

March 10, 2020

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 10th day of March, 2020 at 7:36 P.M. The meeting was called to order by Michele Delisfort, 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, 2020, 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 Committeeman People, and the pledge to the flag was led by Committeeman Florio.

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

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

PROCLAMATIONS:

Proclaiming March National Nutrition Month – Kelsey Pezzuit
Proclaiming March Red Cross Month

MAYOR'S AWARD:

Union County St. Patrick's Day Parade Committee:
Grand Marshal – Michael McNany
General Chairwoman – Jessica Ann Cunningham
Adjutant – Kathleen Holmes

APPROVAL OF MINUTES:

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved to approve Conference and Regular Session Minutes of February 25, 2020

SECOND AND FINAL READING:

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading an ordinance establishing a Cap Bank for the 2020 Calendar Year.

CALENDAR YEAR 2020 ORDINANCE TO ESTABLISH A CAP BANK AUTHORIZING THAT ANY AMOUNT NOT APROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS (N.J.S.A. 40A:4-45.14)

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was, on motion of Ms. Cavadas, seconded by Mr. Figueiredo, 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. Cavadas aye, Mr. People, aye Mr. Florio aye, Ms. Delisfort, aye

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance 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 Ms. Cavadas, seconded by Mr. Figueiredo, 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. Cavadas aye, Mr. People, aye Mr. Florio aye, Ms. Delisfort, aye

RESOLUTIONS:

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-112:**

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, 2019 through February 29, 2020 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, 2020 through February 28, 2021; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published according to law in the Local Source.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-113:**

WHEREAS, the Township of Union is in need of Fire and Burglar Alarm Inspection and Testing Services for the Municipal Building; and

WHEREAS, Bergen Protective Systems, Inc., 325 Sylvan Avenue, Englewood Cliffs, NJ 07635 can perform this service for an amount not to exceed \$975.00; and

WHEREAS, the Purchasing Agent shall obtain a Certificate of Availability of Funds for service, not to exceed a total amount of \$975.00 and shall be encumbered to DPW 0-01-26-310-282.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes an award of contract to Bergen

Protective Systems, Inc., 325 Sylvan Avenue, Englewood Cliffs, NJ 07635 for the Fire and Burglar Alarm Inspection and Testing Services for the Municipal Building.

On motion of Ms. Suzette Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-114:**

WHEREAS, the Township of Union is in need of police and fire alarm monitoring for various township buildings; and

WHEREAS, BH Security is the proprietary vendor for an amount not to exceed not to exceed \$8,856.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes an award of contract to BH Security, 10 Progress Street, Union, NJ 07083 for the Fire and Burglar Alarm Wireless Monitoring for Various Buildings; and

BE IT FURTHER RESOLVED that the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases, not to exceed a total amount of \$8,856.00 and shall be encumbered to DPW 0-01-26-310-282 -\$5,166.00, Police 0-01-25-240-282 - \$1,476.00 and Fire 0-01-25-265-282 - \$2,214.00.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-115:**

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. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-116:**

WHEREAS, Final Approval for a Major Site Plan application by COS Phones, 785 Rahway Avenue, Block 3915 Lot 4 was granted by the Planning Board of the Township of Union on November 19, 2018; and

WHEREAS, in lieu of the requirements established in Chapter 170, Land Use Code of the Township of Union, a Safety and Stabilization Surety Bond is required and was posted in connection with the Public Facilities work to be performed under said Site Plan 2020-03 on March 3, 2020 in the amount of \$5,000.00 by Check No. 2708; and

A. A Performance Bond in the form of a Safety and Stabilization Bond \$ 5,000.00

B. Establishment of a Special Trust Fund Account for inspection & testing (5% of the cost of improvements) \$14,540.80

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Safety and Stabilization Surety Bond in connection with the application pertaining to property of COS Phones, 785 Rahway Avenue be fixed at the aforesaid sums and posted as hereinabove indicated, the application being identified as Site Improvement Permit 2020-03.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-117:**

WHEREAS, N.J.A.C. the Township of Union utilizes John Deere vehicles for its DPW fleet; and

WHEREAS, the Township of Union purchases parts and repair services from Jesco, 118 St. Nicholas Ave., South Plainfield, NJ 07080, a regionalized proprietary vendor for John Deere vehicles; and

WHEREAS, said purchases are expected to include parts and repair of vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the Township of Union to utilize Jesco, 118 St. Nicholas Ave., South Plainfield, NJ 07080, State Contract 85848 for Parts and Repair of Road Maintenance Equipment as regionalized proprietary vendor; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$15,000.00 and shall be encumbered to DPW 0-01-26-290-226.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-118:**

WHEREAS, the Township of Union is in need of guard rails and repair of guard rails for safety throughout the Township; and

WHEREAS, these can be provided by Road Safety Systems through the Morris County Coop; and

WHEREAS, funds are available for this not to exceed \$20,000.00 and will be charged to 0-01-26-290-232.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union hereby authorizes the purchase of guard rails and the repair of guard rails from Road Safety Systems through the Morris County Coop.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-119:**

WHEREAS, pursuant to the Site Remediation Reform Act, N.J.S.A. 58:10-23.11 et seq., owners of contaminated sites are now required to engage a Licensed Site Remediation Professional ("LSRP") who will have the responsibility for the oversight of environmental

investigations and cleanups; and

WHEREAS, Prestige Environmental is authorized to perform this service and submitted a proposal under the Fair and Open Process (N.J.S.A. 19:44A-20a, et. seq.) which was accepted by the Township Committee by Resolution No. 2020-32; and WHEREAS, the Township requested and subsequently received a proposal from Prestige Environmental dated March 3, 2020 to resolve the pending issues of environmental concern relative to the sampling, excavation and disposal of regulated soil from certain locations at the Hall Little League Stadium on Lehigh Avenue to include: 1) Liaison with NJDEP, soil sampling plan implementation and analysis; 2) data evaluation and plan for soil excavation/stockpiling; 3) project management and supervision during field work and post-excavation sampling; 4) characterization of stockpiled soil for off-site disposal and disposal facility selection; 5) soil disposal including payments to disposal facility; and 6) reports to regulated agencies for a fee not-to-exceed

\$51, 771.50; and

WHEREAS, the availability of said funds has been certified by the Local Finance Officer in Capital Account C-04-55-559-499; 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 Prestige Environmental Inc. to perform the aforementioned services at Hall Stadium property located at Lehigh Avenue as more fully described in their proposal dated March 3, 2020 for a fee not-to-exceed \$51,771.50.
2. The contractor agrees to comply with all affirmative action Regulations pursuant to N.J.S.A. 10:21-1 et seq. (p.l. 1975 C. 127. NJAC 17:27).

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-120:**

WHEREAS, the Township of Union Police Department purchased software from MorphoTrak, LLC for the fingerprinting machine, now known as Idemia Identity and Security USA, LLC; and

WHEREAS, as part of the agreement, a maintenance agreement is required; and

WHEREAS, Idemia Identity and Security USA, LLC 5515 East LaPalma Ave., Suite 100, Anaheim, CA., 92807 is qualified to maintain said system; and

WHEREAS, funds will be available from the 2020 budget for the payment of the services of MorphoTrak, Inc. and the availability thereof has been certified by the Local Finance Officer; not to exceed \$3,508.64 and will be encumbered to 0-01-25-240-299; and

WHEREAS, the Local Public Contracts Law provides that an exemption may be made for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, (N.J.S.A. 40A:11-5dd).

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

1. The Chairman of the Township Committee and the Township Clerk be and they are hereby authorized and directed to enter into an agreement with Idemia Identity and Security USA, LLC 5515 East LaPalma Ave., Suite 100, Anaheim, CA., 92807 to provide the services hereinabove mentioned, and that such an agreement shall be made part of this resolution.
2. A notice of this action shall be published in the Local Source.
3. The contractor agrees to comply with all affirmative action regulations, pursuant to N.J.S.A. 10:2-1 et seq. (P.L.1975 c. 127, NJAC 17:27)

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-121:**

WHEREAS, On November 7, 2017 New Jersey voters approved the New Jersey Construction Bond Act which authorizes the issuance of \$125 million in State General Obligation Bonds to provide grants for the construction, reconstruction, development, extension, improvement and furnishing of public libraries on the State of New Jersey ; and

WHEREAS, the Bond Act requires that proceeds from the bonds can fund no more than fifty percent (50%) of the cost of the project and the remaining fifty percent (50%) must be supported by the local governing body in the area served by the library; and

WHEREAS, the Union Public Library is submitting an application for renovations to the Main Library in the total amount of \$6,157,025.00 and the Township of Union will provide funding in the same amount of \$6,157,025.00 for a total project amount of \$12,314,050.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, County of Union, State of New Jersey hereby supports the Union Public Library grant application to the State of New Jersey and intends to provide funding for these renovations to the Main Library in the amount of \$6,157,025.00.

FINANCES:

On motion of Mr. Florio, seconded by Mr. Figueiredo, 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 March 10, 2020, approved by respective Departments as being correct.

Authorize the adjustment of taxes receivable and adjustments due to State and/or County Tax Appeals as listed by the Tax Collectors Office.

<u>BLOCK/ LOT</u>	<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>DEDUCTION</u>
3402-8	Engelhard Corp. c/o BASF Corp.	2019-4	\$19,141.01	Tax Appeal

On motion of Mr. Florio, seconded by Mr. Figueiredo, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$3356.99.

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>
Realty Solutions, JV, LLC	\$15,535.23	19-00046	765 Lafayette Ave.
US Bank Cust/ Tower DBVIII	\$25,100.00	19-00092	307 Ohio Street
Serrot Develop. Solutions, LLC	\$ 8,700.00	19-00116	161 Berkley Place
US Bank Cust for For Pro Cap 8	\$ 859.89	19-00028	1600 Union Ave.
Andrew C. Warner	\$ 1,400.00	19-00064	363 Marion St.
Serrot Develop. Solutions , LLC	\$ 9,561.52	19-00115	278 Hilton Avenue
US Bank Cust For Pro Cap 8	\$ 8,500.00	19-00070	2411 N. Third St.
Max Capital, LLC	\$ 1,500.00	18-00025	1251 Coolidge Ave
Realty Solutions, JV, LLC	\$ 1,163.48	19-00029	1398 Elaine Terr
	\$ 1,400.00		
	\$ 9,561.52		
	\$ 8,500.00		
	\$ 1,500.00		
	\$ 1,500.00		
	\$ 977.11		
	\$ 300.00		
	\$ 1,432.69		
	\$ 2,000.00		
	\$ 504.76		
	\$ 9,000.00		

Harrieth Nnadi	\$ 604.42	19-00031	1849 Morris Ave
	\$ 600.00		
Realty Solutions, JV, LLC	\$15,004.10 \$29,200.00	19-00085	2045 Lentz Ave

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

From: Rosaline Scott, Methodist Girl's High School Alumnae Association Re: Requesting permission to march on Kings Court to the United Methodist Church, 2095 Berwyn Street, on Sunday, May 17, 2020 in celebration of its 140th Anniversary between the hours of 1:00pm-2:00pm.

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

From: Rupen Shah, Director of the Roselle Park Community Center, Re: Requesting permission to utilize the Showmobile on Saturday, September 26, 2020 with a rain date of Sunday, September 27, 2020 from 3:00pm to 8:30pm for their Annual Arts Festival with all fees waived.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved to approve the request for the use of the showmobile but they are responsible for all overtime costs.

From: Joseph Venezia, Township Engineer, Re: Requesting the following payments:

- A. Payment No. 4 to Multi Roof Maintenance LLC in the amount of \$1,935.00 for work completed through February 29, 2020 in connection with the Firehouse #2 Roof Replacement Project.
- B. Payment No. 5 and final to Multi Roof Maintenance LLC in the amount of \$17,595.00 for work completed through February 29, 2020 in connection with the Firehouse #2 Roof Replacement Project.

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

DEPARTMENT REPORTS:

MONTHLY REPORTS:

Clerk's Office
Community Development
Fire Department
Municipal Court

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee directed that the reports be received and filed.

COMMITTEE REPORTS:

SUZETTE CAVADAS:

- Ms. Cavadas moved the following appointments to the SID: Joseph Cioffi and Edwin Rosa and Antonio Dei Medici. The motion was seconded by Mr. Figueiredo and carried.
- Applications for licenses were presented by Ms. Cavadas, and none of the Township Committee voicing any conflict, she moved that the Township Committee approve the applications, as follows:
Entertainment/Amusement:
Deseo Tapas- 2185 22 West LLC
Union Sports Arena LLC- 2441A Route 22 West
Distribution of Video Games:

Premier Amusements Inc- 2140 Ward Ave., Simi Valley, CA

Junkyard License:

Union Auto Wreckers- 2345 Rt. 22 W

The motion was seconded by Mr. Figueiredo, and carried

- Ms. Cavadas thanked the St. Patrick's Day Parade Committee and congratulated Michael McNany.
- Ms. Cavadas presented the Recreation Department Report.
- Ms. Cavadas presented the Senior Center Report.

MR. FIGUERIEDO:

- Mr. Figueiredo congratulated St. Patrick's Day Parade Committee and asked all residents to come out.
- Mr. Figueiredo presented his monthly report from the Fire Department.
- Mr. Figueiredo announced that the Burnet Middle School production of Annie Jr. will take place this weekend March 13-15.

MR. PEOPLE:

- Mr. People spoke about eating & staying healthy.
- Mr. People congratulated the St. Patrick's Day Parade Committee.
- Mr. People presented his monthly report for the Department of Public Works.
- Mr. People announced a County shredding event March 28 & 29 in Scotch Plains.

MR. FLORIO:

- Mr. Florio presented the monthly report from the Police Department.
- Mr. Florio spoke about pedestrian safety.
- Mr. Florio announced an active shooter drill for Fire and Police March 11 & 12.
-

MS. DELISFORT:

- Ms. Delisfort thanked the St. Patrick's Day Parade Committee and stated the Grandstand begins at noon and the parade kicks off at 1:00pm.
- Ms. Delisfort announced the Census Job Fair March 18th at the Vauxhall Library and March 19th at the Main Library.
- Ms. Delisfort announced a save the date for the UHSPAC production of Once On This Island 3/20-3/22.
- Ms. Delisfort spoke about the first flag raising of the year. The Greek flag will be raised 3/22 at 2:30pm in front of Town Hall.

Mayor Delisfort then asked Marconi Gapas, Health Officer, to update the public on the Covid-19.

Mr. Gapas stated that as of now there is low risk to the general public but asked that all residents practice social distancing. Also please self-quarantine if you are not feeling well and if possible telecommute.

PUBLIC HEARING:

No one expressed a desire to be heard.

There being no further business presented, the Township Committee on motion of Mr. Figueiredo, seconded by Mr. Florio, and carried, adjourned the meeting, the time being 8:15 P.M.

Dated: March 20, 2020

MICHELE DELISFORT, Chairwoman of the
Township Committee of the Township of Union,

in the County of Union.

EILEEN BIRCH, Township Clerk