

April 12, 2016

The Township Committee of the Township of Union in the County of Union, convened in regular session at Municipal Headquarters, Friberger Park, Union, New Jersey, on the 12th day of April, 2016 at 7:30 P.M. The meeting was called to order by Manuel Figueiredo, Chairman of the Township Committee.

The Clerk read the following statement:

"This is a regular meeting of the Township Committee. Public Notice of this meeting has been given, as required by the 'Open Public Meeting's Law'. A Resolution was adopted on January 1, 2016, designating this date, this hall and 7:30 P.M. as the time for this regular meeting of the Township Committee of the Township of Union in the County of Union.

A notice of each and every regular meeting of the Township Committee was posted, in accordance with the aforesaid 'Open Public Meeting's Law', in one public place reserved for the posting of Ordinances and official notices of the Township of Union, namely, the bulletin board next to the Clerk's Office. In addition thereto, a copy of said Resolution was forwarded to The Local Source, Suburban News and the Star Ledger. A copy of said Resolution is on file with the Clerk of the Township."

The opening prayer was led by Deputy Mayor Suzette Cavadas, and the pledge to the flag was led by Committeeman Joseph Florio.

The Clerk called the roll. Those present and those absent, were as follows:

Present:	MANUEL FIGUEIREDO, MAYOR SUZETTE CAVADAS, DEPUTY MAYOR JOSEPH FLORIO MICHELE DELISFORT
Absent:	CLIFTON PEOPLE, JR.

**PROCLAMATION:**

Proclaiming April as National Autism Awareness Month

Firefighter Kevin Apuzzio 10<sup>th</sup> Anniversary

**MAYOR'S AWARDS:**

Union High School Wrestler David Brown and Coach Antonio DeBellonia.

**APPROVAL OF MINUTES:**

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved to approve the Minutes of Meetings held on March 22, 2016, Conference and Regular and of March 31, 2016, Special Meeting, as printed and distributed by the Clerk.

**SECOND AND FINAL READINGS:**

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, establishing a CAP Bank authorizing that any amount not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

CALENDAR YEAR 2016 ORDINANCE TO ESTABLISH A CAP BANK AUTHORIZING THAT ANY AMOUNT NOT APPROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS (N.J.S.A. 40A:4-45.14)

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on second and final reading.

Mr. Florio, aye, Ms. Delisfort, aye, Mr. People, absent, Ms. Cavadas aye, Mr. Figueiredo aye.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, amending Ordinance 3729 to add a handicap parking space in front of 1175 Magie Avenue, 1500 Village Road and 891 Hobson Street.

AN ORDINANCE AMENDING THE DESIGNATION OF RESTRICTED PARKING SPACES FOR USE BY PERSONS WITH SPECIAL VEHICLE IDENTIFICATION CARDS, IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY. (This ordinance creates a handicap spot in front of 1175 Magie Avenue, 1500 Village Road and 891 Hobson Street)

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on second and final reading.

Mr. Florio, aye, Ms. Delisfort, aye, Mr. People, absent, Ms. Cavadas aye, Mr. Figueiredo aye.

**DRAFT AND FIRST READINGS:**

The Clerk presented draft of an ordinance amending Ordinance 5349 to include additional funding for the 2016 Road Improvement Program.

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

BOND ORDINANCE AMENDING AND RESTATING IN ENTIRETY BOND ORDINANCE NUMBER 5349 FINALLY ADOPTED AUGUST 25, 2015 PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY AND APPROPRIATING \$3,290,402 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,717,382 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on April 26, 2016.

Mr. Florio, aye, Ms. Delisfort, aye, Mr. People, absent, Ms. Cavadas aye, Mr. Figueiredo aye.

The Clerk presented draft of an ordinance amending Chapter 170 of the Municipal Code reducing the minimum floor area for residential units within the Union Center Business District.

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

AN ORDINANCE OF THE TOWNSHIP OF UNION IN THE COUNTY OF UNION AND STATE OF NEW JERSEY TO AMEND CHAPTER 170, ARTICLE XIIC (UNION CENTER BUSINESS DISTRICT)

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on May 10, 2016.

Mr. Florio, aye, Ms. Delisfort, aye, Mr. People, absent, Ms. Cavadas aye, Mr. Figueiredo aye.

**RESOLUTIONS:**

On motion of Ms. Delisfort, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2016-115:**

WHEREAS, NJDOT has submitted Utility Agreement No.UECA-6-Rt 82 Caldwell Lehigh Ave-11040 to the Township for execution by the Mayor relating to the possible relocation of certain sanitary sewer facilities on Route 82 between Caldwell Avenue and Lehigh Avenue in the Township of Union, Union County; and  
WHEREAS, the Township Engineer has reviewed said agreement and finds it acceptable as it protects the interests of the Township during design and construction of said project, and reimburses the township for the cost of engineering services in connection with its review of the design and construction plans up to five-thousand & 00/100 dollars (\$5,000.00).  
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union in the County of Union hereby authorizes the Mayor to execute Agreement No. UECA-6-Rt82 Caldwell Lehigh Ave-114040 between the NJDOT and the Township of Union for the possible relocation of certain sanitary sewer facilities in connection with the construction of the above-referenced project.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-116:**

WHEREAS, NJDOT has submitted Utility Agreement No.UECA-6-Rt 22 Rt 82 GSP Inter-058002 to the Township for execution by the Mayor relating to the possible relocation of certain sanitary sewer facilities near the Route 22, Route 82 and the Garden State Parkway Interchange in the Township of Union, Union County; and  
WHEREAS, the Township Engineer has reviewed said agreement and finds it acceptable as it protects the interests of the Township during design and construction of said project, and reimburses the township for the cost of engineering services in connection with its review of the design and construction plans up to five-thousand & 00/100 dollars (\$5,000.00).  
THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union in the County of Union hereby authorizes the Mayor to execute Agreement No. UECA-6-Rt22 Rt82 GSP Inter-058002 between the NJDOT and the Township of Union for the possible relocation of certain sanitary sewer facilities in connection with the construction of the above-referenced project.

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2016-117:**

WHEREAS, the Township of Union needs to replace the sign printer for DPW; and  
WHEREAS, Diversified Display Products has provided a quote to the Township and the replacement is necessary as the current printer is obsolete and repair parts can no longer be purchased; and  
WHEREAS, Diversified Display Products, 777 Ramsey Avenue, Hillside, NJ 07205 will replace the sign printer at an amount not to exceed \$12,995.00.  
NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes a contract pursuant to N.J.S.A. 10-2.1 et. seq. of the Local Public Contracts Law with Diversified Display Products and that a notice of this award be published in the Local Source.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-118:**

WHEREAS, The Township has received the vouchers listed below which have been properly documented and checked, and WHEREAS, said vouchers were submitted in accordance with the verification procedure designed by Suplee, Clooney and Company, which assures accurate calculation of charges for disposal and all applicable taxes, and  
WHEREAS, The Township of Union continues to protect the interim rate of \$73.14 per ton for household waste and \$ 91.51 for bulky waste, this resolution is authorized subject to a possible retroactive rate adjustment by the Department of Environmental Protection, Board of Public Utilities, in which case the Township will demand a refund, and NOW THEREFORE BE IT RESOLVED THAT, the Township Committee of the Township of Union, in the County of Union, New Jersey, in a meeting assembled this 12th day of April 2016, hereby authorizes for payment the following vouchers, which are now owed, in accordance with the exceptions hereinbefore expressed.

MONTH OF MARCH	VOUCHER	AMOUNT
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Contract Service	16-09879	137,333.33
Disposal Cost Contract	16-09879	138,157.08
Bulky Waste Contract	16-09879	11,833.33
Condo/Apartments Contract	16-09879	8,333.33
Recycling Contract	16-09879	46,666.66
<b>TOTAL 3/1/16-3/31/16</b>		<b>\$342,323.73</b>

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-119:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end contracts; and

WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body; and

WHEREAS, the Township of Union purchases Office Supplies from W. B. Mason, 21 Commerce Dr., Cranbury, NJ 08512, State Contract 88839

WHEREAS, said purchases will exceed the bid threshold of \$40,000.00 for 2016; and

WHEREAS, said purchases are expected to include: Office Supplies.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the Purchasing Agent of the Township of Union to purchase Office Supplies from W.B. Mason, 21 Commerce Dr., Cranbury, NJ 08512,; pursuant to N.J.A.C. 5:34-4.9, open-end contracts; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$30,000.00 and shall be encumbered to all individual department budgets (221).

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-120:**

WHEREAS, the Township of Union is in need of purchasing various locks and keys; and

WHEREAS, Advance County Locksmith, 412 Chestnut Street, Union, NJ can provide these services for an amount not to exceed \$6,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase; and

BE IT FURTHER RESOLVED that the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases, not to exceed a total amount of \$6,000.00 and shall be encumbered to DPW 6-01-26-310-282 and Fire 6-01-25-265-282.

On motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-121:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end contracts; and

WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body; and

WHEREAS, the Township of Union purchases Tires and Tubes from Bridgestone America, c/o Cleveland Auto Tire, 462 Third Avenue, Elizabeth, N.J. 07206, State Contract No. 82528; and

WHEREAS, said purchases are expected to include tires and tubes for the public works department.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the Purchasing Agent of the Township of Union to purchase tires and tubes from Bridgestone America, c/o Cleveland Auto Tire, 462 Third Avenue, Elizabeth, N.J. 07206, State Contract No. 82528; pursuant to N.J.A.C. 5:34-4.9, open-end contracts; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$25,000.00 and shall be encumbered to 6-01-26-290-225 and 6-01-26-305-225.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-122:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing janitorial supplies, and

WHEREAS, these can be purchased through the Morris County Cooperative Pricing Council with Mooney General, 1451 Chestnut Avenue, Hillside, NJ 07205

WHEREAS, the availability of funds has been certified by the Local Finance Officer in the amount of \$40,000.00 and will be charged to Police Account 240-235 and Public Works 310-282; and

WHEREAS, public bids are not required when the purchase is under Joint Purchasing Agreements in accordance with 40A: 11-10 of the Local Public Contracts Law.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said purchase.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-123:**

WHEREAS, the Township of Union in the County of Union purchases winter equipment for the Department of Public Works; and

WHEREAS, the proprietary vendor for these purchases is US Municipal Supply Inc., Rt. 26 South, Huntington, Pa. 16652; and

WHEREAS, US Municipal Supply can provide the equipment at an amount not to exceed \$15,000.00

WHEREAS, the availability of funds has been certified by the Local Finance Officer in the amount of \$15,000.00 and will be charged to 6-01-26-290-245.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said purchase.

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2016-124:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end contracts; and

WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or

equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body; and

WHEREAS, the Township of Union purchases Safety Equipment for DPW from Fastenal, 697 Rahway Avenue, Union, NJ 07083, State Contract No. 79873; and

WHEREAS, said purchases are expected to include safety equipment for the vending machine for the public works department.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase of safety equipment from Fastenal, 697 Rahway Avenue, Union, NJ 07083, State Contract No. 79873; pursuant to N.J.A.C. 5:34-4.9, open-end contracts; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$18,000.00 and shall be encumbered to 6-01-26-290-226.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-125:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end Contracts; and

WHEREAS, N.J.A.C. 5:34-4.9 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials, supplies or equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body; and

WHEREAS, the Township of Union purchases repair services from Union County Collision through the Union County Coop; and

WHEREAS, said purchases are expected to include: Maintenance and Repair of Vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the Township of Union to utilize Union County Collision, 7 Linden Road, Roselle Park, N.J. 07204 for Maintenance and Repair of Vehicles; pursuant to N.J.A.C. 5:34-4.9, open-end contacts; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$5,000.00 and shall be encumbered to DPW-6-01-26-290-226 and 6-07-05-500-526.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-126:**

WHEREAS, the Township of Union purchases landscaping equipment from J & A Mower, a proprietary vendor, 1338 Stuyvesant Avenue, Union, N.J. 07083; and

WHEREAS, J & A Mower also provides repairs for the equipment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase and repair of landscaping equipment from J & A Mower, 1338 Stuyvesant Ave., Union, NJ 07083; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases not to exceed \$15,000.00, and shall be encumbered to 6-01-26-310-227, 6-01-26-313-227 and 6-01-25-265-226

On motion of Ms. Delisfort, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2016-127:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing new hydraulic rescue tools for the Fire Department; and WHEREAS, these can be purchased from ESI Equipment Inc. through Holmatro Rescue Equipment, State Contract A80967; and WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or equipment under a contract entered into by the State Division of Purchasing and Property shall authorize the award of such contract by resolution of the Governing Body; and WHEREAS, the availability of funds has been certified by the Local Finance Officer in the amount of \$249,134.00 and will be charged to C-04-55-537-099 over a two year period with \$124,567.00 payable each year. NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said purchase from ESI Equipment, 119 Keystone Drive, Montgomeryville, PA 18936.

On motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-128:**

WHEREAS, the Township of Union needs to replace a Drag Blade Cutter for DPW; and WHEREAS, Diversified Display Products has provided a quote to the Township and the replacement is necessary as the current blade cutter machine is obsolete and repair parts can no longer be purchased; and WHEREAS, Diversified Display Products, 777 Ramsey Avenue, Hillside, NJ 07205 will replace the blade cutter machine at an amount not to exceed \$5,295.00. NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes a contract pursuant to N.J.S.A. 10-2.1 et. seq. of the Local Public Contracts Law with Diversified Display Products and that a notice of this award be published in the Local Source.

On motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-129:**

WHEREAS, an emergent condition has arisen with respect to the 2016 budget, due to the fact that the Division of Local Government Service has not, as yet, approved same, and no adequate provision has been made in the 2016 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and WHEREAS, the total emergency temporary resolutions adopted in the 2016 budget, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution, total \$61,460,153.26 NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20

1. An emergency temporary appropriation be and the same is hereby made for:

<u>APPROPRIATIONS</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
Police – Jobs in Blue Vehicle		270,000.00
Public Defender	10,000.00	
Municipal Court		5,000.00
Snow Removal	30,000.00	
in the amount of \$315,000.00		

2. That said emergency temporary appropriation will be provided for in full in the 2016 budget.
3. That one certified copy of this resolution is filed with the Director of Local Government Service.

Mr. Florio, aye, Ms. Delisfort, aye, Mr. People, absent, Ms. Cavadas aye, Mr. Figueiredo aye.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-130:**

WHEREAS, the Township of Union received three (3) bids on February 3, 2016 in connection with the Teener League Rehabilitation project following a public advertisement in the Newark Star Ledger on January 20, 2016; and

WHEREAS, Bob Viersma & Sons, Inc., P. O. Box 224, Allamuchy, N.J. 07820 was the responsive, low bidder with a base bid amount of \$165,543.45; and

WHEREAS, the responsive low bid does exceed the engineer's estimate due to a discrepancy with the engineer's unit price for supply and installation of new root zone mix topsoil being too low resulting in the bid exceeding the engineer's estimate; and WHEREAS, the Township Engineer has reviewed the bid and issued a recommendation of award letter dated April 4, 2016 for Bob Viersma & Sons, Inc. being the responsive, low bidder, in the amount of \$165,543.45; and WHEREAS, the availability of said funds has been certified by the Chief Financial Officer IN Capital Ordinance 5359; and WHEREAS, the aforementioned bid complies with the New Jersey Local Public Contracts Law requirements. NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Contract for said Teener League Field Rehabilitation in the amount of One Hundred Sixty-Five Thousand, Five Hundred Forty-Three Dollars and 45/100 Dollars [\$165,543.45] be and the same is hereby awarded to Bob Viersma & Sons Inc., P.O. Box 224, Allamuchy, New Jersey 07820 in accordance with all bid specifications and requirements.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-131:**

WHEREAS, the Township of Union in needs an internet provider for connectivity at all Township locations and for interconnectivity between all locations; and

WHEREAS, Verizon Fios can provide this service; and WHEREAS the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires the adoption of a resolution authorizing the award of contracts for "extraordinary, unspecified services" (services which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field) without competitive bids and that the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, in the County of Union:

1. This contract is awarded without competitive bidding as "extraordinary, unspecified services" in accordance with 40A:11-2(7) of the Local Public contracts Law, because FIOS offers a specialized service.

2. A notice of this action shall be published in the Local Source.

BE IT FURTHER RESOLVED that the attached agreements be encumbered to 6-01-20-140-289.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2016-132:**

WHEREAS, the Township of Union has appropriated funds in Capital Ordinance No. 5349 adopted on August 25, 2015 for design, and construction observation services for roadway improvements using microsurfacing technology; and

WHEREAS, the Township Committee desires to engage an engineering firm to prepare plans & specifications used in negotiating a contract with Asphalt Paving Systems based on the unit prices contained in State Contract #81757, and oversee the construction in connection with the foregoing; and

WHEREAS, the Township received a scope of work and fee estimate dated April 4, 2016 from Maser Consulting, P.A. entitled "FY 2016 Roadway Improvements Using Microsurfacing Technology" which included a fee not-to-exceed \$14,500.00; and

WHEREAS, the availability of said funds has been certified by the Local Finance Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1) et. Seq. requires that the Resolution authorizing the award of Contracts for "Professional Services" without competitive bids must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Union in the County of Union that:

1. The Chairman of the Township Committee and the Township Clerk are hereby authorized and directed to enter into an agreement with Maser Consulting, P.A. for the Design & Construction Observation Services for Roadway Improvements Using Microsurfacing Technology as more fully described in the Maser Consulting, P.A. scope of work and fee estimate dated April 4, 2016 at a fee not-to-exceed \$14,500.00.
2. This Contract is awarded without competitive bidding as a Professional Service in accordance with 40a:11-5(1)(a) of the Local Public Contracts Law, because the said Maser Consulting, P.A. is authorized to practice as a recognized profession.
3. The contractor agrees to comply with all affirmative action Regulations pursuant to N.J.S.A. 10:21-1 et seq. (p.l. 1975 C. 127. NJAC 17:27).
4. A notice of this action shall be published in the Local Source.

On motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2016-133:**

WHEREAS, the Township desires to engage a professional engineering services firm to provide Conflict Engineering Review Services in conjunction with Planning Board Application 2016-02, Lidl U.S. Operations LLC, 2365 Route 22 West Block 3303, Lot 13.01; and

WHEREAS, the Township has requested and received a proposal from Remington, Vernick & Arango Engineers dated March 31, 2016 to provide engineering review services associated with Conflict Engineering Review Services relative to the above-referenced project in an amount ranging from \$8,000.00 to \$15,000.00; and

WHEREAS, said funds would be drawn from the posted escrow by the applicant with the Township for technical review; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1) et. Seq. requires that the Resolution authorizing the award of Contracts for "Professional Services" without competitive bids must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Union in the County of Union that:

1. The Chairman of the Township Committee and the Township Clerk are hereby authorized and directed to enter into an agreement with Remington, Vernick & Arango Engineers, for Conflict Engineering Review Services for the Lidl U.S. Operations LLC project.

2. This Contract is awarded without competitive bidding as a Professional Service in accordance with 40a:11-5(1)(a) of the Local Public Contracts Law, because the said Remington, Vernick & Arango Engineers is authorized to practice as a recognized profession.
3. The contractor agrees to comply with all affirmative action Regulations pursuant to N.J.S.A. 10:21-1 et seq. (p.l. 1975 C. 127. NJAC 17:27).
4. A notice of this action shall be published in the Local Source.

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2016-134:**

WHEREAS, the Township Committee of the Township of Union needs to hire an attorney for the purposes of defending a Township employee, Clifford Pietrucha, against charges filed against him by a resident; and WHEREAS, Bernard Kenny of Florio & Kenny, L.L.P., 100 Hudson St. Hoboken, NJ 07030 is authorized to perform this service and previously submitted a proposal under the Fair and Open Process (N.J.S.A. 19:44A-20a, et. seq.) which was accepted by the Township Committee by Resolution No. 2016-24; and

WHEREAS, funds are available in the 2016 municipal budget for the payment of the services of Florio and Kenny, LLP to represent the Township of Union for an amount not to exceed \$3,500.00, and the availability thereof has been certified by the Local Finance Officer; and NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Union in the County of Union that:

1. The Chairman of the Township Committee and the Township Clerk be and they are hereby authorized and directed to enter into an agreement with Florio and Kenny, LLP to represent a Township employee in litigation at an amount not to exceed \$3,500.00.
2. This resolution is subject to Florio and Kenny, LLP executing the discrimination and employment contract pursuant to N.J.S.A. 10:2-1 et seq.
3. A notice of this action shall be published in the Local Source following the adoption of this resolution.

**FINANCES:**

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee authorized the payment of bills which are listed in the Permanent Claim's Register against the Township of Union, for the period April 12, 2016, approved by respective Departments as being correct.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$34,466.92.

**COMMUNICATIONS:**

From: Terri Malanda, Tax Collector, Re: Requesting the Township Committee authorize checks issued to the following representing the redemption of tax sale certificates;

NAME	AMOUNT	CERT#	LOCATION
US Bank Cust/ PC4 Firsttrust	\$16,212.68 \$ N/A	14-00061	939 Monroe Street
US Bank Cust/ ProCap 4 & Creditor	\$ 2,285.47 \$ 1,200.00	15-00046	1238 Victor Avenue
US Bank Cust/ BV001 Trust	\$47,467.57 \$33,000.00	13-00001	817 Travers Street
MAS Capital LLC	\$ 1,345.72	15-00127	1735 Wolbert

Terrace	\$ 1,300.00		
US Bank Cust/ ProCap 4 & Creditor	\$ 799.26	15-00059	558 Thoreau Terr.
Maria E. Figueiredo	\$ 1,200.00		
	\$ 1,494.01	15-00035	1507 Oakland Ave
	\$ 1,500.00		
US Bank Cust/ Pro Cap 4 & Creditor	\$ 701.05	15-00104	19 Smith Street
	\$ 900.00		

On motion of Mr. Florio, seconded by Ms. Cavadas, and carried, the Township Committee moved to approve the request.

From: Daniel Zieser, Police Director, Re: Recommending the following requests be denied:

- A. Permit parking on Leo Place.
- B. Handicap parking space at 100 Montclair Ave.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved to concur with the Director's recommendation.

From: Elizabeth Lee, Resident, Re: Requesting a handicap parking spot in front of 712 Trotting Road.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved to refer to the Police Department for investigation and report back to the Committee.

From: Dr. Anthony Drivas, St. Demetrios Greek Orthodox Church, Re: Requesting permission to place three (3) signs beginning April 21<sup>st</sup> along Morris Avenue at the corners of Rahway, Liberty and North Avenues advertising their fundraiser being held on May 21<sup>st</sup>.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request.

From: Fabiola Garcia, Student, Re: Requesting a refund for a Parking Permit in the amount of \$60.00 as she will not be attending the Healthcare Institute.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request.

From: John Agriantonis, St. Demetrios Greek Orthodox Church, Requesting Rahway Avenue be closed for a religious procession April 29, 2016 at 9:30pm for approximately thirty minutes.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request.

From: Anthony Tufano, Michael Anthony Furniture, 2596 Rt.22, Re: Requesting permission to erect a 30' x 30' tent for a special sales event April 14-18, 2016.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request.

From: Cheryl Burger, Connecticut Farms Church, Re: Requesting permission to continue hanging three 4'x5' banners advertising their Kinder Kamp and Fall Registration for an additional thirty days.

On motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, the Township Committee moved to approve the request.

From: Alexandra Freitas, Connecticut Farms School PTA, Re: Requesting use of the showmobile, sound system, free standing light and an auxiliary police officer for their annual "Night Under the Stars" to be held on June 16, 2016.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request, only overtime fees are required.

On motion of Ms. Cavadas, seconded by Mr. Florio, and carried, the Township Committee directed the reports be received for filing

**DEPARTMENT REPORTS:**

**MONTHLY REPORTS:**

Clerk's Office	Fire Department
Engineering Department	Senior Citizens
Community Development	Police Department
Municipal Court	

**COMMITTEE REPORTS:**

**MR. DELISFORT:**

- Ms. Delisfort offered her condolences to the Apuzzio family on the 10<sup>th</sup> Anniversary of their son Firefighter Kevin Apuzzio's death
- Ms. Delisfort congratulated David Brown and Coach Antonio DeBellonia
- Ms. Delisfort presented her monthly report from the Police Department.
- Ms. Delisfort thanked the Union Township Police Officers for the fine job they do protecting the residents of the Township.

**MR. FLORIO:**

- Mr. Florio congratulated Union High School wrestler David Brown and Coach Antonio DeBellonia on receiving the Mayor's Award.
- Mr. Florio presented the monthly report from the Police Department.
- Mr. Florio urged residents to report potholes to the Department of Public Works at 686-1922.

**MR. PEOPLE:**

- Mr. People was absent.

**SUZETTE CAVADAS:**

- Ms. Cavadas congratulated Union High School Wrestler David Brown and Coach Antonio DeBellonia on being chosen to receive the Mayor's Award.
- Ms. Cavadas offered her condolences to the Apuzzio Family on the 10<sup>th</sup> Anniversary of their son's death.
- Ms. Cavadas presented the monthly report for the Recreation Department.
- Ms. Cavadas presented the monthly report for the Senior Citizens Department.

**MR. FIGUEIREDO:**

- Mr. Figueiredo congratulated Union High School Wrestler David Brown and Coach Antonio DeBellonia
- Mr. Figueiredo offered his condolences to the Apuzzio family on the 10<sup>th</sup> Anniversary of their son Firefighter Kevin Apuzzio's death
- Mr. Figueiredo invited everyone to attend The Taste of Union to be held on April 21, 2016, at the Knights of Columbus.

**PUBLIC HEARING:**

Daniel Beyrent, 1555 Ridgeway Street, would like to see older Township Committee Meetings put online.

Mr. Beyrent would like to see the Trap and Release Program for cats be put in effect in the Township of Union.

Nick Basile, Vauxhall Road, stated that many houses in his area are owned by absentee landlords and the tenants do not take care of the property. Mr. Basile explained that the rest of the neighborhood begins to look unsightly. Mr. Manzella assured him he will look into the matter.

There being no further business presented, the Township Committee on motion of Ms. Cavadas, seconded by Ms. Delisfort, and carried, adjourned the meeting, the time being 8:17 P.M.

Dated: April 12, 2016

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MANUEL FIGUEIREDO, Chairman  
of the Township Committee  
of the Township of Union  
in the County of Union.

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EILEEN BIRCH, Township Clerk