

March 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 March at 7:31 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 Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved to approve the Executive, Conference and Regular Session Minutes of February 28, 2023.

ORDINANCE:

DRAFT AND FIRST READING:

In pursuance to notice duly published, the Clerk presented for consideration a draft of an ordinance to vacate Elmer Street.

An Ordinance of the Township of Union, County of Union, State of New Jersey vacating the public street known as Elmer Street in the Township of Union, Union County, New Jersey

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.

RESOLUTIONS:

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-139:**

WHEREAS, the Township awarded a Professional Services Agreement for Construction Management Services to M&M Construction, 33 Commerce Drive, Cranford, NJ 07016 by Resolution No. 2023-25 for an amount not to exceed \$50,000.00; and
WHEREAS, it is necessary to increase the amount to M&M Construction for those services by an additional \$75,000.00, and
WHEREAS, the availability of sufficient funds for the work to be undertaken in accordance with said contract has been certified by the Local Finance Officer and will be charged to 3-01-20-100-269 for an amount not to exceed \$125,000.00.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union in the County of Union hereby amends Resolution No. 2023-25 increasing the amount to M&M Construction.
BE IT RESOLVED that a notice of this action shall be published in the Local Source.

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-140:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end contracts; and
WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body; and
WHEREAS, the Township of Union needs to purchase uniform shirts for the Fire Department and these can be purchased from Turn Out Fire & Safety, 3468 Kennedy Blvd., Jersey City, NJ 07307, through the Morris County Cooperative.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the Purchasing Agent of the Township of Union to authorizes the purchase of uniform shirts for the Fire Department and these can be purchased from Turn Out Fire & Safety, 3468 Kennedy Blvd., Jersey City, NJ 07307, through the Morris County Cooperative.; pursuant to N.J.A.C. 5:34-4.9, open-end contracts; and
BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$9,114.00 and shall be encumbered to 3-01-25-265-222.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2023-141:**

WHEREAS, the Township of Union is in need of replacing carpet in Fire Headquarters; and
WHEREAS, this can be done by Hannon Floors, 1119 Springfield Road, Union, NJ 07083 through the Mohawk Group, State Contract A81753, for the not to exceed amount of \$9,600.00 and
WHEREAS, N.J.A.C. 5:34-1.2 provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A: 11-12, materials supplies or equipment under a contract entered into by the State Division of Purchasing and Property shall authorize the award of such contract by resolution of the Governing Body; and
WHEREAS, the Purchasing Agent shall obtain a Certificate of Availability

of Funds for purchases, not to exceed a total amount of \$9,600.00 and shall be encumbered to 2-01-25-265-282.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the award of contract to Hannon Floors.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-142:**

WHEREAS, the Township of Union is in need of replacing flooring in Fire Headquarters; and

WHEREAS, this can be done by Hannon Floors, 1119 Springfield Road, Union, NJ 07083 through the Mohawk Group, State Contract A81753, for the not to exceed amount of \$9,465.00 and

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

WHEREAS, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases, not to exceed a total amount of \$9,465.00 and shall be encumbered to 2-01-25-265-282.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the award of contract to Hannon Floors.

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-143:**

WHEREAS, the Township Committee of the Township of Union in the County of Union authorized Brightview Engineering on January 10, 2023 to perform a traffic study on Vauxhall Road between Burnet Ave and Commerce Ave; and

WHEREAS, the study included a traffic signal warrant analysis following MUTCD guidance for evaluating traffic volume data, pedestrian volume data, and crash data at the intersection of Vauxhall Road and Commerce Avenue/ Winslow Avenue; and

WHEREAS, Brightview Engineering issued its final report entitled "Traffic Signal Warrant Analysis" dated March 1, 2023 concluding that the Vauxhall Road intersection with Commerce Avenue and Winslow Avenue meets 5 of the 9 MUTCD warrants and therefore qualifies for a traffic signal.

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

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-144:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing and installing playground equipment for Jerome Petti Park for residents; and

WHEREAS, these can be purchased from MRC Recreation, P.O. Box 106, Spring Lake, NJ 07762, through the Educational Services Commission of N.J.; and

WHEREAS, the availability of funds has been certified by the Local Finance Officer not to exceed the amount of \$99,152.01 and will be charged to G-01-01-900-714; and

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

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

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2023-145:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing rubber safety surfacing for the new playground equipment for Jerome Petti Park, and

WHEREAS, these can be purchased from Rubber Recycle, 1985 Rutgers University Blvd., Lakewood, NJ 07801, State Contract 16-FLEET-00131; and

WHEREAS, the availability of funds has been certified by the Local Finance Officer not to exceed the amount of \$59,954.50 and will be charged to G-01-01-900-714; and

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

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

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-146:**

WHEREAS, NJSA 40A:11-5(2) permits the Township, by Resolution to negotiate any contract that exceeds the bid threshold without public advertising when a contract is to be made or entered into with any other state or subdivision thereof;

WHEREAS, The Township of Union Fire Department negotiated the purchase of a 1997 Engine vehicle (VIN # 457AT429ZVCD21001) for \$30,000 from Moscow Volunteer Fire & Hose Company, a government agency servicing Lackawanna County, Pennsylvania located at 117 North Main Street, Moscow, PA. 18444; and

WHEREAS, The Township of Union Fire's Department has the need for such vehicle to maintain and upgrade its fleet of fire ready vehicles and apparatus; and

WHEREAS, this will be charged to account T-13-10-850-808.

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

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved the adoption of **Resolution No. 2023-147:**

WHEREAS, the Township Committee authorized a Person to Person and Place to Place transfer of Plenary Retail Distribution License, state assigned number, 2019-44-066-005 to Five Point Beverage Inc. by Resolution No. 2022-398 with an effective date of March 15, 2023; and

WHEREAS, construction work for the location has not been completed and the effective dates needs to be amended to June 30, 2023; and

WHEREAS, the Township has no objection to the delay; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Union hereby amends Resolution No. 2022-398 to change the effective date to June 30, 2023 for the Person to Person and Place to Place of Five Points Beverage Inc.

BE IT FURTHER RESOLVED that Eileen Birch, Township Clerk, is hereby authorized to endorse said transfer on the current license.

On motion of Ms. Cavadas, seconded by Mr. Bowser, and carried, the Township Committee moved the adoption of **Resolution No. 2023-148:**

WHEREAS, the Governing Body of the Township of Union is required to approve the budget of the Special Improvement District; and
WHEREAS, the Special Improvement Board has submitted the budget for approval and it has been distributed to the Township Committee for review; and
WHEREAS, the Township Committee hereby approves the Special Improvement District budget.
NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Union, County of Union, hereby approves the budget of the Special Improvement District.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2023-149**:

WHEREAS, the Township of Union wishes to develop a safety and security plan and emergency management plan and training for of all Township school personnel; and
WHEREAS, Stone Gate Associates, LLC has provided a scope of services for a total fee not-to-exceed \$118,750.00 under an alternative process; and
WHEREAS, the availability of said funds for the project has been certified by the Local Finance Officer and will be charged to 3-01-20-100-269; and
WHEREAS, the local Public Contracts Law (N.J.S.A.40a:11-1) et. Seq. requires that the Resolution authorizing award of the Contract for "Professional Services" without competitive bids must be available for public inspection.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that

1. The Chairman of the Township Committee and the Township Clerk are hereby authorized and directed to enter into an agreement with Stone Gate Associates, LLC for professional services associated with the items outlined in the Proposal for a fee of \$118,750.00.
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 Stone Gate Associates, LLC is authorized to practice a recognized profession.
3. The contractor agrees to comply with all affirmative action Regulations pursuant to N.J.S.A. 10-21-1et.seq. (p.l. 1975 C.127.N.J.A.C. 17:27)
4. A Notice of this action will be placed in the Local Source.

On motion of Mr. Bowser, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2023-150**:

WHEREAS, N.J.S.A. 40a:4-20 provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make emergency temporary appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year and the date of the adoption of the budget for the current fiscal year; and
WHEREAS, the amount of such emergency temporary appropriations shall be included under corresponding headings in the budget as adopted or, if such appropriations are adopted after the introduction and approval of the budget and were not included in the budget as approved such appropriation shall be included by amendment in the budget as adopted without public advertisement or public hearing; and
WHEREAS, the Township has deemed certain emergency temporary appropriations to be necessary and such appropriations are conforming to the provisions of N.J.S.A 40A-20;
NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that pursuant to N.J.S.A. 40A:4-

20 an emergency temporary appropriation be and the same is hereby made for:

Current Fund: \$ 1,300,262.00

BE IT FURTHER RESOLVED the said emergency temporary appropriations will be provided for the 2023 Budget under the title of same.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to file a certified copy of the resolution with the Director of the Division of Local Government Services.

ROLL CALL: Mr. Florio aye, Ms. Delisfort aye, Mr. Bowser aye, Ms. Cavadas aye, Mr. Figueiredo aye.

FINANCES:

On motion of Mr. Florio, seconded by Ms. Delisfort, 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 2023, approved by respective Departments as being correct

On motion of Mr. Florio, seconded by Ms. Delisfort, 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>
<u>PAYABLE TO: CORELOGIC</u>				
401-1.01	Bridgeway Rehab. Ser.	2023-1	\$6,013.3	Tax Exempt
5202-12	Louis Wnek	2022-4 2023-1	\$2,741.77 \$2,703.40	Refund O/P

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$33,414.74, Covid-19 Round 1 in the amount of \$2706.70 and Covid-19 Round 3 in the amount of \$10,100.27.

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>
PPP New, LLC	\$3504.92	22-00072	310 Carnegie Place
Wyckoff Court Holdings, LLC	\$49,484.86	20-00013	2 Dean Terrace
	\$46,100.00		

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

From: Jack Beyda, Jembro, Re: Requesting to display merchandise in front of their store located at 1745 Morris Avenue from March 1, 2023 through June 1, 2023.

On motion of Ms. Delisfort, seconded by Mr. Florio, and carried, the Township Committee moved to authorize the request with the condition that Jembro removes all merchandise from the front of their store by June 1, 2023.

From: Deborah J. Dennis, First Baptist Church of Union, Re: Requesting the closure of Thoreau Terrace from Colonial Avenue to Crawford Terrace from June 26 – 30, 2023 from 9:30 AM – 11:30 AM for

Vacation Bible School.

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

From: Betty Spiropoulos, St. Demetrios Greek Orthodox Church,
Re: Requesting Rahway Avenue be closed on April 14 at 9:00pm for one hour for religious procession.

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

From: Sarah Kammerer, 2585 Hamilton Terrace, Re: Requesting permission to have a block party on April 1, 2023 from 12pm-10pm with a rain date of Sunday May 28, 2023.

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

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

A. Payment No. 6 to Your Way Construction in the amount of \$194,894.37 for work completed through February 23, 2023 in connection with the Rabkin Park Turf Field Improvements.

B. Payment No. 2 and Final to CFM Construction in the amount of \$58,220.00 for work completed through February 15, 2023 in connection with the Milltown Road Pump Station Repairs.

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

On motion of Mr. Florio, seconded by Ms. Delisfort, and carried, the Township Committee moved to receive and file the following department reports:

MONTHLY REPORTS:

Clerk's Office
Community Development
Fire Department

COMMITTEE REPORTS:

Ms. Delisfort:

- Ms. Delisfort presented the DPW report.
- Ms. Delisfort commented on what a great parade the Township of Union had and wished everyone a Happy St. Patrick's Day.

Mr. Florio:

- Mr. Florio presented the report from the Police Department.

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:
Outdoor Café
Café Z – 2333 Morris Avenue
Distribution and Licensing of Video Games
VanNess Vending – 635 Chancellor Ave, Irvington NJ 07059
The motion was seconded by Mr. Bowser, and carried.
- Ms. Cavadas presented the Fire Report.

- Ms. Cavadas thanked all who came out to the You, Me, and Tea.

Mr. Figueiredo:

- Mr. Figueiredo congratulated UHS student Benjamin Duvelson for winning first place in the state-level American Legion High School Oratorical Scholarship Contest.
- Mr. Figueiredo congratulated Kawameeh, Burnet, and Union High School students headed to the Garden State Esports Winter 2023 Season playoffs.
- Mr. Figueiredo invited our small businesses to join Union and UCEDC on March 17th at 9am for a Small Business Webinar.
- Mr. Figueiredo announced a save the date for the Center's upcoming Easter Scavenger Hunt on Saturday, April 8th, from 12-3pm at Russo Park.
- 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 Ms. Cavadas, seconded by Mr. Bowser, and carried, adjourned the meeting, the time being 7:51pm.

Dated: March 14, 2023

Manuel Figueiredo, Chairman of the
Township Committee of the Township
of Union in the County of Union

Eileen Birch, Township Clerk