

September 8, 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 8th day of September, 2020 at 6:02 P.M. The meeting was called to order by Joseph Florio, Vice 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 September 1, 2020 of the time change for this regular meeting of the Township Committee to 6:00pm."

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

APPROVAL OF MINUTES:

On motion of Mr. People, seconded by Mr. Figueiredo, and carried, the Township Committee moved to approve Conference and Regular Session Minutes of August 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 authorizing the Township to lease the rear parking lot.

Authorizing the Township to lease the rear parking lot at 1035 Stuyvesant Avenue

On motion of Mr. Figueiredo, seconded by Ms. Cavadas and carried the Committee postponed second reading on September 22, 2020.

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

RESOLUTIONS:

On motion of Ms. Cavadas, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-236:**

WHEREAS, the Township of Union in the County of Union is in need of purchasing and installing security cameras for the DPW facility, and

WHEREAS, this can be purchased through the Union County Cooperative Pricing Council (UCCP-42-2017) from Johnson Communications, 26 Commerce Street, Springfield, NJ 07081; and

WHEREAS, the availability of funds has been certified by the Local Finance Officer in the amount of \$189,920.22 and will be charged to: \$25,000.00 - 0-01-26-290-232, \$25,000.00 – 0-07-55-500-594, \$91,626.32 – G-01-01-900-217 and \$48,293.90 – G-01-01-900-218; 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. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-237:**

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 wishes to purchase a new Chevrolet Colorado Truck for the Fire Department; and

WHEREAS, this can be purchased from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 through the Education Services Commission Coop, for an amount not to exceed \$30,932.75.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase of a 2020 Chevrolet Colorado Pickup Truck from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 through the Education Services Commission Coop; pursuant to N.J.A.C. 5:34-1.2; 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 not to exceed a total amount of \$30,932.75 and shall be encumbered to T-13-56-850-806.

On motion of Mr. People, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-238:**

WHEREAS, Final Site Plan Approval for Dory Properties Block 605, Lot 10 was granted by the Planning Board of the Township of Union on August 23, 2018; and

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

WHEREAS, it has been determined that the Cost of the Improvements required for said Site Plan is in the amount of \$8,632.50 and the total amount of the Performance Guarantee shall be in an amount equal to one hundred twenty percent (120%) of the cost of improvements or \$9,359.30; and

WHEREAS, the Township Committee has examined the items constituting the above figure as the same are set forth on Township Engineer's Estimate of the off-site improvements prepared by Philip A Haderer, P.E, Assistant Township Engineer dated October 30, 2018 attached hereto and made part hereof; and

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

A. A Performance Bond in the amount of 90%

of the Performance Guarantee

\$ 8,423.37

B. Establishment of a Special Trust Fund Account for inspection & testing in the amount of 5% of the cost of improvements \$ 3,099.16

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Performance Guarantee in connection with the application pertaining to property of DORY PROPERTIES be fixed at the aforesaid sums and posted as hereinabove indicated, the application being identified as Site Improvement Permit 2020-20.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-239**:

WHEREAS, CINTAS has requested by correspondence dated August 12, 2020 release of the Safety and Stabilization Bond for site improvements at 546 Green Lane Block 606 Lot 5; and

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

WHEREAS, it has been determined that the Safety and Stabilization Bond posted by Bond No. 106878594 in the amount \$5,000.00 can be released and returned to ARCO/Murray National Process Solutions, Inc., 3110 Woodcreek Drive, Downers Grove, IL. 60515 ATTN: Mr. Dylan Scarpato

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that the Safety and Stabilization Bond for the subject property be released relative to the application approved by the Zoning Board on April 11, 2018.

On motion of Ms. Cavadas, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-240**:

WHEREAS, the voters of Union County overwhelmingly voted in favor of the Union County Open Space, Recreations, and Historic Preservation Trust Fund in November of 2000; and the Union County Board of Chosen Freeholders established the Trust Fund creating local funding opportunities such as "Fields of Dream" in 2001; the "Green the Street" program in 2002; "Preserving Union County" in 2003; and "Greening Union County" in 2004; and,

WHEREAS, the creation of the Kids Recreation Trust expands recreational opportunities for the children of Union County by providing matching dollar-for-dollar grants toward field improvements; and

WHEREAS, the Kids Recreation Trust Fund Grant Program 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 site of the project; and,

WHEREAS, the Recreation Department of the Township of Union wishes to update and improve the equipment in Hoover Park and the fitness path in Volunteer Park, to improve accessibility and inclusivity in both spaces; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, County of Union, State of New Jersey hereby supports the Department of Recreation grant application to the Kids Recreation Trust Fund Grant Program and intends to provide funding for these renovations to the Hoover and Volunteer Parks in the amount of \$75,000.

On motion of Mr. People, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-241**:

WHEREAS, N.J.S.A. 40A:5-4, requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A.

40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per

R.S.52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each Municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled: GENERAL COMMENTS/ RECOMMENDATIONS and

WHEREAS, the members of the Governing Body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52, wit:

R.S. 52:27bb-52- "A local officer or member of a Local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand (\$1,000.00) Dollars or imprisoned for not more one year, or both, and in addition, shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Union in the County of Union hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey, dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said Board to show evidence of said compliance.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-242:**

WHEREAS, the 2019 Audit report made recommendations; and

WHEREAS, the requirements by recent amendments to the Single Audit Act of 1994 and Federal OMB Circular No. A-133, require the Township Committee to submit a corrective action plan, relative to the findings and recommendations in the audit report; and

WHEREAS, the plan is to be submitted to the Division within sixty (60) days from the date the governing body receives the audit, and

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union in the County of Union, State of New Jersey hereby adopts the following Corrective Action Plan and that said plan be filed with the New Jersey Department of Community Affairs, Division of Local Government Services.

CORRECTIVE ACTION PLAN - TOWNSHIP OF UNION

RECOMMENDATION #1

All Departments:

Description: That all departments reconcile their bank accounts on a timely basis.

Corrective Action: All persons responsible for reconciling accounts have been instructed on the proper procedures.

Timeline: Effective Immediately

RECOMMENDATION #2

Accounts:

Description: That all payroll account be analyzed and reconciled on a timely basis.

Corrective Action: The payroll clerk will reconcile the account on a monthly basis with the CFO supervising.

Timeline: Effective Immediately

On motion of Mr. People, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-243:**

WHEREAS, the NJDEP has mandated that SEF components be replaced on all vehicles to meet new emission standards; and
WHEREAS, the Township is required to replace all necessary parts on their vehicles; and
WHEREAS, quotes were requested to provide this service from NJDEP approved vendors; and
WHEREAS, Stewart and Stevenson Power Products, LLC was the sole responsive quote in the amount of \$74,775.00.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase and installation of SEF components on all necessary DPW vehicles from Stewart and Stevenson Power Products, LLC, 1000 Louisiana Street, Suite 5900, Houston, Texas, 77002; 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 not to exceed a total amount of \$74,775.00 and shall be encumbered to 0-01-26-290-226.

On motion of Ms. Cavadas, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-244:**

WHEREAS, on October 9, 2019 the Township of Union awarded a contract to Stilo Excavation, Inc., 2907 South Clinton Avenue, South Plainfield, New Jersey 07080 to perform the municipal parking lot improvements at the Municipal Building for a total contract amount of \$397,704.80; and
WHEREAS, Stilo Excavation, Inc. has submitted Change Order No. 1 to reflect an increase in Supplementary Item S1 for the removal of transformer pad, tree disposal, utility trench excavation, electrical conduit installation, electric wire installation and backfill and lawn restoration resulting in a net increase of \$69,290.00 for a revised contract amount of \$466,994.80 having been reviewed and approved by the Township Engineer; and
WHEREAS, the Chief Financial Officer has certified that funds are available in Ordinance No. 5390 to pay for said change order resulting in net increase of \$69,290.00 for a revised total contract amount of \$466,994.80.
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Union, in the County of Union, State of New Jersey, hereby authorizes Change Order No.1 resulting in a net increase of \$69,290.00 to the contract with Stilo Excavating, Inc. for a revised contract amount of \$466,994.80.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-245:**

WHEREAS, on March 26, 2019 the Township of Union awarded a contract to JTG Construction, Inc. 188 Jefferson Street, Newark, New Jersey 07105 for the 2019 Road Improvement Program Phase II for a total contract amount of \$2,063,977.50; and
WHEREAS, the Township Committee approved Change Order No. 1 to reflect an increase in Supplementary Items S-1 thru S-3 in the amount of \$15,110.56 for structural rehabilitation of storm sewer covers and sanitary sewer lining resulting in a net change increase of \$15,110.56 for a revised contract amount of \$2,079,088.16 that had been reviewed and approved by the Township Engineer; and
WHEREAS, JTG Construction, Inc. has submitted Change Order No. 2 and Final to reflect an increase in as-built quantities in the amount of \$137,021.83 and a decrease in as-built quantities in the amount of \$145,004.50 and an increase in Supplementary Item S-5 in the amount of \$5,000.00 for a revised total contract amount of \$2,076,105.49
WHEREAS, the Chief Financial Officer has certified that funds are available in Ordinance No. 5629 to pay for said change order resulting in net change increase of \$145,004.50 for a revised total contract amount of \$2,076,105.49.
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Union, in the County of Union, State of New Jersey, hereby authorizes Change Order

No.2 and Final resulting in a net change increase of \$145,004.50 to the contract with JTG Construction, Inc. for a revised total contract amount of \$2,076,105.49.

On motion of Mr. People, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-246:**

WHEREAS, the alcoholic beverage licensees listed below hereto have filed applications for renewal of said licenses for the year July 1, 2020 through June 30, 2021; and WHEREAS, proper and due investigation has been made of each of said licensees, and;

WHEREAS, there appears to be no objection to the renewal of said licenses, and NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union in the County of Union that in accordance with N.J.S.A. 33-1 et seq. that the licensee of each of said licenses appearing below be and they are hereby renewed for the year July 1, 2020 through June 30, 2021.

Club Licenses:

2019-31-077-001 Michael A Kelly Club d/b/a VFW

Consumption License:

2019-33-009-003 Pavillion Food Service Inc. d/b/a Chestnut Chateau

Distribution License:

2019-44-066-005 Badger Bros Inc. d/b/a Triangle Liquors

BE IT FURTHER RESOLVED that the Township Committee of the Township of Union, hereby authorizes said renewal effective July 1, 2020.

FINANCES:

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, 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 August 25, 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.

LOT/BLOCK	NAME	YEAR	AMOUNT	DEDUCTION
4407-76	Isaiah Isaac	2020-2	\$2824.50	D/V-O/P
		2020-3	\$3142.78	D/V-O/P
		2020-4	\$2948.65	D/V-OP
2113-6	Edv Estate Inv.	2020-3	\$1898.94	D/V-O/P
		2020-4	\$2718.06	D/V-O/P

Authorize the refund of overpayment of taxes as listed by the Tax Collectors Office.

BLOCK/ LOT	NAME	YEAR	AMOUNT	DEDUCTION
CHECK PAYABLE TO: MORTGAGE CONNECT				
4606-16	Lozano, Jose	2020-3	\$3211.01	Refund O/P

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$1,069.08.

COMMUNICATIONS:

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

NAME	AMOUNT	CERT#	LOCATION
Yvette Gibbons/	\$ 561.03	02-071	816 Valley Street
Christiana T.	\$39,955.87	17-00091	352 Marion Street
C/F CE1 Firstrust	\$10,000.00		

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

From: Joseph Venezia, Township Engineer, Re: Requesting payment No. 9 to JTG Construction, Inc. in the amount of \$105,400.47 for work completed through August 31, 2020 in connection with the 2019 Road Improvement Program, Phase II.

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

From Meagan Mulligan, Jersey Cares, Re: Requesting permission to put a container in the parking lot adjacent to the Boys and Girls club at 1050 Jeanette Avenue for their Annual Coat Drive, beginning November 2, 2020 through January 29, 2021.

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

DEPARTMENT REPORTS:

MONTHLY REPORTS:

Clerk's Office
Engineering Dept.

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

COMMITTEE REPORTS:

MR. FLORIO:

- Mr. Florio announced the Township is above 75.4% census self-response rate and asked all residents to reach out to neighbors, family and friends to complete the census.
- Mr. Florio invited all residents to the annual 9/11 Remembrance ceremony Friday at 8:15am in front of Fire Headquarters.
- Mr. Florio announced 70's Skate Night sponsored through the Recreation Department every Friday in September at Rabkin Park from 6:00pm-9:00pm and online registration is required.
- Mr. Florio announced Drive in movie night September 18th at Biertuempfel Park. The cost is \$5.00 per vehicle and the movie is Knives Out beginning at 7:15pm.
- Mr. Florio announced the upcoming 5th Annual Hispanic Heritage Fiesta! on Saturday, September 19th from 2pm to 9pm in the parking lot in front of Town Hall.
- Mr. Florio thanked the SID for sponsoring the second annual Burgers and Brew held at Joe's Place Sunday September 27th from 12:00pm-6:00pm.
- Mr. Florio announced a fitness festival on Saturday, September 26th from 8am to 2pm at Rabkin Park in partnership with the Union Rotary. There will be dance cardio, yoga and meditation, tai chi, Zumba, a corn hole tournament and various food trucks. Cost is \$15 for adults and \$5 for kids. This event is to benefit Union students and families in need during these turbulent times!
- Mr. Florio asked residents to save the date for our upcoming Food Truck Fest & Inflatable Village on Saturday, October 3rd from 2pm to 7pm at Rabkin Park.
- Mr. Florio reminded residents to sign up for Code Red to receive all township notifications.

PUBLIC HEARING:

The Clerk informed the Committee that no public comments were received for this meeting.

There being no further business presented, the Township Committee on motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, adjourned the meeting, the time being 6:14P.M.

Dated: September 8, 2020

Joseph Florio, Vice Chairman of the
Township Committee of the Township of Union,
in the County of Union.

EILEEN BIRCH, Township Clerk