks.

Mayor Bonaccorso: I know, it's unbelievable.

Councilman Toal: Councilman Al Barr brings up every month about the actions and activities of the Clark Volunteer Fire Department, as you know last Thursday, the Fire Department was called out to a 4th Ward house, that the garage caught on fire and could have endangered a very serious fire of three or four other homes. Everything is kind of tight over there, if you have ever been along Madison Hill Road. And I did talk to the residents that Sunday, not the day of the fire because I was out of town. Al, nothing but good news from the residents, they were very appreciative of everything that you and the men did, and for being out there and preventing what could have escalated to something a lot worse because the houses are very tight over there.

Mayor Bonaccorso: I was there, our Fire Department did a great job.

Councilman Smith: The library, the historical thing (Council President Albanese: how did it go?) I thought it was excellent. I think that the website is going to be awesome. Have they spoken to you?

Councilman Toal: They will.

Councilman Smith: They are doing a great job with the website and it is going live this week one day. I am not originally from Clark but they had the yearbook on it and they had the picture with Geraldine holding Kelly actually in one of your inaugurations. They put all of the Patriots (newspapers), all of the newspaper articles in it. I have a question for you (Clerk) did she reach out to you for all of the minutes from 1940's, 50's, 60', that are in the basement? Do you have them electronically?

Township Clerk: No, we could scan them.

Councilman Smith: Otherwise they are getting mildewed and deteriorated, so a decision has to be made on what we do with them.

Mayor Bonaccorso: Edie, do we have all of them?

Council President Albanese: It is required by law.

Township Clerk: I have the 1940's I think.

Mayor Bonaccorso: In your office?

Township Clerk: Yes. So, whatever would be missing would be when they moved from across the street to this building, I was told everything was dumped in boxes, so if anything was missing it was lost in the move.

Council President Albanese: I guess the question is what do we want to put on the website? So, she is saying she can't scan it?

Councilman Smith: Anything can be scanned, it is just a question of who is going to do it. Is it done through the Robinson Museum, it will get done for free or something. But if an organization

wants to do it they have to pay for it, it is not very expensive, it is time consuming. She was thinking of maybe reaching out to some of the universities, someone who is studying to be a librarian could maybe do an internship, and they can sit there and scan it. There is a lot of stuff that is over there.

Township Clerk: Does it have to be a special scan because we have a scanner?

Councilman Smith: It has to be a scan so it can be electronically....

Council President Albanese: Let me talk to her, I will follow up on that one. But I'll also tell her that they don't need to retain...

In October, before the October 16th meeting, at 6:15pm, for 45 minutes, a behind the scene tour of the library. If you have certain things that you want her address, I will tell her before we get there, otherwise we will just do a physical tour of the library. I will send a reminder, either Edie or I will send it out. And then the same thing in November, November 20th is our meeting, we will have a little behind the scenes with the police department, I had talked to the Chief about that. I thought it would be better just before our meeting, so 6:15pm, on November 20th, I will send a reminder out for that, I will get that out to you.

Chief Matos: Our Office of Emergency Management received a request for FEMA, to provide a law enforcement system to Puerto Rico. So, through the Emergency Management System contact, New Jersey will be providing two hundred officers for three waves for 14 days each to Puerto Rico to provide law enforcement services. These waves will consist of 100 Troopers and 100 Municipal Officers, Union County has committed to providing 10 officers for each one of these waves, 14 days each. These officers will be members of the Union County Emergency Response Team and the SWAT Team. In Clark, we currently have two officers, one who is a member of the SWAT Team, one who is a member of the Union County Response Team. So, I have authorized these officers to deploy. One of them will be deploying this week, either, tomorrow, Wednesday or Thursday. The second officer will deploy either with the second wave or the third wave. I am told that FEMA will reimburse the town for the officer's salary while he is deployed, any overtime he incurs while he is there and all of his fringe benefits, including medical cost, will be reimbursed to the town. Of course, that reimbursement will, I doubt will happen in 2017, it will most likely happen in 2018, but we will be reimbursed.

Mayor Bonaccorso: If we are lucky.

Chief Matos: During Hurricane Katrina, New Jersey Officers deployed to Louisiana, this was part of an assistance that we provide to other states, and even to the local municipalities when we had Hurricane Sandy here, hundreds, if not thousands of police officers from all over the country responded to our area to assist us. I know that you probably don't see this but when we need assistance from the neighboring towns, they help us and when they need us we respond to their town to assist, so this is just part of the cooperation that we have. This is a bigger picture where it is a US Territory that needs out assistance.

Mayor Bonaccorso: We are glad to assist our President at any time, at any time.

Chief Matos: The second thing that the Mayor touched on is tomorrow...we received a request for the Taiwanese Law Enforcement Officers International Training Program, if we would provide an inside look at two of their visiting criminal investigators. They will be here tomorrow, they will be joining out patrol officers to see the behind the scenes look at what a typical New Jersey Police Department on how it operates. So, they will be spending the day with us. I was told that they speak English so we will be easier to communicate with them. It is my pleasure to host these two individuals, we can learn from them and hopefully they can learn from us.

Council President Albanese: How did they select Clark?

Chief Matos: Captain Concina was a member of the Asian Officers Association.

Council President Albanese: Good, that's great.

Chief Matos: The third thing that I wanted to mention was last Monday on the 26th, at night I was made aware to a Facebook post that had been posted on the Clark Neighbors page and this person who posted this post was speaking about a car stop that her husband was involved in. He was stopped by a Clark Township Police Officer, that person made some serious allegations about the officers conduct during the car stop. Of course, on Tuesday morning we looked into the matter, we have in car cameras and body cameras and I could not believe what I was watching because everything that this person posted was not on the video tape. The only way I could describe the interaction it was about as typical as you can imagine a car stop went, it was uneventful, that is the best way that I can describe it. I reached out to that person, I asked that person to at least post a retraction, I have not heard back, so a little while ago I did post on our Facebook page to the public, since this was done on a public forum, that we had looked into the matter and that we found nothing, that this officer had done nothing wrong.

Councilman Barr: Those cameras are paying off.

Mayor Bonaccorso: It is saving the police department a lot of problems in IA's (Internal Affairs) because everybody that gets a ticket, has a problem.

Councilman O'Connor: You guys did a nice job with the investigation of the suspected child abduction.

Chief Matos: The Facebook post directly lead to that person. Actually, a family member came forward, on behalf of the family member, and we went to go speak to them and we determined really quick that there was kind of a miscommunication. The person had seen the child, the child appeared to be in trouble because of something that she was doing, they asked the child if they were okay? Did they need a ride home or anything?

Councilman O'Connor: It is a shame that society has become that. There are times that I am driving and I see a kid and listen, I walked everywhere, my parents didn't drive me anywhere.... walking in the rain, you see kids walking and you want to stop and give them a ride but you just can't.

Chief Matos: We went back, and after we spoke with the individual, and we went back and spoke to the child again, and confirmed what the person had told us.

Councilman O'Connor: It's a shame, you want to be helpful and you just can't.

Mayor Bonaccorso: You know, I don't want to give the Chief all of the credit but there's a lot of it, I'm being honest with you Chief, because back in 2001, when I was Mayor, we were hit with a rash of burglaries, and I said to the Chief then, "why don't we go on TV36, we didn't have Facebook then, and tell the people to be on the lookout, we need your help". Look, we can't have a cop on every street, we have been through that. At the time it was, "no, no, no, no", because I believe that they were embarrassed, like it was their fault, which it wasn't. And now I don't know if it's just that he is just better, or smarter, or just a matter of time through social media, but if you noticed we had a car break in, and (snap) he posts it, "we need your help", "keep your eyes open", "call us", "call us", "call us", and I give the Chief credit, I wasn't trying to be funny this time in saying that he is using a tool to help, he is not saying, "Everything is good in Clark, there is not a problem". If there is a problem we need people to look. We did that, somebody called on King Street, the cop went there and boom, locked it up. Where was the other one? On Valley Road or something?

Chief Matos: Just beyond Valley Road, just recently.

Mayor Bonaccorso: Just recently on Valley Road we got him in the car.

Councilman Hund: Was that a car-break in?

Chief Matos: Yes.

Mayor Bonaccorso: Like I said, I give the Chief all of the credit. I don't know if he is a child, man, grown-up in the social media world, like we all are, you know I am not being funny, I am being honest, or, it is just a good mindset to say, "hey, we need more eyes out there". More eyes help us and I am going to use social media. So, whatever the combination is, I am glad he does it. I tell him that all of the time.

Council President Albanese: So, get off the computer and look out the window.

Mayor Bonaccorso: Yeah, but do you know what Angel, there are a lot of people who kind of fell like, "oh, gee, I don't want to bother the police". Every Chief that we have had said to please call and that you are not bothering us. But when you are looking out your window and you see something you might think, "I read that on Facebook yesterday, I better call", you may have just helped them do something great. So, it is a good practice he's doing and it is working to his advantage, so I give him all of the credit.

Council President Albanese: I know there was one woman who came up to me and said that the change was stolen out of her car, she said it was her own fault she left the door open. Again, she knows and they are aware of what we have told them, and what you have told them, the message is at least lock the door.

Mayor Bonaccorso: Right.

Township Clerk: No report.

Mr. Triarsi: Tomorrow morning at 10 o'clock, I am going to appear before Judge Cassidy on the COAH problem, and I expect we will have an order of final repose into tomorrow after all arguments are made. That should conclude COAH, at least for the foreseeable future.

Council President Albanese: Excellent.

Councilman O'Connor: Thank you.

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

ROLL CALL: All Ayes
Aye: Barr, Hund, Mazzarella, O'Connor, Smith, Toal, Albanese

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
November 6, 2017
7:30 pm

ROLL CALL:

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

Also, Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Joseph Triarsi, Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

The regular order of business will be suspended on November 20th for a Mayoral Proclamation for World Pancreatic Cancer Day

Where Angels Play – Playground

Council President Albanese: We are going to honor, as we have in the past, the Mayor will present the Proclamation for the World Pancreatic Cancer Day. If you want to wear purple that day, it would be nice.

PROPOSED ORDINANCES:

- 1. CAPITAL ORDINANCE OF THE TOWNSHIP OF CLARK, IN THE COUNTY OF UNION, NEW JERSEY TO VARIOUS MUNICIPAL OFFICES, AND APPROPRIATING THE SUM OF \$35,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS**

Mr. Laezza: Basically, the finance office is trying to reconfigure so we will be putting them in compact booths. They will have certain privacy, per certain abilities to better move around more efficiently making it a more efficient operation. Which means the painting of walls, putting down walls, and making those kind of alterations, plus bring in new furniture. The secretaries in both the Mayor's office and my office will be getting new desks, to accommodate this, the court offices are in total disarray, we will be reconfiguring those offices. And we got a new chair for the Clerk.

Mayor Bonaccorso: This is surplus, this isn't new money.

Mr. Laezza: This is money that we set aside.

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

2. AN ORDINANCE TO SUPPLEMENT AND AMEND CHAPTER 306 OF THE CODE OF THE TOWNSHIP OF CLARK ENTITLED “STORMWATER MANAGEMENT” TO PROVIDE FOR PERIODIC INSPECTIONS AND REPORTING FOR PRIVATELY OWNED STORMWATER MANAGEMENT FACILITIES.

Mr. Laezza: This is to accommodate the Department of Environmental Protection Bureaucracy. They believe that all storm water systems should be periodically inspected and reported. They are all privately owned storm water systems, basin systems. Although it reads as if it was on every home, it is only on major developments over one acres of disturbed soil.

Councilman O'Connor: Okay.

Mr. Laezza: So that it is not just for every home.

Councilman O'Connor: So, if someone has a dry well in his backyard, he's fine.

Mr. Laezza: Right. So basically, it is a kind of convoluted Ordinance, it is a money maker for the engineer, it is a bureaucratic decision for DEP, that don't want to do the job but they want the information for the environment and it is a headache for the Clerk.

Mr. Triarsi: Why? The state mandated the adoption of the ordinance?

Mr. Laezza: No not state mandates.

Mr. Triarsi: Recommended?

Mr. Laezza: Recommended.

Mr. Triarsi: So, you won't have to adopt it?

Mr. Laezza: Yes, you do.

Mr. Triarsi: If it is recommended, there is a difference.

Mr. Laezza: Well, somebody has to do the inspections.

Mr. Triarsi: That's different.

Mr. Laezza: So, we have to pay the engineer.

Mr. Triarsi: Ok well then let it be clear.

Council President Albanese asked for a mover and second on this Proposed Ordinance
Mover: O'Connor Second: Hund

RESOLUTIONS:

- 3. Authorizing the submission of an application for funding for the Year 44 Community Development Block Grant Program (Public Hearing November 20th)**

Mr. Laezza: This is another one of my pet peeves. We were asking \$55,000 and \$40,000 every year for the last 17 years, and we have gotten \$13,000 and \$20,000 (Councilman Toal: I say \$10,000) Sometimes \$10,000. The priorities are never what you need but where you live. So, although everybody is against the President's budget on the moving of this program, I think that it would be beneficial for everybody. I recommend that you pass this so we get our pensions.

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

4. Authorizing submission of a strategic plan for the Clark Municipal Alliance Grant for fiscal year July 1, 2018 – June 30, 2019

Discussion: None

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

Council President Albanese asked for a mover and second on this Consent Agenda
Mover: O'Connor Second: Hund

CONSENT AGENDA RESOLUTIONS:

5. Approving the Council Meeting Calendar for 2018

6. Approving the 2018 Holiday Schedule

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

Township Clerk: I also have one more Resolution to add to this meeting. Chief Cerasa gave us paperwork for a fireman, all his paperwork checks out and he is physically fit, he has a clean background, he has an okay driving record.

Councilman Toal: Is he a Clark resident?

Township Clerk: He is a Linden resident.

Council President Albanese: He probably wants to move here.

Mayor Bonaccorso: We have to take people now that are out of the township limits.

Council President Albanese: It is very encouraging to get new people.

Township Clerk: It will be a separate resolution.

Council President Albanese asked for a mover and seconded on new Resolution added to the meeting
Mover: O'Connor Second: Hund

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President Albanese opens the meeting to the public

Delia Collins, 72 Georgia Street: I just have a question, on the Clark Municipal Alliance Grant, what is that?

Mr. Laezza: That is the DARE Program, it is our program for educating people on drug abuse, drunk, alcohol, it is seminars which parents, teachers and children are brought up to date.

Delia Collins: Okay thank you.

Council President Albanese asked for a motion to close the public portion of the meeting.
Motion: Toal Second: Hund

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Thank you Madam President: This is very interesting, very interesting. Keith Dunn, our former Detective and former State PBA President called me and said that Bill Lavin, who is an Elizabeth Firefighter, former President of the FNBA, now since retired is into a new venture of raising money for playgrounds "Where Angels Play". This is very, very heartwarming, this started out in Sandy Hook, New York when they had their traumas up there and he has raised money for 49 deceased children and dedicated the names of playgrounds to those children. And he wants to do one in Clark for Catie Nelson. And people from the Port Authority had contacted him and knew about Jimmy and what happened to Catie last year. So, he came to a meeting with me in my office and he talked about basically how he was sick of leading a Union and fighting with Christie all the time to now going out and raising money in a deceased child's name. And I thought that it was a really an awesome thing. He wrote a book, it's on its way to a best seller, you can get it at Barnes and Noble, "Where Angel's Play", and he wanted to work with us. He might be able to come to the November meeting to present it to the town. He said to me, "What do you think where do you have a spot?" And I kind of thought about Veteran's Memorial Park, "The old Pit down there", as an area, because you need like three thousand square foot would be perfect. So, I brought him down there and showed it to him and we talked, and he contacted me last week saying that because they go to the Nelson family and they evolve them in the process of finding a location, picking the color schemes, the equipment that's in there, and this and that. And now they are heavily talking about right outside our window, Funtime Junction. Game Time has looked at that equipment and it is in its last legs of its life expectancy. It needs work out there, pour rubber flooring, new safety items have come in and etc. and so on. This gets a ton of use out here, so it would be a great place that they can have already, that is almost already there, and could raise money for brand new equipment in there, maybe even a couple of pieces for disabled children also, which would be very nice. So, they kind of seen that this is the area that they are honing in on and I will have more information as we move forward. But, it takes about a year to get the process of raising money and then if they start it now, there is a shot that they would have it by the Fall, if not the following Spring. And this will be the 50th or 51st playground in a deceased child's name.

Mayor Bonaccorso: About \$100,000.00, he is thinking.

Councilman Mazzearella: It is generally corporation money?

Mayor Bonaccorso: No, it is everybody money.

Councilman Mazzearella: Everybody money.

Mr. Laezza: It's \$100,000 to basically redo this park, we think that it will be \$300,000 in total, because basically the rubber floor mats are poured and that would be about \$100,000 just by itself without the equipment.

Mayor Bonaccorso: So that is something that we as a town may pick up and see how far they go with the equipment.

Mr. Laezza: We believe that in the time period the County has a Disability Grant but it's not a match we can go for a grant. But if it's a match we can match it with their money, so we think we can accommodate this entire program between our grants and their money there's match.

Council President Albanese: It's really not that much money to raise for something like that.

Mayor Bonaccorso: Well Angel like I told Bill, my job is that we go now and raise the money with him to Shop Rite, L'Oréal and people like that and etc., and so on. And then of course they want to get the regular average ordinary citizen involved in donations. So, it's something that's very, very nice and I think it's a great thing and you know Roseann Nelson has had two horrific deaths in her family, so I think it would be a nice tribute to a very nice young lady and a very good family who suffered through a lot. So that's on that.

The Chief and I met last week with the Boy Scouts and we had a fun night with the 5th graders talking about government and our rolls in the township government and that was really, really great. Saturday 11/11 at 11:00 is Veteran's Day, I expect to see everyone there bright and early and ready to go, our Veteran's need our support. I would like to wish two birthdays', to Councilman Barr who's not here and last Thursday was Mr. Triarsi birthday. Other than that leaf cleanup is in progress. And guys the other thing is this is stressing me out of my mind, it's the worst part of this job and it's so simple and stupid. You know you have up on the thing your last branch cleanup, you tell everybody in the community, blah, blah, blah, and then they turn around and they throw branches out and they get all mad when we don't pick it up. Mr. Triarsi, what would Westfield tell you.

Mr. Triarsi: Westfield doesn't pick up branches (Mayor Bonaccorso: okay) they go around and pick everything else up and leave the branches.

Mayor Bonaccorso: And your tax bill is well a heck higher than anybody mostly in this town here. Cranford would tell you what to do with them (Mr. Laezza: right) but in Clark we are the nice people. Now we get a 40 mile an hour wind last weekend and some branches came down, so Scott said "what should I do" and I said to go pick up the branches. We always had that provision that if there's a storm and branches come down, we have to pick them up. So, the people who got the letter saying too bad are now calling and saying what about us, well they got a break because the wind storm came because if not they would have to find a place on their property to be picked up

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in the spring. But we have a wonderful constituency who just cannot follow the rules, okay. Now we're going to see because now we are out picking up the leaves and we'll see the branches into the leaf piles, they get left on their lawns.

Councilman O'Connor: So, they'll get out of their trucks and throw them on the lawns and then pick the leaves up.

Mayor Bonaccorso: Yes, because what happens Pat if we dump them in the yard and we pick them up and throw them up into the truck, and they'll turn the truck around at the dump site if they a branch in there. So that you know we have to go from there, so I don't know, I don't know, it's always a headache here with branches every year. I guess from March 17th to September 30th is just not enough time for people to get their branches out. So that's basically it, so we have Veteran's Day, we have Where Angels Play, we have the Pancreatic Cancer coming up this month we'll do that. And we'll go from that and we'll be into the home stretch of the new year.

Councilman Hund: I just want to wish the members who are running for the Clark Board of Education good luck tomorrow night and we'll see who comes out of that victorious.

Councilman Mazarella: I just wanted to say that that's a great idea Sal about the Where Angels Play and being at Funtime Junction, that's really great.

Councilman O'Connor: I don't want to take from Councilman Toal's thunder for when we have the live meeting but there's was a fixture that passed away in town, Lenny Roth, he use to ride his bicycle around all the time and I just found out through a post from the fire department that he passed away.

Councilman Smith: A week a half ago I guess I went to the Freehold meeting and picked up the recreation grant. I gave the big check to Ralph. So, we were one of 21 municipalities, we got 25,000 and we were the lowest and I think the highest was about 75,000. But they were very cordial, very nice and very thankful. I got up there and spoke for a few minutes and spoke to them before and they love Clark, we love them, and we'll keep things happy. So that's all I have to say.

Councilman O'Connor: I forgot one thing, congratulations are in order for Bill's daughter for becoming the Homecoming Queen.

Councilman Smith: Thank you everyone.

Councilman Toal: When Pat brought up Lenny. Lenny was a legend in town and I'll say some things at the public meeting. I'm going to reach out to his brother Michael who lives in Springfield, I do have his cell number, I just have to pull it up and just let him know that the town is conveying our feelings to the family. That's all I have, thank you.

Mr. Laezza: Councilman O'Connor and I will be having dinner together at the Westwood on Thursday evening. I'll be making a presentation on behalf of Kerry Industries, they are getting an award for their investment in Clark and I will be presenting.

Mr. Triarsi: No report tonight.

Police Chief Matos: Back in October myself, the Mayor and Mr. Laezza met with the school administrator during our annual breakfast and one of the major topics was drug education. Currently our youth bureau is working on a new drug education program for the high school which

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is called "Not Even Once". Our Youth Aid Bureau is putting it together and we look forward to bringing that to the forefront. I'm also working on a flyer which will probably be going out in the next couple of weeks to all of the parents of school age children between pre-k to all the way to high school just reminding the parents of our medication drop box where they can get rid of unwanted medication.

On Saturday morning we had one of our patrol cars was struck by a suspect that was fleeing Shop Rite. When the police department located the suspect vehicle on Central Avenue, the suspect to get away struck the police car, a pursuit took place and both suspects were taken into custody without any further incidents and then it did turn out to be a shoplifting.

Councilman Hund: How bad is the police car?

Police Chief Matos: Actual the police car is not bad, it was just the metal bumper in the front. And none of our officers were hurt.

Mayor Bonaccorso: The Chief had me up to his office to watch the video of the chase today and it was text booked by Officer Yanes, he did a great job and apprehended them. It was a very professional chase, not a cowboy chase, which could cause harm to him and others. So, I was very happy to see that.

Council President Albanese: Well good thing that we don't have situations we have had in the past.

Councilman Mazzearella: Chief, where did you finally get him?

Police Chief Matos: Linden.

Mayor Bonaccorso: Down in the South Wood Avenue.

Township Clerk: I would just like to recognize the passing Phyllis Cupo, our retired Senior Citizen Director, she was our Director for ten years and did a lot for the seniors and it's just a sad day.

Council President Albanese: A few of us were able to go to the wake, I did go, and I was there at the end and it was and it was very, very nice what the family said about her. They said you know her body is gone but her spirit lives on.

Council President asked for a motion to adjourn

A motion to adjourn was made by Councilman Smith, seconded by Councilman Hund

ROLL CALL: All Ayes

Aye: Hund, Mazzearella, O'Connor, Smith, Toal, Albanese

ADJOURNMENT

COUNCIL WORKSHOP MEETING
430 WESTFIELD AVE., CLARK, NJ
December 4, 2017
7:30 pm

ROLL CALL:

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

Also, Present: Sal Bonaccorso, Mayor; John Laezza, Business Administrator; Howard Lesnik, Acting Township Attorney; Edith Merkel, Township Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG - MOMENT OF SILENCE

Dispensed

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 and the proper filing of said notice.

Council President Albanese: At our Public Meeting on December 18th, we will have a suspension of the regular order of business to swear in the two new police officers.

RESOLUTIONS:

1. Confirming the re-appointment of Antonio Inacio as Municipal Court Judge
January 1, 2018 to December 31, 2020

Council President Albanese asked for a motion and second on this Resolution
Mover: Entire Council Second: Entire Council

2. Award of Professional Services contracts through a fair and open process for 2018:
Proposals will be opened on Wednesday, December 6th
 - A. Auditor
 - B. Engineering Services
 - C. Professional Planner
 - D. Labor Attorney
 - E. Bond Counsel
 - F. Special Counsel and Director of Law

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

3. **Council as the ABC Board:**
Authorizing Rotondo's and Wine Anthology to extend their business hours until 10:00 pm on Sunday, December 24th and Sunday, December 31, 2017

Township Clerk: I have received a request from the new owners of Rotondo's to stay open late on Sunday, December 24th and Sunday, December 31st, so this Resolution is authorizing both liquor stores to extend their business hours until 10pm on those two Sundays.

Council President Albanese: I think that we have done this in the past.

Councilman Toal: For special occasions.

Council President Albanese: When it falls on those days.

Township Clerk: Otherwise they would have to close at 5pm.

Council President Albanese asked for a motion and second on this Resolution
Mover: Hund Second: Barr

CONSENT AGENDA RESOLUTIONS:

4. Authorizing the Chief Financial Officer to apply sewer account balance adjustments as credit in the amount of \$550.00

Discussion: None

5. Authorizing the Tax Collector to refund overpayment of 2017 taxes in the amount of \$7,576.17

Discussion: None

6. Appointing Special Police Officers effective January 1, 2018

Discussion: None

7. Authorizing the Police Chief to issue Clothing Bin Permits for the year 2018

Discussion:

Councilman Mazzarella: I have a question for the Chief, the clothing bins, are they the same ones?

Police Chief Matos: They are the same as last year.

Council President Albanese for a motion and second on this Consent Agenda
Mover: Toal Second: Smith

PUBLIC COMMENTS:

Each person addressing the Council shall first give his/her name and address to the Clerk. All remarks shall be addressed to the Council as a body and shall not exceed 10 minutes in duration.

Council President opens the meeting to the public

Delia Collins, 72 Georgia Street: Just to give you an update regarding Associated Humane and the towns that are actively looking for other shelters. The City of Rahway has cancelled their contract with Associated Humane, they are now using Animal Control Solutions. Mountainside is exploring their options. I went to the Linden City Council Meeting and spoke to the Mayor, and also some of the Council people, and some of the Council people have been out to Woodbridge, checking out Woodbridge. They are one of the model shelters in the area. Clark had one time gotten a bid

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from them and they didn't meet out criteria. There is a citizens group forming to meet with the Freeholders for consideration of a County shelter. Mayor Armstead, in Linden, had propose that it be something that we build in Linden again, and we kind of expressed to him that the prior shelter was a failure and that Clark had used them also, and they were closed down by the Department of Health also. And Mayor, just to let you know this has been going on for 30 years, I checked with some of my animal advocates and I deducted 30 years from 2017, and it was 1987. And there has been a 30 year try for this shelter with the County, so when you meet with your other Mayors....

Mayor Bonaccorso: We already did that. I was going to tell you that at the end.

Delia Collins: Okay, when you do meet with your Mayors, I don't know which ones don't go and which ones do go, but the main problem is finding a place. They said that they had the money last year, I don't know if they have the money this year. Just pray that none of your animals go to Newark. Thank you.

Mayor Bonaccorso: Thank you.

Council President Albanese asked for a motion to close the public portion of the meeting.
Mover: Smith Second: Barr

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

MAYOR, COUNCIL AND PROFESSIONAL COMMENTS:

Mayor Bonaccorso: Thank you Madam President. We did have a Mayors meeting last week, here. It was the second one, and it was pretty decently attended. I did bring up the animal problem and the Mayor from Rahway said that he cancelled his contract. He did say that he got someone that is kind of far out of the way.

Delia Collins: But they have veterinarians in the area that they can take the animals to and they are being held, and some policemen in Rahway have taken the animals into their custody.

Mayor Bonaccorso: He didn't say that. But anyway, we talked about the problem that Delia has been talking about. I told him that we have a citizen that is very concerned and they agree. Mayor Armstead talked about maybe getting together with a joint venture and rebuilding the one in Linden again. Seeing how many towns would want to come in, but then again it wouldn't take in all of the towns, it would only take in a certain amount. Technically, my suggestion was the County should take that over, and rebuild it, then put one up towards the Plainfield area, get the western end of the County. I am sure there is property up there they can definably do that on. So, we were going to talk, the Mayor of Scotch Plains has a Freeholder as his BA, Al Mirabella, he is going to relate that to him and try to assert some energy to get something like this going. It should be a County run facility, it should be a County run facility. So, we will see what happens on that.

We also talked about the 2% arbitration cap, all the Mayors are firmly agreed upon that they don't want to see that go.

We talked about the legalization of Marijuana, and most all of the Mayors in the room were very concerned about that with coming into the placing of it, what kind of test are going to be required down the road, how are they going to be able to judge someone under the influence driving. Questions like that.

I brought up the fact that I read in the Senators Scutari's bill, in an article about his bill that if you don't have a dispensary in your town, you are not going to share in the profits from the tax on the Marijuana legalization. I told the Mayors that I am going to be talking to the Township Council about coming out and formally sending out a Resolution saying that the money that is garnered from the legalization of Marijuana, when this happens, should go directly into the police and firemen's pension fund. Number one, they have been shorting the police and firemen for many, many years. Number two, it will take away a burden on the taxpayers because that money has got to be paid back to the police and fire fund. So, whatever we get will be that much less that we have to come up with out of our wallets. Enough with the urban communities in giving them more. They get all of the school funding, they get all of the aid they need, this is going to be another ploy for the base, the urban base that will be happy to put the dispensaries in to make sure that they see the profit from it, enough! They all love our first responders, everyone tells you how much they love them, let's see they put their money where their mouth is. And Clark will lead that, we will lead that, because they will waste the money unless they dedicate it to put it somewhere. But right now, there are a lot of issues on the legalization of Marijuana though the caucus the Democrats are talking with some concerns about it, so it is going to be interesting to see how it shakes out.

Council President Albanese: What is the reaction on that.

Mayor Bonaccorso: Who?

Council President Albanese: The other Mayors.

Mayor Bonaccorso: I told you they are not happy about it. They thought it was interesting, they thought that it was an interesting aspect.

Council President Albanese: Something to think about, yeah.

Mayor Bonaccorso: So, we are going to ask Scutari to come to the January meeting and try to talk to him about certain things on it. And that's fine, you know, if they are going to do it, there isn't much we're going to say about it, but I want to be able to have a say in where the money goes. Because we need 500 odd dispensaries throughout New Jersey, every town needs a dispensary? I mean, come on. You know, seriously. Look, when it is legal, it is legal, there is nothing you are going to do about it. But the point is, "oh, well if you don't have one, you can't share in the...."

Councilman O'Connor: Because we are going to share in the issues that it causes.

Mr. Laezza: But we are going to be responsible for the issues that it causes.

Councilman O'Connor: Exactly.

Mayor Bonaccorso: That's right. And their concerns were also about, like you said, eventually it is going to be court tested, "how do you know he was high?", you are going to do a field test I am sure will be one of the ways, the only way I guess.

Police Chief Matos: It's not a blood test, but you have to start off with a physical sobriety test. A physical sobriety test for someone who is under the influence of narcotics or alcohol are totally different and the training is a lot more intense. It is almost like a medical evaluation. Chris Lott does it.

Councilman Mazarella: It's more intense.

Police Chief Matos: And they don't even suggest you do that unless you first do the test for alcohol, because at first, they could be under the influence of alcohol and drugs, yet, the charges were the same so if you could prove that they are under the influence of alcohol then you just stop right there they don't even suggest you do any further.....

Mayor Bonaccorso: The problem is that you can't even blood test because if you smoke pot on Sunday, and you get pulled over on Thursday, it is still going to show up in your blood. So that is going to be a problem. Now we are already talking about sending officers to training, which is more money. You know somebody is going to attest it in court immediately, as soon as it happens, so there is going to be some eventual testing that is going to cost the towns money.

Police Chief Matos: There are already a couple of cases that have come out of the courts where individuals who were in the State of Colorado that allows medicinal and recreational use, travel into the State that doesn't, and how officers made arrests based on well I knew he was coming from there and how (tape inaudible)

Mayor Bonaccorso: There you go.

Mr. Laezza: The process of the Resolution for dedicating the money has to go on the ballot, that you can't dedicate funds unless it is on the ballot and the citizens agree to it. That is one of the problems that we will be confronted with.

Mayor Bonaccorso: I think the citizens, if they are educated properly.

Mr. Laezza: They will vote for it. But you have to get the Legislature to put it on the ballot.

Council President Albanese: Right. Just like we did with the referendums that were passed, right?

Mayor Bonaccorso: Yes, but like you said, if you are shorting the police and fire pension fund all these years and, both parties have, then this is a way to start bringing some revenue back into it without asking taxpayers to write a check, then what is wrong with it? The problem is that certain members of the Legislature already have that money earmarked for hats and horns, it is more party money. We are going to be able to buy more votes with it and do what we want with it. So, like I said, I am against the whole thing but, either way, I am going to be heard because it is about time this State starts owning up to its problems. Because I'm going to tell you what is coming in the next four years, remember this, they are not going to raise taxes, we are, because they are going to dump it on us so that can say, "we didn't raise taxes, go talk to your Mayor and Council people", that is coming, mark my words, mark my words, you will tell me if I am right or wrong three years from now.

Councilman Toal: They have already done it once.

Council President Albanese: Pretty much what has been going on right?

Mayor Bonaccorso: Yep, yep, because they are not going to take the hit for raising taxes, they are going to put the regulations on us and then they are going to make things harder for us, and less aid for us, and less this, and less that. They are already talking that they are trying, the Electric Company is trying to get a bill done in lame duck to raise their rates of electricity in the State, I heard that today on the radio, they are waiting for the lame duck session figuring no one is paying

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attention and they will just put it through. So, we are going to live in interesting times going forward.

But anyway, the Mayors thing was productive, it is good, we had one in August and we are having one in November, we will have one in January, and it is good to interact with the other Mayors and hear some of the things that are going on. We talked about OPRA, we talked about some of the crazies that were out there and what they do in different towns. We don't have it too bad really when you hear some of the stories. But it was conversations are on those lines.

Tree lighting went great, you were all here, it really looks nice out front, and we are happy about all of that, so have a good holiday.

Councilman Barr: No comment.

Councilman Hund: No comment.

Councilman Mazzarella: Nothing.

Councilman O'Connor: Thank you. I was in the second ward handing out the Report to the People, as the other Council people are as well. Councilwoman Albanese gave me a hand, so I want to thank her. It was good to get out and talk to the people, hear some of the issues. But we had more complements then we had issues which was very nice to hear. I wanted to pass that along to the Mayor and the Business Administrator, because complements were both for how the town is run and how financially sound we are, so thank you very much. And the Chief, of course, a safe town, thank you.

Councilman Smith: I have nothing.

Councilman Toal: Very quickly, I was up on State Street, and Hayes and Holland yesterday and the issue that the residents are having up there are deer. Deer are running along the Parkway, looking for openings to get from the Parkway, however they get up in there, and they are running along Parkway and going in and out of the neighborhoods. They are becoming a bit of a hazard. Also, then if you go down from Hayes and Holland and go down towards the reservoir, along the Parkway again, you get a crossing of deer jumping up and going over towards the reservoir.

Mayor Bonaccorso: It is funny that you mention that, again, today on the radio, 101.5 comes up with some good stuff. They had a call in about the animal hunt that they had and a couple of people were saying that they should add to it, not take away from it. One guy said that he has totaled two cars now because of deer and they are all over.

Councilman Toal: I am getting complaints along behind Wendell.

Mr. Laezza: They walk through the river and they come right in my backyard.

Councilman Toal: That is the only thing regarding those residents along the Parkway is the fencing. That is what we will be going into with in 2018, we need to address, send letters to the Parkway, the DOT about repairing some of the fences along the....

Mayor Bonaccorso: We can but the last time it took 6 years.

Councilman Toal: We could get on the request list now. Because if you go along the Parkway, it is from the Colonia line up, there are big gaps in the fencing. These are basically...what I am seeing behind State Street, the lady made sure that I went and saw it, which I will take picture and do that. They are basically damaged fence, fences that just have basically been ripped open or whatever, by the deer, their antlers, or whatever it might be. It then goes from behind State Street into Rolling Hill and goes up along that whole corridor behind the Dr. Robinson House.

Councilman Mazzarella: Are they saying that their property is messed up?

Councilman Toal: No, if the deer start going into a panic or a run they start causing damage. What I am seeing coming up the Parkway at night are the deer running across the Parkway.

Council President Albanese: It could be dangerous if you hit one or they run into your car.

Councilman Toal: Thank you Madam President, I have nothing else.

Council President Albanese: I don't have anything.

Mr. Laezza: On January 2nd maybe about 6:30 meet with the Finance Committee. . . .

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you know. So that is why we sign them on the night of, and then we usually put the names and
numbers afterward. We are just going to update our process.

Council President Albanese: Okay.

Council President Albanese asked for a motion to adjourn
A motion to adjourn was made by Councilman Barr, seconded by Councilman Hund

ROLL CALL: All Ayes
Aye: Barr, Hund, Mazzarella, O'Connor, Smith, Toal, Albanese

ADJOURNMENT