

February 27, 2018

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 27th day of February, 2018 at 7:30 P.M. The meeting was called to order by Suzette Cavadas, Chairwoman 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, 2018, 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 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: SUZETTE CAVADAS, MAYOR
JOSEPH FLORIO, DEPUTY MAYOR
CLIFTON PEOPLE, JR.
MANUEL FIGUEIREDO
MICHELE DELISFORT

PROCLAMATION:

Proclaiming February American Heart Month

Proclaiming February National Nutrition Month

BUSINESS OF THE MONTH:

NJ Arts World – Arthur J. Pinckney III

MAYOR'S AWARD:

Union County St. Patrick's Day Parade Committee:
John McPartlan – Grand Marshal
Kathleen Holmes - General Chairwoman
Pam Joyce - Adjutant

APPROVAL OF MINUTES:

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve the Conference and Regular Session Minutes of February 13, 2018

ORDINANCES:

SECOND AND FINAL READING:

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, providing for the improvements to Conlon Recreation Turf Field.

BOND ORDINANCE PROVIDING FOR THE DESIGN AND IMPROVEMENTS TO CONLON RECREATION TURF FIELD, BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,615,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee

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

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, providing for the acquisition of Various Police and Emergency Management Equipment.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS POLICE AND EMERGENCY MANAGEMENT EQUIPMENT, BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$160,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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 Mr. Florio, seconded by Mr. People, and carried, the Township Committee

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

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, amending Chapter 434 of the Municipal Code relating to sewer system user charges.

AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 434 OF THE CODE OF THE TOWNSHIP OF UNION PERTAINING TO SEWER SYSTEM USER CHARGES

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

DRAFT AND FIRST READING:

The Clerk presented draft of an ordinance Amending Chapter 266-66 "Parking by Permit Only" affecting Potter Avenue.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 AMENDING CHAPTERS 266-66, SCHEDULE XXV ENTITLED "PARKING BY PERMIT ONLY IN RESIDENTIAL AREAS", "BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance affects Potter Avenue).

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance amending Chapter 170 Land Development to establish the Affordable Housing-1 District (AH-1)

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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.

ORDINANCE AMENDING A CHAPTER OF THE CODE OF THE TOWNSHIP OF UNION, CHAPTER 170 LAND DEVELOPMENT

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 referred to the Planning Board and be considered as to second and final reading, at a meeting to be held on March 13, 2018.

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

The Clerk presented draft of an ordinance amending Part 3 "Zoning" of Chapter 170 of the Municipal Code to establish the Affordable Housing-2 District (AH-2).

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 TO AMEND PART 3 "ZONING" OF CHAPTER 170 "LAND DEVELOPMENT", TO CREATE AN INCLUSIONARY HOUSING ZONE ALSO KNOWN AS AFFORDABLE HOUSING-2 DISTRICT (AH-2).

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 referred to the Planning Board and be considered as to second and final reading, at a meeting to be held on March 13, 2018.

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

The Clerk presented draft of an ordinance amending Part 3 "Zoning" of Chapter 170 of the Municipal Code to establish Affordable Housing-3 District (AH-3).

On motion of Ms. Figueiredo, seconded by Ms. Delisfort, 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 TO AMEND PART 3 "ZONING" OF CHAPTER 170 "LAND DEVELOPMENT", TO CREATE AN INCLUSIONARY HOUSING ZONE ALSO KNOWN AS AFFORDABLE HOUSING-3 DISTRICT (AH-3).

On motion of Ms. Figueiredo, seconded by Ms. Delisfort, 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 referred to the Planning Board and be considered as to second and final reading, at a meeting to be held on March 13, 2018.

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

The Clerk presented draft of an ordinance amending Part 3 "Zoning" of Chapter 170 of the Municipal Code to establish the Mixed Use Overlay District 2 (MUOD-2).

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 TO AMEND PART 3 "ZONING" OF CHAPTER 170 "LAND DEVELOPMENT", TO CREATE THE MIXED USE OVERLAY DISTRICT 2 (MUOD-2).

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 referred to the Planning Board and be considered as to second and final reading, at a meeting to be held on March 13, 2018.

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

The Clerk presented draft of an ordinance amending Part 3 "Zoning" of Chapter 170 of the Municipal Code to establish inclusionary Overlay District 2 (IOR).

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 TO AMEND PART 3 "ZONING" OF CHAPTER 170 "LAND DEVELOPMENT", TO CREATE INCLUSIONARY OVERLAY RESIDENTIAL DISTRICT (IOR).

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 referred to the Planning Board and be considered as to second and final reading, at a meeting to be held on March 13, 2018.

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

The Clerk presented draft of an ordinance repealing and replacing Articles I and II of Chapter 150 of the Affordable Housing Ordinance.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 REPEALING AND REPLACING ARTICLES I AND II OF CHAPTER 150 "AFFORDABLE HOUSING" OF THE TOWNSHIP OF UNION TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance repealing and replacing Articles II of Chapter 150 of the Affordable Housing Ordinance to provide for the collection of development fees.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 REPEALING AND REPLACING CHAPTER 150 ARTICLE II "AFFORDABLE HOUSING" OF THE TOWNSHIP OF UNION TO PROVIDE FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance establishing a CAP Bank for 2018 Calendar year.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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.

CALENDAR YEAR 2018 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)

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance providing for the acquisition of an aerial fire truck.

On motion of Ms. Delisfort, seconded by Ms. Figueiredo, 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.

PROVIDING FOR THE ACQUISITION OF AN AERIAL FIRE TRUCK FOR THE FIRE DEPARTMENT, BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,080,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,028,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

On motion of Ms. Delisfort, seconded by Mr. Figueireo, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance amending Chapter 266-109 of the Municipal Code to create two hour free parking for certain parking spaces in Parking Lot No. 23.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 AMENDING CHAPTER 266-109 ENTITLED "OVERNIGHT PARKING IN CERTAIN LOTS; SPECIAL PERMIT REQUIRED; FEES" BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance creates 2 hour free parking for 5 designated parking spaces in Lot No. 23)

On motion of Ms. Figueiredo, seconded by Ms. Delisfort, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance amending Ordinance 3729 to add a handicap parking space on Julian Terrace.

On motion of Ms. People, seconded by Mr. Florio, 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 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 adds a handicap space on Julian Terrace)

On motion of Mr. People, seconded by Ms. Delisfort, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance amending Chapter 266-55 of the Municipal Code "Parking Prohibited at all Times" to include a portion of Tucker Avenue.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 AMENDING CHAPTER 266-55 SCHEDULE XIV ENTITLED "PARKING PROHIBITED AT ALL TIMES) BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance affects Tucker Avenue)

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, 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 March 13, 2018.

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

The Clerk presented draft of an ordinance amending Chapter 266-49 of the Municipal Code "Stop Intersections" to add a stop sign at the intersection of Lorraine Avenue and Beverly Road.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, 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 AMENDING CHAPTER 266-49 SCHEDULE VIII ENTITLED "STOP INTERSECTIONS" BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF

UNION, STATE OF NEW JERSEY (This ordinance affects Lorraine Avenue at Beverly Road).

On motion of Figueiredo, seconded by Ms. Delisfort, 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 March 13, 2018.

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

RESOLUTIONS:

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-111:**

2018 Municipal Budget
TOWNSHIP OF UNION, COUNTY OF UNION
FOR THE CALENDAR YEAR ENDED DECEMBER 31, 2018
 Revenue and Appropriation Summaries

| Summary of Revenues - Current Fund | Anticipated | |
|-------------------------------------|---------------|---------------|
| | 2018 | 2017 |
| 1. Surplus | 5,665,000.00 | 5,025,000.00 |
| 2. Total Miscellaneous Revenues | 15,242,713.89 | 14,940,245.92 |
| 3. Receipts from Delinquent Taxes | 2,700,000.00 | 2,674,000.00 |
| 4. Minimum Library Tax | 2,119,542.29 | 2,079,014.68 |
| 5. Local Tax for Municipal Purposes | 71,808,202.77 | 70,401,981.51 |
| Total General Revenues | 97,535,458.95 | 95,120,242.11 |

| Summary of Appropriations - Current Fund | 2018 Budget | Final 2017 Budget |
|--|---------------|-------------------|
| 1. Operating Expenses: Salaries & Wages | 43,538,854.58 | 42,317,173.00 |
| Other Expenses | 32,835,661.19 | 32,878,901.92 |
| 2. Deferred Charges & Other Appropriations | 10,954,550.93 | 10,812,473.84 |
| 3. Capital Improvements | 1,109,599.95 | 600,000.00 |
| 4. Debt Service | 4,901,792.30 | 4,316,693.35 |
| 6. Reserve for Uncollected Taxes | 4,195,000.00 | 4,195,000.00 |
| Total General Appropriations | 97,535,458.95 | 95,120,242.11 |
| Total Number of Employees - Full & Part Time | 593 | 593 |

2018 Dedicated Sewer Utility Budget

| Summary of Revenues | Anticipated | |
|---------------------------|--------------|--------------|
| | 2018 | 2017 |
| 1. Surplus | 450,000.00 | 412,000.00 |
| 2. Miscellaneous Revenues | 7,339,711.00 | 6,975,300.00 |
| Total Revenues | 7,789,711.00 | 7,387,300.00 |

| Summary of Appropriations | 2018 Budget | Final 2017 Budget |
|--|--------------|-------------------|
| 1. Operating Expenses: Salaries & Wages | 875,821.00 | 870,060.00 |
| Other Expenses | 4,756,544.00 | 4,477,881.00 |
| 2. Capital Improvements | 675,000.00 | 555,963.00 |
| 3. Debt Service | 97,346.00 | 98,396.00 |
| 4. Deferred Charges & Other Appropriations | 1,385,000.00 | 1,385,000.00 |
| Total Appropriations | 7,789,711.00 | 7,387,300.00 |
| Total Number of Employees - Full & Part Time | 7 | 7 |

| Balance of Outstanding Debt - 12/31/2017 | | |
|--|---------------|---------------|
| | General | Sewer Utility |
| Interest | 1,241,801.52 | 32,600.00 |
| Principal | 45,429,905.92 | 2,593,169.05 |
| Outstanding Balance | 46,671,707.44 | 2,625,769.05 |

On motion of Mr. People, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-112**:

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Union been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2014 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Committee of the Township of Union that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local

Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-113:**

WHEREAS, the Township of Union has a Police Firearms Training Facility used for training and certification purposes; and

WHEREAS, the Borough of Roselle wishes to utilize the range for those purposes for their officers; and

WHEREAS, the Township of Union and the Borough of Roselle wish to engage in a shared service agreement for the use of the facility with all details included in the attached agreement; and

WHEREAS, the Township of Union and the Borough of Roselle have agreed to abide by the provisions of the agreement.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said agreement between the Township of Union and the Borough of Roselle.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2018-114:**

WHEREAS, the Township of Union has a Police Firearms Training Facility used for training and certification purposes; and

WHEREAS, the U.S. Marshals Service wishes to utilize the range for those purposes for their officers; and

WHEREAS, the Township of Union and the U.S. Marshals Service wish to engage in a shared service agreement for the use of the facility with all details included in the attached agreement; and

WHEREAS, the Township of Union and the U.S. Marshals Service have agreed to abide by the provisions of the agreement.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said agreement between the Township of Union and the U.S. Marshals Service.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-115:**

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, in the County of Union, and the State of New Jersey, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF-2017-UNIONTOWNSHIP-00026 to the New Jersey Department of Transportation on behalf of the Township of Union; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Union and that their signature constitutes acceptance of terms and conditions of the grant agreement and approves the execution of the grant agreement.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-116:**

WHEREAS, the Township of Union entered into a contract with Survivor Fire and Security, Inc. for the inspection, testing and maintenance of sprinkler systems, for extinguishers and fire alarms for various buildings for a period of one year; and

WHEREAS, the term of the contract was March 1, 2017 through February 28, 2018 for an amount not to exceed \$8,336.00 and;

WHEREAS, the township wishes to exercise the extension option of the contract for a period of one year at a 0% increase.

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Union authorizes the extension of the contract to Survivor Fire and Security, Inc., 39A Myrtle Street, Cranford, NJ 07016, for the new term of March 1, 2018 through February 28, 2019; and

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2018-117:**

BE IT RESOLVED, that Mayor Suzette Cavadas and Township Clerk, Eileen Birch, are hereby authorized and directed to sign the Interlocal Cost Sharing Agreement with Cranford Township, Kenilworth Borough, Maplewood Township, Millburn Township, Rahway City and Springfield Township naming Millburn Township as the lead agency for these municipalities to collaborate to implement engineering, environmental and legal activities and to fund the cost of necessary agreements, grant applications and professional services agreements regarding flood damage caused by the Rahway River Basin.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-118:**

WHEREAS, Preliminary & Final Site Plan Approval with Variance Relief for AMERICAN LANDMARK DEVELOPERS LLC, Block 2903, Lot(s) 11-15 and 25-29 was granted by the Planning Board of the Township of Union through a resolution adopted on July 27, 2017; and

WHEREAS, in accordance with Chapter 170, Land Use Code of the Township of Union, Performance Guarantees are required in connection with the Public Facilities work to be performed under said Site Plan; and

WHEREAS, it has been determined that the cost of the improvements required for said Site Plan is in the amount of \$525,333.00 and the total amount of the Performance Guarantee shall be \$544,092.99 in an amount equal to one hundred twenty percent (120%) of the cost of improvements; and

WHEREAS, the Township Committee has examined the items constituting the above figure as the same set forth in the applicant's construction cost estimate and reviewed by Joseph R. Venezia, P.E., P.P., C.M.E., C.P.W.M., Township Engineer; and

WHEREAS, said Township has determined that in accordance with Sections 170-243 and 170-245 of the Land Development Ordinance and the Municipal Land Use Law (M.L.U.L.) that the guarantee should be posted in the following manner:

- | | |
|---|---------------|
| A. Performance Bond in the amount of 90% of the Performance Guarantee | \$ 489,683.69 |
| B. A cash deposit in the amount of 10% of the Guarantee | \$ 54,409.30 |
| C. Establishment of a Special Trust Fund Account for inspection & testing in the amount of 5% of the Cost of Improvements | \$ 41,129.94 |

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Performance Guarantee in connection with the application pertaining to property of AMERICAN LANDMARK DEVELOPERS LLC be fixed at the aforesaid sums and posted as hereinabove indicated, the application being identified as Planning Board No. 2017-09.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2018-119:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing a new printer for the Tax Department; and

WHEREAS, this can be purchased through State Contract No. 40467, Ricoh USA, Inc., PO Box 41564, Philadelphia, PA 19101-1564; and

WHEREAS, the availability of funds in the 2018 Municipal Budget has been certified by the Local Finance Officer in the amount of \$3,940.76 and will be charged to 8-07-55-500-599; and

WHEREAS, public bids are not required when the purchase is under state contract in accordance with 40A:11-12 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. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-120:**

WHEREAS, at the Union County Mayors' Meeting, the Mayors of Union County discussed their concerns with the New Jersey Senate Bill S-3, which transfers management of the Police and Fire Retirement System to a Board of Trustees of the Police and Fire Retirement System (PFRS); and

WHEREAS, this shift would force municipalities and property tax payers to assume a disproportionate amount of risk as employers contribution rates are based on the funds needs and actuary reports while the employees contribution rates are fixed; and

WHEREAS, the Union County Mayors strongly believe that the board should be equally balanced between labor and management membership with an independent voice for tie-breaking decisions to ensure that the membership of the board accurately represents all stakeholders interests and ensures that local governments have equal voices in decision making.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union, County of Union hereby supports the concerns of the Union County Mayors and calls on the State Senate to amend Senate bill S-3 to include these concerns; and

BE IT FURTHER RESOLVED that a copy of the adopted Resolution should be forwarded to Representatives of the 20th Legislative District and Governor Phil Murphy.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-121:**

WHEREAS, at the Union County Mayors' Meeting, the Mayors of Union County discussed the potential impact of legalizing marijuana on municipalities and agreed that all revenue from the legal sale of marijuana should be constitutionally dedicated to the state's unfunded pension system; and

WHEREAS, this revenue would boost the state's underfunded pensions systems, helping to fulfill the obligations to public workers, teachers, police officers and firefighters; and

WHEREAS, a constitutional amendment would guarantee that the revenue would be used for only funding the pension system and not for wasteful spending without raising taxes or cutting services to constituents.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union, County of Union hereby supports a constitutional amendment to ensure that all revenue from the legal sale of marijuana be dedicated to the state's underfunded pension systems; and

BE IT FURTHER RESOLVED that a copy of the adopted Resolution should be forwarded to Representatives of the 20th Legislative District and Governor Phil Murphy.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-122:**

WHEREAS, on October 2, 2017 the Superior Court approved the Settlement Agreements between the Township of Union and Fair Share Housing Center ("FSHC"), which included the Township's preliminary compliance measures; and

WHEREAS, on January 25, 2018, the Union Township Planning Board adopted a Housing Element and Fair Share Plan, which the Township contends fully addresses the Township's Rehabilitation Need, Prior Round and Third Round "fair share" obligations; and

WHEREAS, on February 27, 2018, the Township Committee held a properly-noticed public meeting to consider endorsing the Housing Element and Fair Share Plan adopted by the Planning Board on January 25, 2018 and, after consideration of any questions or concerns raised by members of the governing body or the public, the Township Committee determined that it is in the best interest of the Township and the region's

low- and moderate-income households to endorse said Housing Element and Fair Share Plan and to direct the Township's professionals to file said Plan with the Court and to take any and all reasonable actions to secure a Judgment of Compliance and Repeal approving said plan to protect the Township from any unnecessary Mount Laurel lawsuits; and

WHEREAS, the Township's Housing Element and Fair Share Plan includes a number of compliance mechanisms, such as a Rehabilitation Program to be administered by the Township of Union, inclusionary developments, extension of controls program and supportive and special needs housing;

WHEREAS, pursuant to the State's affordable housing regulations and policies, and the conditions of the Court-approved FSHC Settlement Agreement, in order to assure the creditworthiness of the various compliance techniques included in its Housing Element and Fair Share Plan, the Township must demonstrate adequate and stable funding sources; and

WHEREAS, since the Township is committed to securing judicial approval of its Affordable Housing Plan, in order to provide an adequate and stable funding source for the components of the Township's Housing Element and Fair Share Plan, the Township shall rely on the funds in its Affordable Housing Trust Fund, established by its Development Fee Ordinance; and

WHEREAS, if -- after exhausting every potential funding source and every valid compliance technique -- the Township still cannot secure sufficient financing to completely satisfy its affordable housing obligations within the timeframes agreed upon in the Court-approved FSHC Settlement Agreement without being forced to raise or expend municipal revenues in order to provide low- and moderate-income housing, the Township will cover such costs through bonding and/or other legal means; and

WHEREAS, the Court has indicated its intent to review the Township's Housing Element and Fair Share Plan, and the Township wishes to leave no question as to the Township's intent to cover the cost of implementing its Housing Element and Fair Share Plan or any modification thereof that may be necessary as a result of the Court's review.

NOW, THEREFORE, BE IT RESOLVED by Committee of the Township of Union, County of Union, State of New Jersey, as follows:

1. In order to provide adequate and stable funding for the rehabilitation, inclusionary housing, extension of controls and supportive and special needs housing in its Housing Element and Fair Share Plan, Union Township shall make a *bona fide*, diligent, and good faith effort to exhaust the potential funding sources, included those listed in "A Guide to Affordable Housing Funding Sources" ("Funding Guide"), dated October 28, 2008, and currently posted on COAH's official website.
2. The Township shall also maximize use of the funds from its Development Fee Ordinance to facilitate the economic feasibility of the Township's Housing Element and Fair Share Plan; and
3. If, after exhausting every potential funding source in the Funding Guide and its Development Fee Ordinance, the Township still cannot secure sufficient financing to completely satisfy its affordable housing obligations, within the time frames agreed upon in the Court-approved FSHC Settlement Agreement, the Township will fully fund any gaps in financing including by bonding if necessary, to assure the economic feasibility of the rehabilitation and affordable compliance techniques included in the Township's 2017 Third Round Housing Element and Fair Share Plan.
4. The Township reserves the right to recoup any subsidy provided through future collections of development fees as such funds become available.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-123**:

WHEREAS, on October 2, 2017 the Superior Court approved the Settlement Agreement ("Agreement") between the Township of Union ("Township") and Fair Share Housing Center ("FSHC"), which included the Township's preliminary compliance measures; and WHEREAS, on January 25, 2018 the Planning Board of the Township of Union ("Planning Board") adopted the Township's 2018 Third Round Housing Element and Fair Share Plan ("Plan"); and

WHEREAS, the Township Committee endorsed the Plan on February 13, 2018 at a properly-noticed public meeting; and

WHEREAS, under authorization of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*, hereinafter the "Act") the Township is implementing a program to provide affordable housing units to low- and moderate-income households desiring to live within the Township; and

WHEREAS, at Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code, the State has promulgated affordability controls in regulations designed to implement the Act, by assuring that low- and moderate-income units that are created under the Act are occupied by low- and moderate-income households for an appropriate period of time (the "Rules"); and

WHEREAS, Section 5:80-26.14 of the Rules provides that affordability controls shall be administered by an administrative agent acting on behalf of a municipality; and

WHEREAS, the UHAC requirement at N.J.A.C. 5:80-26.3(d) requiring 10% of all low- and moderate-income units to be set-aside for households earning less than 35% of regional median income is superseded by the statutory requirement at N.J.S.A. 52:27D-329.1, and as reflected in paragraph 11 of the July 27, 2017 Settlement Agreement between the Township and Fair Share Housing Center ("FSHC"), which requires the Township to set aside at least 13% of its affordable units for very-low income households earning less than 30% of regional median income; and

WHEREAS, the Township has selected Community Grants, Planning and Housing (CGP&H) (hereinafter referred to as "Administrative Agent") to be the Administrative Agent for the purposes of providing affordability control services for Lenox Meadows, the inclusionary sites and the overlay district sites; and

WHEREAS, the Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in the Rules, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Union Township and the provisions of N.J.A.C. 5:80-26.15;
 - (b) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH, the Court, or another appropriate jurisdiction; and
 - (c) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, rental lease requirements, and landlord/tenant law.
 - (d) As required by the July 27, 2017 Settlement Agreement between the Township and Fair Share Housing Center, and as further provided in the Affirmative Marketing Plan adopted by the Planning Board on January 25, 2018, the Administrative Agent shall provide direct notification of the availability of affordable housing units (along with copies of application forms) to Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, East Orange NAACP, Newark NAACP, Morris County NAACP and Elizabeth NAACP, as well as those entities listed in Appendix I of the Township's Affirmative Marketing Mailing List as part of its affirmative marketing strategy.
- (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form of rental certificates set forth in Appendix K of N.J.A.C. 5:80-26.1 et. seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and

- (f) Employing a random selection process as provided in the Affirmative Marketing Plan of Union Township when referring households for certification to affordable units.
- (3) Affordability Controls
- (a) Furnishing to attorneys or closing-agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for re-rental.
- (6) Enforcement
- (a) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (b) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (c) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (d) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Creating and publishing a written operating manual, as approved by the Courts, setting forth procedures for administering such affordability controls; and
 - (g) Providing annual reports to the Courts and Fair Share Housing Center, and posting the annual report on the Township's website by October 2nd of every year.
- (7) Records received, retained, retrieved, or transmitted under the terms of this contract may constitute public records of Union Township as defined by N.J.S.A. 47:3-16, and are legal property of Union Township. The Administrative Agent named in the contract with the Township must agree to administer and dispose of such records in compliance with the State's public records laws and associated administrative rules.
- (8) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union in the County of Union, and the State of New Jersey that CGP&H is hereby appointed by the Township Committee of the Township of Union as the Administrative Agent for the administration of the Township's affordable housing program.

On motion of Ms. Delisfort, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2018-124**:

WHEREAS, on January 25, 2018, the Union Township's Planning Board adopted a Housing Element and Fair Share Plan that addresses the Township's Rehabilitation Need, Prior Round and Third Round "fair share" obligations; and
WHEREAS, the Township Committee had endorsed a 2010 Plan which received third round substantive certification from the Council on Affordable Housing (COAH) on September 8, 2010; and
WHEREAS, the New Jersey Supreme Court invalidated COAH's Third Round rules and ordered COAH to adopt new rules based upon its Prior Round rules and methodologies (see In re Adoption of N.J.A.C. 5:96 and 5:97, 215 N.J. 578 (2013)); and
WHEREAS, COAH failed to adopt new rules, and on March 10, 2015, the Supreme Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges within the Superior Court; and
WHEREAS, on July 6, 2015, the Township submitted a Declaratory Judgement Action to the New Jersey Superior Court; and
WHEREAS, on October 2, 2017 the Superior Court approved the Settlement Agreement between the Township of Union and Fair Share Housing Center (FSHC) which included the Township's preliminary compliance measures; and
WHEREAS, the Township's Affordable Housing Planning Consultant Kendra Lelie, PP, AICP, LLA of Clarke Caton Hintz, PC, prepared a Third Round Housing Element and Fair Share Plan; and
WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Housing Element and Fair Share Plan and adopted the Plan on January 25, 2018; and
WHEREAS, COAH's Prior Round rules at N.J.A.C. 5:91-2.2(a), requires that the Township Committee endorse the Third Round Housing Element and Fair Share Plan adopted by the Planning Board.
NOW THEREFORE BE IT RESOLVED, by the Governing Body of Union Township in the County of Union, and the State of New Jersey hereby endorses the Housing Element and Fair Share Plan as adopted by the Planning Board on January 25, 2018.

On motion of Mr. Figueiredo, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2018-125**:

WHEREAS, on October 2, 2017 the Superior Court approved the Settlement Agreement between the Township of Union and Fair Share Housing Center (FSHC) which included the Township's preliminary compliance measures; and
WHEREAS, on January 25, 2018, the Union Township's Planning Board adopted a Housing Element and Fair Share Plan that addresses the Township's Rehabilitation Need, Prior Round and Third Round "fair share" obligations; and
WHEREAS, on February 13, 2018, the Township Committee held a properly-noticed public meeting to consider endorsing the Housing Element and Fair Share Plan adopted by the Planning Board on January 25, 2018 and, after consideration of any questions or concerns raised by members of the governing body or the public, the Township Committee determined that it is in the best interest of the Township and the region's low- and moderate-income households to endorse said Housing Element and Fair Share Plan and to direct the Township's professionals to file said Plan with the Court and to take any and all reasonable actions to secure a Judgment of Compliance and Repose approving said plan to protect the Township from any Mount Laurel lawsuits; and
WHEREAS, pursuant to N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq., Union is required to appoint a Municipal Housing Liaison for administration of Union's Affordable Housing Program to enforce the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and
WHEREAS, Union has amended Article I and III of Chapter 150 "Affordable Housing", including Section 150-28, "Municipal Housing Liaison" to provide for the appointment of a Municipal Housing Liaison to administer Union's Affordable Housing Program;
NOW THEREFORE BE IT RESOLVED, by the Governing Body of Union Township in the County of Union, and the State of New Jersey that Ronald Manzella, Township Administrator, is hereby appointed by the Governing Body of Union Township as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 150, Article III, Section 150-28 Union Township's Code.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2018-126**:

WHEREAS, Preliminary & Final Site Plan Approval with Variance Relief for MAUS BROTHERS LLC Block 1409, Lot 11 was granted by the Zoning Board of Adjustment of the Township of Union through a resolution adopted on December 14, 2016; and WHEREAS, in accordance with Chapter 170, Land Use Code of the Township of Union, Performance Guarantees are required in connection with the Public Facilities work to be performed under said Site Plan; and

WHEREAS, it has been determined that the cost of the improvements required for said Site Plan is in the amount of \$12,086.00 and the total amount of the Performance Guarantee shall be \$14,503.20 in an amount equal to one hundred twenty percent (120%) of the cost of improvements; and

WHEREAS, the Township Committee has examined the items constituting the above figure as the same set forth in the applicant's construction cost estimate and reviewed by Joseph R. Venezia, P.E., P.P., C.M.E., C.P.W.M., Township Engineer; and

WHEREAS, said Township has determined that in accordance with Sections 170-243 and 170-245 of the Land Development Ordinance and the Municipal Land Use Law (M.L.U.L.) that the guarantee should be posted in the following manner:

- A. Performance Bond in the amount of 90% of the Performance Guarantee \$13,052.88
- B. A cash deposit in the amount of 10% of the Guarantee \$ 1,450.32
- C. Establishment of a Special Trust Fund Account for inspection & testing in the amount of 5% of the Cost of Improvements \$ 604.30

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Performance Guarantee in connection with the application pertaining to property of MAUS BROTHERS LLC be fixed at the aforesaid sums and posted as hereinabove indicated, the application being identified as Zoning Board CAL No. 3287.

FINANCES:

On motion of Mr. People, 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 February 27, 2018, approved by respective Departments as being correct.

The Clerk presented listing of "Adjustment of Taxes Receivable" submitted by the Collector of Taxes for remission, in pursuance to Revised Statutes.

RESOLVED, that refund of the following Tax over-payments be approved and payment authorized:

| <u>BLOCK/ LOT</u> | <u>NAME</u> | <u>YEAR</u> | <u>AMOUNT</u> | <u>DEDUCTION</u> |
|---------------------------------|-----------------|-------------|---------------|------------------|
| <u>Payable to Corelogic</u> | | | | |
| 2405-25 | Damian Joseph | 2018 | \$ 2,474.75 | Refund O/P |
| <u>Payable to Corelogic</u> | | | | |
| 5408-9 | US Bank Trust | 2018 | \$ 2,040.00 | Refund O/P |
| <u>Payable to Corelogic</u> | | | | |
| 4407-6 | Henry Mendoza | 2018 | \$ 2,532.08 | Refund O/P |
| <u>Payable to Carlos Turner</u> | | | | |
| 1603-4 | Neftaly Guevara | 2018 | \$ 1,973.11 | Refund O/P |
| <u>Payable to Carlos Turner</u> | | | | |
| 105-17.13 C0013 | Fountain/Brown | 2018 | \$ 2,627.63 | Refund O/P |

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$5,617.54.

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 |
|------------------------------|----------------------------|--------------|-------------------------|
| Carlos M. Turner | \$ 3,931.80 | 16-00141 | 254 Carnegie Pl. |
| | \$ 4,000.00 | | |
| US Bank for BV001 Trust | \$33,571.38 \$27,000.00 | 14-00075 | 896 Madison Ave |
| US Bank Cust/ BV002 Trust | \$ 9,534.38 \$28,100.00 | 16-00109 | 1334 Barbara Ave |
| UMTAG/Cust | \$45,395.74 | 14-00025 | 1383 Gustav Ave |
| Alterra Fund | \$20,000.00 | | |
| Caristiana Trust | \$15,471.34 | 16-00034 | 607 Orchard Meadows Dr. |
| CUST – GSRAN-Z LLC | \$20,200.00 | | |

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

From: Anthony Monguso, Construction Code Official, Re: Requesting refunds to the following:

- A. Safeguard Properties, LLC in the amount of \$600.00 for the incorrect registration of a vacant house.
- B. Raj Jetley, in the amount of \$30,000.00 for three demolition permits completed.

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

From: Residents of Stiles Street Re: Requesting permission to hold a block party on Wednesday, July 4, 2018 from 10:00 AM to 7:00 PM.

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

From: Betty Spiropoulos, St. Demetrios Greek Church, Re: Requesting permission to hold their annual Greek Festival September 6-9, 2018. Also requesting permission to utilize several tents in their parking lot, hang a banner across Stuyvesant Avenue and put up four signs at various locations in the Township.

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

From: Dr. Eric Freeman, Redefine Health Care, 2500 Morris Avenue, Re: Requesting permission to hold a 'Spring into Health' event on Sunday April 22, 2018 with a rain date of April 29, 2018 in the parking lot of their business.

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

From: George Esteves, Portuguese American Civic Association, Re: Requesting a flag raising ceremony on May 30, 2018 at 7:00pm in front of town hall and also requesting the use of the Showmobile for June 1- 3, 2018 for their annual Portugal Day Event.

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

From: Marco Sherkawy, Reggios Pizzeria 1571 Morris Avenue, Re: Requesting permission to hang a 20' x 3' banner advertising specials from March 5 - March 31, 2018.

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

From: Louis Arvanitis, President of the Order of AHEPA, Re: Requesting permission to hold a Greek Independence flag raising ceremony in front of the Municipal Building on Sunday, March 25, 2018 beginning at 3:00 PM.

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

MONTHLY REPORTS:

MS. DELISFORT:

- Ms. Delisfort congratulated Arthur Pinckney on receiving the Business of the Month.
- Ms. Delisfort congratulated the St. Patrick's Day Parade Committee.
- Ms. Delisfort presented the monthly report for the Senior Citizen's Department.
- Ms. Delisfort presented the monthly report for the Recreation Department.
- Ms. Delisfort congratulated the Boys 4th grade travel Basketball team and two 6th grade travel Basketball teams on making it to the playoffs.

MR. FIGUERIEDO:

- Mr. Figueiredo made a motion to hold a budget workshop on March 27, 2018 at 5:00 pm in the Bonnel Room, seconded by Mr. People and carried
- Mr. Figueiredo presented the monthly report from the Fire Department.
- Mr. Figueiredo congratulated the Firefighters who took home first place as People's Choice at the Cooked and Uncorked event.
- Mr. Figueiredo also congratulated the Basketball teams on making the playoffs.
- Mr. Figueiredo announced the plays at both Burnet and Kawameeh schools.

MR. PEOPLE:

- Mr. People spoke about eating and staying healthy and thanked the nutritionist.
- Mr. People congratulated Mr. Pinckney and the Business of the Month and urged residents to stop by and see him.
- Mr. People commended the Union County St. Patrick's Day Parade on all the hard work they do to make the parade a success for the past 22 years.
- Mr. People presented the monthly report for the Department of Public Works.

MR. FLORIO:

- Mr. Florio congratulated Mr. Pinckney on receiving the Business of the Month
- Mr. Florio thanked the nutritionist and spoke about how good it is for the community to have a nutritionist available for them.
- Mr. Florio congratulated the Union County St. Patrick's Day Parade Committee and urged residents to come out and watch the parade.
- Mr. Florio presented the monthly report from the Police Department.
- Mr. Florio stated that more needs to be done with illegal guns.

MS. CAVADAS:

- Ms. Cavadas congratulated Mr. Pinckney on receiving Business of the Month
- Ms. Cavadas congratulated the Union County St. Patrick's Day Parade Committee and thanked them for putting this parade together.
- Ms. Cavadas announced March 6th from 6-8 pm at Van Gogh's Ear in celebration of Woman's History Month, Ilyasah Shabazz will be speaking about her book Betty Before X and thanked Fatima Raymond from the SID for putting this event together.
- Ms. Cavadas spoke about how she has taken the initiative and signed the Statement of Principles and joined the coalition of Mayor's Against Illegal Guns.

PUBLIC HEARING:

Daniel Beyrent, 1555 Ridgway Street, apologized for mistakenly posting an editorial on the cancellation of the meeting tonight. Mr. Beyrent stated that he feels that the agendas should be available days before the meeting. He also stated that he felt our parks were unsafe and needed to be inspected.

Mr. Manzella attempted to answer Mr. Beyrent.

There being no further business presented, the Township Committee on motion of Mr. Figueiredo seconded by Mr. People, and carried, adjourned the meeting, the time being 8:36 P.M.

Dated: February 27, 2018

SUZETTE CAVADAS, Chairwoman
of the Township Committee
of the Township of Union
in the County of Union.

EILEEN BIRCH, Township Clerk