

February 14, 2023

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 14th day of February 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, 2023, designating this date, this hall and 7:30P.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 and Star Ledger. A copy of said Resolution is on file with the Clerk of the Township."

The opening prayer was led by Committeewoman Cavadas and the pledge to the flag was led by Committeewoman Delisfort.

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  
James Bowser, Jr.

#### **APPROVAL OF MINUTES:**

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved to approve the Conference and Regular Session Minutes of January 24, 2023 as printed and distributed by the Clerk.

#### **ORDINANCES:**

#### **SECOND AND FINAL READINGS:**

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance authorizing the implementation of mandatory Direct Deposit of pay for all Township employees.

AN ORDINANCE SUPPLEMENTING CHAPTER 122  
"PAYROLL" OF THE CODE OF THE TOWNSHIP OF  
UNION TO ESTABLISH ARTICLE II, "MANDATORY  
DIRECT DEPOSIT" FOR THE IMPLEMENTATION OF  
MANDATORY DIRECT DEPOSIT OF PAY FOR ALL  
TOWNSHIP EMPLOYEES.

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. Bowser, 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. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance providing for the Flood Mitigation Facilities Project of the Joint Meeting of Essex and Union Counties.

BOND ORDINANCE PROVIDING FOR PHASES II(b), III(b), IV, V and VI OF THE LOCAL UNIT'S ALLOCABLE SHARE OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES, BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "LOCAL UNIT"); APPROPRIATING \$10,140,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$10,140,000 BONDS OR NOTES TO FINANCE 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 Ms. Delisfort, 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. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

#### **DRAFT AND FIRST READINGS:**

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance amending Article III of Chapter 434 of the Municipal Code of the Township of Union pertaining 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

On motion of Mr. Bowser, 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, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance adopting the Clinton Manor Redevelopment Plan.

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, NEW JERSEY ADOPTING THE "CLINTON MANOR REDEVELOPMENT PLAN" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *et seq.*

On motion of Mr. Florio, 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, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance amending Chapter 270-3 of the Municipal Code Entitled "Fees". (This ordinance amends various permit fees)

AN ORDINANCE AMENDING CHAPTER 270-3 ENTITLED "FEES", IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY. (This ordinance amends various permit fees)

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance amending Chapter 131-47 of the Municipal Code Entitled "Off Duty Employment". (This ordinance changes the job in blue rates)

AN ORDINANCE AMENDING CHAPTER 131-47 ENTITLED "OFF-DUTY EMPLOYMENT", IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY. (This ordinance changes the job in blue rates)

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance amending Chapter 170 of the Municipal Code.

AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY AMENDING CHAPTER 170 OF THE MUNICIPAL CODE.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby referred to the Planning Board Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance authorizing utility and temporary construction area easements to the State of New Jersey by the Commissioner of Transportation.

AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY, FOR A UTILITY AND A TEMPORARY CONSTRUCTION AREA EASEMENTS TO THE STATE OF NEW JERSEY BY THE COMMISSIONER OF TRANSPORTATION

On motion of Mr. Florio, 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, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance authorizing utility and temporary construction site work area and mitigation work area easements to the State of New Jersey by the Commissioner of Transportation.

AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY, FOR A UTILITY, A TEMPORARY CONSTRUCTION SITE WORK AREA AND A TEMPORARY CONSTRUCTION SITE MITIGATION WORK AREA EASEMENTS TO THE STATE OF NEW JERSEY BY THE COMMISSIONER OF TRANSPORTATION

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance authorizing the sale of certain property within the Township of Union, no longer need for public use, at private sale.

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY WITHIN THE TOWNSHIP OF UNION, NO LONGER NEED FOR PUBLIC USE, AT PRIVATE SALE, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance providing for Various 2023 Capital Road and Park Improvements in the Township.

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$17,868,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$17,848,550 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

On motion of Mr. Bowser, 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, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance amending Chapter 266-55 Entitled Schedule XIV "Parking Prohibited at all times" (This ordinance affect Bonnel Court)

AN ORDINANCE AMENDING CHAPTER 266-55 ENTITLED SCHEDULE XIV "PARKING PROHIBITED AT ALL TIMES) BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance affects Bonnel Court)

On motion of Mr. Florio, 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, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance authorizing the salary ranges of Municipal Officials and employees of the Township of Union.

AN ORDINANCE ESTABLISHING THE SALARY RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF UNION IN THE COUNTY OF UNION

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance authorizing the Township of Union, to sublease to the Union Township Education Association an available office at 1000 Stuyvesant Avenue.

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF UNION, TO SUBLEASE TO THE UNION TOWNSHIP EDUCATION ASSOCIATION AN AVAILABLE OFFICE THE TOWNSHIP PRESENTLY LEASES AT 1000 STUYVESANT AVENUE, UNION, NJ.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye. FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on February 28, 2023. Mr. Florio, aye, Ms. Delisfort, aye, Mr. Bowser, aye, Ms. Cavadas, aye, Mr. Figueiredo, aye.

#### **RESOLUTIONS:**

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-103:**

WHEREAS, VU Urban Renewal C, LLC (the "Redeveloper"), pursuant that Partial Assignment and Assumption of Redeveloper Designation and Redevelopment Agreement, Block 101, Lot 2.03 (the "Assignment") between 1011 Morris Avenue Urban Renewal, LLC (the "Initial Redeveloper") pursuant to a Redevelopment Agreement with the Township of Union (the "Township") and Redeveloper, dated as of January 22, 2020 (the "Agreement"), which Agreement partially assigned to Redeveloper the rights and obligations of Initial Redeveloper pursuant to the Redevelopment Agreement between Initial Redeveloper and the Township, dated August 17, 2017, undertook certain work at Block 101, Lot 2.03 and completed construction of a 427 unit residential apartment building with related amenities (the "Phase II-Parcel C"); and

WHEREAS, the Agreement provides that upon completion of the required work for Phase II-Parcel C, the Redeveloper may apply for a Certificate of Completion, which in part recognizes that the work has been completed and releases the Redeveloper from their responsibilities under the Agreement as to Phase II-Parcel C; and

WHEREAS, the Redeveloper has requested that the Township issue a Certificate of Completion for Phase II-Parcel C, and submits that they have complied with all requirements of the Agreement and the Assignment, the applicable Planning Board and related approvals, and the Redevelopment Plan, and has obtained a Certificate of Occupancy from the Township Construction Official in accordance with the Agreement; and

WHEREAS, the Redeveloper, as part of the Phase II-Parcel C development, undertook the necessary construction, and has complied with all requirements of the applicable Planning Board and related approvals, and has obtained a Certificate(s) of Occupancy from the Township Construction Official, dated October 28, 2022; and

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

Section 1. The Township Committee hereby consents to execution of a Certificate of Completion, as set forth herein, in accordance with the terms of the Agreement.

Section 2. The Township Committee hereby authorizes and directs the Mayor to execute the Certificate of Completion on behalf of the Township, as necessary to further evidence or acknowledge the Township's consent.

Section 3. This resolution shall take effect immediately.



Bowser	X										
Cavadas	X										
X – Indicate Vote		ABS – Abstain			N.V. – Not Voting				AB –		
Absent											

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-105:**

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1.(3), competitive contracting may be used for the purpose of the operation, management or administration of data processing services, and N.J.S.A. 40A:11-4.3.a, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 are desired to be contracted, and

WHEREAS, the Qualified Purchasing Agent and Township Administrator recommend, therefore, the use of the competitive contracting process for the permitted use under N.J.S.A. 40A:11-4.1(3) Advertisement for Payroll Services.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union that it hereby authorizes the use of competitive contracting for the purpose of Advertisements for Payroll Services.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2023-106:**

WHEREAS, the Governing Body of the Township of Union (the “Township) and the Board of Education (the “Board”) entered into a contract for the joint provisions of services pursuant to N.J.S.A. 40A:48-5 and N.J.S.A. 40:4A-1 et. seq. for the services of a school resource officer; and

WHEREAS, the original agreement has been amended to continue the services of the school resource officer; and

WHEREAS, both parties wish to amend the agreement to extend the services of the school resource officer for the 2022-2023 school year with the terms and conditions attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Township committee of the Township of Union in the County of Union hereby approves the attached amended agreement for a School Resource Officer and that the Mayor and the Clerk are hereby authorized and directed to execute such agreement.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-107:**

WHEREAS, the Township of Union requested three quotes and received two (2) on January 20, 2023 in connection with the Sumner Avenue Pump Station Inflow/Infiltration Reduction project; and

WHEREAS, Jo-Med Contracting Corporation, 300 South Second Street, Elizabeth, New Jersey 07206 was the responsive, low bidder with a total bid amount of \$18,000.00 and the Township experienced excellent service from them in the recent past; and

WHEREAS, the availability of said funds has been certified by the Chief Financial Officer in the Inflow/Infiltration Reduction Trust Account T-13-56-910-009; 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 Sumner Avenue Pump Inflow/Infiltration Reduction in the amount of Eighteen Thousand and 00/100 Dollars [\$18,000.00] be and the same is hereby awarded to Jo-Med Contracting Corporation in accordance with all bid specifications and requirements.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-108:**

WHEREAS, the State Department of Environmental Protection requires compliance guidelines associated with the Underground Storage Tanks at the DPW, Police Headquarters, Firehouse 1 (Bond Drive) and Firehouse 2; and

WHEREAS, Independence Constructors submitted an itemized proposal on January 19, 2023 for the monthly inspections associated with the Underground Storage Tanks at the Department of Public Works, Police Headquarters, Firehouse 1 (Bond Drive) and Firehouse 2 (Vauxhall Road) in the amount of \$25,200.00; and

WHEREAS, Independence Constructors, Inc. holds State Contract #42270 to perform the aforementioned work and;

WHEREAS, the Township Engineer recommends the township award a contract to Independence Constructors, Inc. for the monthly compliance inspections of the DPW, Police Headquarters, Firehouse 1 (Bond Drive), Firehouse 2 (Vauxhall Road) and Police Headquarters as outlined in the proposal; and

WHEREAS, the Chief Financial Officer has determined that there is sufficient funding in the Account No. 3-01-26-290-245 for the DPW (\$8,400.00); Account 3-01-25-265-282 for Firehouse 1 and Firehouse 2 (\$8,400.00); and Account 3-01-25-240-282 for Police Headquarters (\$8,400.00) to award the contract for a total contract amount of \$25,200.00 and

WHEREAS, the aforementioned contract award 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 the monthly compliance inspections at the DPW, Police Headquarters, Firehouse 1 (Bond Drive) and Firehouse 2 (Vauxhall Road) be awarded to Independence Constructors, Inc. 1200 Route 22 East, Bridgewater, N.J. 08807 in the amount not-to-exceed twenty-five thousand, two hundred and 00/100 Dollars [\$25,200.00] in accordance with said contractor's proposal dated January 19, 2023

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption **Resolution No. 2023-109:**

WHEREAS, there exist instances when errors are discovered in the Tax List of the Township of Union; and

WHEREAS, the process of correcting these errors is that of an appeal to the Union County Board of Taxation or the New Jersey Tax Court; and

WHEREAS, it is the responsibility of the Tax Assessor to determine the correct and fair assessed value of every property within the Township of Union,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the Tax Assessor, Kevin Palumbo, and the Tax Appeal Attorney(s) of the Township of Union, Robert Renaud and/or Brian Aloia, are hereby authorized to file appeals to correct errors in the 2023 Township of Union Tax List.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the

Township Committee moved the adoption of **Resolution No. 2023-110:**

WHEREAS, the Township Committee of the Township of Union wishes to facilitate the stipulation and settlement of Tax Appeals filed before the Union County

Board of Taxation or the Tax Court of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the Tax Assessor, Kevin Palumbo, and the Tax Appeal Attorney(s), Robert Renaud and/or Brian Aloia, are hereby authorized to execute on behalf of the Township of Union stipulations of settlement with respect to Tax Appeals.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-111:**

WHEREAS, it is anticipated that certain taxpayers of the Township of Union will file tax appeals disputing their assessed valuation for the year 2023; and

WHEREAS, the Tax Assessor is of the opinion that said properties, in some cases, are undervalued and that the assessed value of said properties should be increased and not decreased as taxpayer seeks; and WHEREAS, a method exists in the Tax Law for the Municipality to counterclaim against the property owner to seek an increase in the assessed value; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the Tax Assessor, Kevin Palumbo, and Tax Appeal Attorney(s),

Robert Renaud and/or Brian Aloia, are authorized and directed to take whatever steps necessary and appropriate to file counterclaims against the taxpayer in question seeking to raise the assessed value of said properties to the value which the Tax Assessor deems to more properly reflect the value of said property for the year 2023.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-112:**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. permits municipalities and other local units by adoption of a Resolution to enter into an Agreement to provide or receive any service that each local unit participating in the Agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Union, and the Township of Union Board of Education, a political subdivision of the State of New Jersey desire to enter into an agreement to memorialize the shared services of a Township of Union Special Law Enforcement Officer 3 (SLEO3) to the Union Board of Education; and

WHEREAS, the Union Board of Education agrees to reimburse the Township of Union for the services of the SLEO3 \$36.62/hour from July 1, 2022 through June 30, 2023; and

WHEREAS, this shared services agreement will automatically renew for a period of five years beginning July 1, 2023 according to the provisions in the attached agreement; and

WHEREAS, the governing bodies of the Township of Union and Township of Union Board of Education have determined that it is in the mutual best interest for the parties for the services of the SLEO3 for a period through June 30, 2023.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union authorizes the Mayor and Clerk to execute a Shared Services Agreement to provide for the services a Township of Union Special Law Enforcement Officer 3 (SLEO3) to the Union Board of Education for a period through June 30, 2023.

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-113**:

WHEREAS, the Township of Union desires to engage a professional engineering firm for professional planning services in association with a proposed redevelopment area within the Township located at 1490 Burnet Avenue to include Block 5711, Lot 1 with the overall property consisting of approximately 1.9 acres currently zoned NC (Neighborhood Core); and

WHEREAS, the Township requested and received a detailed scope and fee estimate from Colliers Engineering and Design dated January 11, 2023 for an area in need of redevelopment investigation and a Redevelopment plan preparation for a fee not-to-exceed \$40,000.00; and

WHEREAS, funds are available in Capital Account 3-01-20-100-269 to compensate the person or firm selected to advise the Governing Body in connection with the foregoing; 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 Colliers Engineer and Design, for professional planning services associated with the Burnet Avenue Redevelopment for a fee not to exceed \$40,000.00.
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 Colliers Engineering and Design is authorized to practice 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. N.J.A.C. 17:27)
4. A notice of this action shall 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. 2023-114**:

WHEREAS, LANDMARK LLC has requested by correspondence dated February 3, 2023 release of the Performance Bond and the Cash Bond for site improvements at 530 Chestnut Street; and

WHEREAS, the Township Engineer has determined that the applicant has completed all site improvements; and

WHEREAS, it has been determined that the Performance Bond No. EAIC173000020 in the amount of \$27,872.28 and the Cash Bond in the amount of \$3,096.92 posted by Check #5237 can be released subject to posting a Maintenance Bond by the applicant; and

WHEREAS, in accordance with the Municipal Land Use Law (M.L.U.L), said Maintenance Bond shall run a two-year period expiring on February 14, 2025 and shall be in the amount of \$4,604.43 which is 15% of the cost of improvements.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Performance Guarantee pertaining to the subject property be released and the Cash Bond be returned subject to the applicant posting a Maintenance Bond at the aforesaid sums, the application approved by the Zoning Board on March 24, 2021.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-115**:

WHEREAS, the Plaintiff, Glen Van Deventer ("Plaintiff"), initiated a Civil Action against the Township in the United States District Court for the District of New Jersey, bearing docket number 2:20-cv-14961 (hereinafter the "Civil Action"); and

WHEREAS, the Township and the Plaintiff have agreed to settle the Civil Action;

WHEREAS, pursuant to the settlement agreement, the Plaintiff has agreed to settle the Civil Action and dismiss any and all claims against the Township for payment in the total amount of One Hundred Fifty Thousand and XX/100 Dollars (\$150,000.00) (the "Settlement Amount"); and

WHEREAS, as a condition of the settlement agreement, the Plaintiff has agreed to retire from his position as a Firefighter in the Township; and

WHEREAS, the Plaintiff has agreed to file for retirement with the Township on or before February 24, 2023, with an effective date of March 1, 2023; and

WHEREAS, as of January 31, 2023, the Plaintiff is on Paid Administrative Leave up and until February 28, 2023; and

WHEREAS, the Plaintiff shall execute a Release of Claims as against the Township in the form attached hereto as Exhibit "A" memorializing the terms of such settlement between the Township and the Plaintiff.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union authorizes the Mayor and Clerk to accept Plaintiff's Release and authorize payment of the Settlement Amount to Plaintiff.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-116**:

WHEREAS, the Township of Union Police Department is required to commit resources to manage and administer impounded, unclaimed and abandoned vehicles resulting from a police initiated tow; and

WHEREAS, the Police Department can utilize Recovery Solutions and Title LLC to provide vehicle impound related administration services at no cost to the Township;

WHEREAS, the Township contracted police towing operators pay the cost to Recovery Solutions and Title LLC for vehicle impound services; and

WHEREAS, it is in the best interest of the Township to enter into an agreement with Recovery Solutions and Title LLC to provides these services.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes an agreement with Recovery Solutions and Title LLC to provide vehicle impound related administration services at no cost to the Township.

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-117**:

WHEREAS, N.J.S.A. 40A:11-11-(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the Educational Services Commission of Morris, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of work, goods and services; and

WHEREAS, the Lead Agency shall be responsible for complying with the provisions of the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey, and

WHEREAS, the Township Committee of the Township of Union desires to

participate in the Educational Services Commission of Morris for the provision of goods and services; and  
 WHEREAS, the agreement has been prorated at a rate of \$530.00 through March 31, 2023 and will automatically renew on April 1, 2023 with the cost of \$2,125.00 for a total of \$2,655.00 to be charged to 3-01-25-240-275.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union, State of New Jersey authorizes participation in the Educational Services Commission of Morris.

**FINANCES:**

On motion of Ms. Delisfort, 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 14, 2023, approved by respective Departments as being correct.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee, 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>
1805-5	Ronald Singletary	2023-1	\$2,044.54	Refund

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee, RESOLVED, that refund of the following Sewer 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: Bonafide Title Agency</u>				
2605-22	Haseeb Qazi	2022	\$1,711.95	Refund O/P

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$51,451.84, Covid-19 Round 1 in the amount of \$157.19 and Covid-19 Round 3 in the amount of \$1,339.31.

**COMMUNICATIONS:**

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

<u>NAME</u>	<u>AMOUNT</u>	<u>CERT#</u>	<u>LOCATION</u>
Christiana Trust As Cust	\$21,227.99	22-00046	2565 Burns Pl
GSRAN-Z LLC Deposit Acct	\$78,000.00		
PPP New, LLC	\$2680.29		
	\$3400.00	22-00061	1982 Ostwood Terr
Christiana Trust As Cust	\$11800.27	22-00057	1298 Orange Ave
GSRAN-Z LLC Deposit Acct	\$45,000.00		
Michael Hutchins	\$54,935.06	12-00044	1215 Kirkman Pl
Bernard Brown &			
Akilah Crawford	\$2480.21	21-00076	278 Hilton Ave
	\$4500.00		

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved to authorize the checks.

From: John Esposito, Knights of Columbus, Re: Requesting to collect donations for their Persons of Intellectual Disabilities Drive April 28<sup>th</sup> - 30<sup>th</sup>, 2023 between the hours of 9:00am-3:00pm, at various intersections within the Township.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the

Township Committee moved to authorize the request.

From: Anthony Monguso, Construction Official, Re: Requesting a refund to Tesla Energy Operations, Inc in the amount of \$450.00 for an unused construction permit.

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved to authorize the refund.

From: Allison Lestarchick, Union Catholic High School, Re: Requesting the use of the showmobile for a Food Truck Festival on Saturday April 22, 2023 from 12:00pm- 5:00pm, with all fees waived.

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

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved to receive and file the following department reports:  
Clerk's Office  
Community Development

#### **COMMITTEE REPORTS:**

Ms. Delisfort:

- Ms. Delisfort presented the DPW report.

Mr. Florio:

- Mr. Florio made a motion to add Hernan Castro to the Economic Advisory Committee. It was seconded by Ms. Delisfort and carried.
- Mr. Florio presented the report from the Police Department.
- Mr. Florio Congratulated Police Director Donnelly and the Union Police Department for receiving the Gold Award 2022 AAA Community Safety Award.

Mr. Bowser:

- Mr. Bowser presented the Recreation report.
- Mr. Bowser presented the Senior report.

Ms. Cavadas:

- Ms. Cavadas moved the approval of the following licenses:

GAS STATIONS

Parkway Exxon – 1601 Route 22 West

BP Gas Station – 2352 Morris Avenue

BYOB

Peruvian Flavors Restaurant, LLC

PET SHOP/Kennel

Township of Union Animal Shelter – 980 Jefferson Avenue

AMUSEMENT / ENTERTAINMENT

Galloping Hill Inn, Inc.

Outdoor Café

Gusto Y Sabor Co. LLC – 2022 Morris Avenue #C

Joe's Place – 2032 Morris Avenue

Abuja International – 1784 Burnet Avenue

La Casa del Pan – 550 C & D North Avenue

Liberty Tavern- 1403 Liberty Avenue

second by Mr. Bowser, the motion was carried.

- Ms. Cavadas presented the Fire Report.
- Ms. Cavadas wished all residents a Happy Valentine's Day.

Mr. Figueiredo:

- Mr. Figueiredo congratulated UHS Students Jeremiah Alviola and Marjorie Piansay on their acceptance and performance with the Kean University Honors Band.
- Mr. Figueiredo announced the screening of the 2022 film, “The Woman King” over the weekend was a success.
- Mr. Figueiredo announced the Black Excellence Art Gallery at the Vauxhall Meeting Center on Friday, February 17, from 6-9pm and concluding the Black History Month events will be Union’s first ever Black History Month Celebration at the Senior Center located at 652 Rahway Ave, Saturday, February 25 from 1pm to 5pm.
- Mr. Figueiredo announced two upcoming SID events. Saturday, February 18, Couple’s Paint & Sip, and Sunday, February 19, there Galentine’s Paint & Sip on Stuyvesant Avenue.
- Mr. Figueiredo announced a ‘Speed Meeting’ hosted by the SID on February 15 at 6PM at Lagar Restaurant. Tickets can be purchased through Eventbrite.
- Mr. Figueiredo encouraged all residents to sign up for Everbridge notifications.

**PUBLIC HEARING:**

No one expressed a desire to be heard.

There being no further business presented, the Township Committee on motion of Mr. Florio, seconded by Ms. Delisfort, and carried, adjourned the meeting, the time being 8:07pm.

Dated: February 14, 2023

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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