

April 28, 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 28<sup>th</sup> day of April, 2020 at 6:00 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 Local Source and Star Ledger were noticed on Tuesday April 21, 2020 of the time change of this regular meeting to 6:00pm. The notice was also posted on the Township website and bulletin board.

The opening prayer was led by Committeeman People, and the pledge to the flag was led by Township Clerk Eileen Birch.

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

**TESTIMONIAL RESOLUTION:**

Paul Parsons - Retirement

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve Conference and Regular Session Minutes of April 14, 2020

**ORDINANCE:**

**SECOND AND FINAL READING:**

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading an ordinance establishing Time Limit Parking affecting Caldwell Avenue.

AN ORDINANCE AMENDING CHAPTER 266-59  
SCHEDULE XVIII ENTITLED "TIME LIMIT PARKING" BY  
THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
UNION, COUNTY OF UNION, STATE OF NEW JERSEY  
(This ordinance affects Caldwell Avenue)

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. Cavadas, 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. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-153:**

WHEREAS, N.J.A.C. 5:34-4.9 provides for the establishment of open-end contracts and 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 Township of Union purchases plumbing supplies from South Amboy Plumbing Supply, 224 Lefferts St., South Amboy, NJ 08879, State Contract V00008875; and

WHEREAS, said purchases are expected to include plumbing supplies; and

WHEREAS, the Township Committee previously authorized Resolution No. 2020-57 in the amount of \$12,000.00 and it needs to be increased by an additonlatonal00.00 for a total revised amount not to exceed \$14,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase of plumbing supplies from South Amboy Plumbing Supply, 224 Lefferts St., South Amboy, NJ 08879, State Contract V00008875; pursuant to N.J.S.A. 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 \$14,000.00 and shall be encumbered to \$10,000.00 – 0-01-26-310-282 and \$4,000.00 – 0-01-25-240-282.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-154:**

WHEREAS, pursuant to N.J.S.A. 40A:12-14 a municipality may lease any real property, or personal property not needed for public use as set forth in the resolution or ordinance authorizing the lease; and

WHEREAS, the Township of Union shall offer to the highest bidder, by submission of sealed proposals, the lease of a cell tower and approximately 4500 square feet of ground space for equipment to be located at the base of the tower, fencing around the structure and easements for utilities and access to the site located at 790 Jefferson Avenue, Union, N.J. 07083, Assessor's Parcel Number Block: 3409, Lot 10.02; and

WHEREAS, the minimum bid required is \$42,000.00 with an annual increase of 5% and a minimum 10% gross rent share for all co-locators the bidder adds to the tower.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union, County of Union, State of New Jersey hereby authorizes the property known as Block 3409, Lot 10.02 to be bid as a lease and awarded to the highest bidder.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-155:**

WHEREAS, the Township desires to engage a professional engineering firm for Contract Administration and Inspection engineering services associated with the 2020 Road Improvement Program – Phase I; and

WHEREAS, Maser Consulting P.A. has submitted a proposal dated April 13, 2020 for professional engineering services associated with the 2020 Road Improvement Program – Phase I for a fee not-to-exceed \$164,100.00; and

WHEREAS, funds would be available in the Township Capital Account to compensate the person or firm selected to advise the Governing Body in connection with the foregoing; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Capital Ordinance No. 5664 to award the bid in the total amount of \$164,100.00 for 2020 Road Improvement Program – Phase I Contract Administration and Inspection Services; and

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

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

1. The Chairman of the Township Committee and the Township Clerk are hereby authorized and directed to enter into an agreement with Maser Consulting, P.A. for the Professional Engineering Services for the 2020 Road Improvement Program – Phase I Contract Administration and Inspection Services as described in the Maser Consulting, P.A. proposal dated April 13, 2020 for a fee not-to-exceed \$164,100.00.
2. This Contract is awarded without competitive bidding as a Professional Service in accordance with 40a:11-5(1)(a) of the Local Public Contracts Law, because the said Maser Consulting, P.A. is authorized to practice a recognized profession.
3. The contractor agrees to comply with all affirmative action Regulations pursuant to N.J.S.A. 10:21-1 et seq. (p.l. 1975 C. 127. NJAC 17:27).
4. A notice of this action shall be published in the Local Source.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-156:**

WHEREAS, the Township of Union desires to engage the services of a professional engineering firm to provide professional engineering services in connection with the proposed upgrades to the Truck Wash Facility located in the Department of Public Works garage building at One Swanstrom Place; and

WHEREAS, Maser Consulting has submitted a scope of services proposal dated April 20, 2020 to provide survey and design services, bidding services and contract administration and observation for a fee of \$18,825.00; and

WHEREAS, the availability of said funds for the project has been certified by the Local Finance Officer through Capital Account C-04-55-543-399 in the amount of \$18,825.00 ; 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 Maser Consulting, P.A. for professional engineering services associated with the Truck Wash Facility Upgrades at the Department of Public Works for a fee of \$18,825.00.

2. This Contract is awarded without competitive bidding as a Professional Service in accordance with 40a:11-5(1)(a) of the Local Public Contracts Law, because the said Maser Consulting 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)

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-157:**

WHEREAS, the Township of Union desires to conduct Preliminary Investigations for Designation of Areas In Need of Redevelopment without Eminent Domain for the

properties identified on the Township Tax Maps: Clinton Manor B3402 L1; AZKO Nobel/International Paint B4101 L1.01; Carpenter Tech B3303 L8; and

WHEREAS, Maser Consulting has submitted a scope of services proposal dated April 15, 2020, to prepare an Area in Need of Redevelopment Investigation Study for each property: Clinton Manor, AZKO Nobel/International Paint, Carpenter Tech; and

WHEREAS, the Preliminary Investigation will assemble and analyze data for preparation of an Area in Need of Redevelopment Investigation report pursuant to the Local Redevelopment and Housing Law (LRHL) and attend public meetings and coordination with the Township for a fee not-to-exceed \$11,500.00 for each of the properties stated for a total fee of \$34,500.00; and

WHEREAS, the availability of said funds has been certified by the Local Finance Officer in Account 0-01-20-100-269; and

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

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

1. The Chairman of the Township Committee and the Township Clerk are hereby authorized and directed to enter into an agreement with Maser Consulting, P.A. for an Area In Need of Redevelopment Investigation associated with the properties identified on the Township Tax Maps as Clinton Manor Block 3402 Lot 1, AZKO Nobel/International Paint B4101 L1.01 and Carpenter Tech B3303 L8 for a fee not-to-exceed \$34,500.00.
2. This Contract is awarded without competitive bidding as a Professional Service in accordance with 40a:11-5(1)(a) of the Local Public Contracts Law, because the said Maser Consulting 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)

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-158**:

WHEREAS, the Township of Union requested quotes for the Sanitary Sewer Cleaning and TV Inspection of the Supplemental Roads associated with the 2020 Road Improvement Program Phase IV and;

WHEREAS, Oswald Enterprise, Inc., 161 East Road, P.O. Box 126, Belford, New Jersey 07718 was the responsive, low quote for a total amount of \$24,921.50; and

WHEREAS, the Township Engineer has reviewed the bid and issued a recommendation of award to the Township to award the Sanitary Sewer TV Inspection/Cleaning of the Supplemental Roads associated with the 2020 Road Improvement Program Phase IV in the amount of \$24,921.50 to Oswald Enterprise, Inc.; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Capital Ordinance #5664; 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 2020 Sanitary Sewer Cleaning and TV Inspection Supplemental Roads Phase IV in the amount of Twenty-Four Thousand, Nine Hundred Twenty-One and 50/100 Dollars [\$24,921.50] be and the same is hereby awarded to Oswald Enterprise Inc., P O Box 126, 161 East Road, Belford, N.J. 07718 in accordance with all bid specifications and requirements; and

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-159**:

WHERE AS, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

WHERE AS, the current tenured Tax Assessor will retire his position effective April 30, 2020; and

WHERE AS, it is the desire of the Mayor and Township Committee of the Township of Union to appoint Kevin Palumbo to fill the partial term of office starting on May 1, 2020 and for a four year appointment pursuant to N.J.S.A. 40A 9-146; beginning July 1, 2020 and ending June 30, 2024.

WHERE AS, the assessor will hold public office hours Monday - Friday from 8:30am - 4:30pm.

NOW THEREFORE BE IT FURTHER RESOLVED, that Kevin Palumbo is hereby appointed as Tax Assessor of the Township of Union according to the dates previously set forth; and

BE IT FURTHER RESOLVED THAT, certified copies of said Resolution shall be forwarded to the following:

1. Director, Division of Taxation
2. Administrator, Board of Taxation
3. Township Administrator
4. Tax Assessor

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-160:**

WHEREAS, the Township of Union re-certification application for Sustainable Jersey requires the submission of nominees to the Township of Union Green Team Advisory Board; and

WHEREAS, the Green Team was composed of individuals who are interested in advancing the efforts of the Township of Union in the Sustainable Jersey municipal certification program, and that have been actively working as a Green Team for one (1) year; and

WHEREAS, that group, has been creating and cataloging significant sustainability actions so that the Township of Union may pursue or maintain Sustainability at the Bronze Level in 2020-2021

NOW THEREFORE BE IT RESOLVED, that the Township of Union Green Team Advisory Board does hereby nominate these outstanding individuals who have met the qualifications in accordance with the established and approved by-laws:

**Officiary Members**

Michele Delisfort - Mayor

Joseph Florio - Clifton People Jr. – Manuel Figueiredo – Suzette Cavadas - Township Committee

**Green Team Advisory Board**

Chairman Lou Ulrich, Superintendent of Public Works

Appoint William Reyes, Jr. - Assistant Administrator

Re-appoint Cliff Pietrucha- Recycling Coordinator

Appoint Robert Cowper – Recreation Director

Re-appoint Casey Cullen, Resident

Re-appoint Adrienne Kubicz- Community Garden Chair

Re-appoint Veronica Doll- Garden Club President

Re-appoint Salvatore Terrezza – Local TV 34 Station Manager

Appoint Natalie DaSilva, Public Information Officer –Alternate

Re-appoint Kelly Scanlon -Secretary

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear above are authorized to recommend to the township sustainable projects that optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and in connection therewith.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-161:**

WHEREAS, due to the Union County Board of Taxation being unable to certify tax rates throughout Union County since many municipalities have not yet passed a budget the Township of Union Collector will be unable to mail the Township's 2020 tax bills on a timely basis;

WHEREAS, the Township of Union Tax Collector in consultation with the Township of Union Chief Financial Officer has computed an estimated tax levy in accordance with

N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION AND STATE OF NEW JERSEY on this 28th day of April, 2020 as follows:

1. The Township of Union Tax Collector is hereby authorized and directed to prepare and issue tax bills for the Township for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax levy for 2020 is hereby set at \$210,603,614.85.
3. In accordance with law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which the interest may accrue.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-162**:

WHEREAS, on April 28, 2020, Governor Murphy signed Executive Order No. 130, which allows municipalities to extend the grace period for property tax payments due on May 1<sup>st</sup> to June 1<sup>st</sup> by resolution of the governing body; and WHEREAS, such an extension would provide much-needed relief to homeowners in the Township of Union struggling financially as a result of the COVID-19 pandemic; and WHEREAS, by statute, second quarter taxes are due May 1<sup>st</sup> of every year; and NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the grace period for payment of second-quarter taxes shall hereby be extended to June 1, 2020.

#### **FINANCES:**

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee authorized the payment of bills which are listed in the Permanent Claim's Register against the Township of Union, for the period April 28, 2020, approved by respective Departments as being correct.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$814.25.

#### **COMMUNICATIONS:**

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

- A. Payment No. 2 to V&K Construction, Inc., in the amount of \$41,105.00 for work completed through April 10, 2020 in connection with the 2050 Springfield Avenue Gateway Park Project.
- B. Payment No. 5 to Stilo Excavating, Inc. in the amount of \$18,694.09 for work completed through April 10, 2020 for the 2019 Road Resurfacing Program –Phase I.
- C. Payment No. 3 to Stilo Excavating, Inc. in the amount of \$686,777.42 for work completed through April 10, 2020 in connection with the 2019 Road Resurfacing Program, Phase 2B.
- D. Payment No. 7 to JTG Construction, Inc. in the amount of \$198,807.46 for work completed through April 10, 2020 in connection with the 2019 Road Improvement Program, Phase II.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried the committee approved the payment.

#### **DEPARTMENT REPORTS:**

##### **MONTHLY REPORTS:**

Municipal Court

Police Department

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

### **COMMITTEE REPORTS:**

#### **MS. DELISFORT:**

- Ms. Delisfort mentioned the Township Committee had petitioned the State Legislator and Governor for the tax grace period from May 1 to June 1 and are happy the petition was approved.
- Ms. Delisfort reminded residents that there is a list of small businesses offering food delivery and/or pick up on the Township website. A code is listed for discounts.
- Ms. Delisfort mentioned that donations are being accepted by the Clerk's Office for our Union Food Pantry.
- Ms. Delisfort thanked Souvlaqueria for donating over 100 meals to workers at the Kean University testing site. Any local restaurants looking to donate can contact our Administration Office.
- Ms. Delisfort announced virtual museum tours and daily diversions posted on the Township's social media and website every weekday at 12:00PM.
- Ms. Delisfort spoke about the Union Rec Department along with TV34 hosting Family Feud on Facebook Live Wednesday, May 6<sup>th</sup> at 3pm. Family Feud will be hosted every two weeks.
- Ms. Delisfort announced the Union Rec Department will create a slide show for birthdays (belated/upcoming) to share on social media.
- TV34 is asking that residents interested submit videos to do a Virtual Mother's Day segment.
- Ms. Delisfort announced the Social Distancing Poster Contest. Deadline is May 24<sup>th</sup>.
- Ms. Delisfort thanked residents who responded to the 2020 Census. Union is currently above National, NJ, and County averages for self-response rates.
- Ms. Delisfort reminded the public to sign up for Code Red online or by calling the Administration office at 908-851-8500.

#### **PUBLIC HEARING:**

The Clerk reported that 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. People, and carried, adjourned the meeting, the time being 6:21 P.M.

Dated: April 28, 2020

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MICHELE DELISFORT, Chairwoman of the  
Township Committee of the Township of Union,  
in the County of Union.

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EILEEN BIRCH, Township Clerk