

September 22, 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 22nd day of September, 2020 at 6:00PM. 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 September 14, 2020 of the time change for 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 Eileen Birch.

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

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

PROCLAMATION:

Ovarian Cancer Awareness Month

APPROVAL OF MINUTES:

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve Conference and Regular Session Minutes of September 8, 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 a parking lot lease at 1035 Stuyvesant Avenue.

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 Township Committee, moved to table this ordinance.

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

DRAFT AND FIRST READING:

The Clerk presented draft of an ordinance amending the Merck redevelopment plan.

Adopting the second amendment to the “Redevelopment Plan for the Merck Site, Block 101 Lots 2 and 4.0201

On motion of Mr. People, 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. Figueiredo, aye, Ms. Delisfort, aye, Mr. People, aye, Mr. Florio, aye, Ms. Cavadas, aye.

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on October 13, 2020.

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

RESOLUTIONS:

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-247:**

WHEREAS, the Township of Union (the “Local Unit”), in the County of Union, State of New Jersey (the “State”), is a participant in the Joint Meeting of Essex and Union Counties, constituting a joint meeting of various municipalities located in the Counties of Essex and Union in the State (the “Joint Meeting”), which Joint Meeting is organized pursuant to N.J.S.A. 40:63-68 *et seq.* as a public body corporate and politic, duly created and validly existing pursuant to the laws of the State;

WHEREAS, the Joint Meeting is not statutorily authorized to incur debt obligations for any purpose, including, without limitation, in order to finance any capital improvements thereof and, therefore, any capital improvements that are undertaken by the Joint Meeting must be financed by its member municipalities and other participating municipalities, including, without limitation, the Local Unit, through the incurrence of debt thereby or otherwise;

WHEREAS, the Joint Meeting has determined that there exists a need to, as applicable, acquire, construct, renovate or install a project of the Joint Meeting consisting of Phase I of the Joint Meeting’s Flood Mitigation Facilities Project consisting of the construction of an Effluent Pumping Station, which will be connected to the existing twin outfall channels to the Arthur Kill tidal strait (the “Joint Meeting Project”);

WHEREAS, it is the desire of the Local Unit to obtain financing for its allocable share of the Joint Meeting Project (such allocable share being referred to herein as the “Project”) through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance, as applicable, the acquisition, construction, renovation or installation of the Project prior to long-term bond financing through the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, the United States Federal Emergency Management Agency (“FEMA”) has approved the scope of Phase 1 of the Project and, consequently, has agreed to fund up to 90% of the costs of planning and constructing the Project; and

WHEREAS, after receipt of the FEMA reimbursements, the Local Unit will finance the remaining approximately 10% percent of the costs of the Project via (i) the issuance of long term bonds, (ii) the payment of cash, or (iii) a combination thereof; and

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements

of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank its “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$3,735,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law;

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein; and

WHEREAS, in connection with its participation in the Joint Meeting and the issuance of its Note for the purpose of financing the costs of the Project, the Local Unit desires to enter into that certain Project Financing Agreement (the “Agreement”), by and between the Joint Meeting and the Local Unit, and acknowledged and agreed to by the I-Bank, in substantially the form attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by Bond Ordinance #5670 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR 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 \$4,885,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,885,000 BONDS OR NOTES TO FINANCE THE COST THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on June 9, 2020, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount not to exceed \$3,735,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB - CFP-2020-1-JM-FEMA”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer (collectively, the “Authorized Officers”) under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A with such additions, deletions, and omissions as may be recommended by the Chief

Financial Officer of the Local Unit, upon the advice of bond counsel, general counsel, and/or the municipal advisor to the Local Unit, be and is hereby approved.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Agreement, in substantially the form attached hereto as Exhibit B with such additions, deletions, and omissions as may be recommended by the Chief Financial Officer of the Local Unit, upon the advice of bond counsel, general counsel, and/or the municipal advisor to the Local Unit, be and is hereby approved. The Mayor or Chief Financial Officer of the Local Unit is hereby authorized and directed on behalf of the Local Unit to enter into, execute and deliver, and consummate or perform any actions required under, the Agreement.

Section 8. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers of the Local Unit, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate, instrument or other document by the party authorized hereunder to execute such certificate, instrument or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the Agreement and the participation of the Local Unit in the Construction Financing Program.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Everett M. Johnson, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-248**:

WHEREAS, the Township of Union is in need of uniform rental services for the Department of Public Works; and;
WHEREAS, in accordance with N.J.S.A. 40A:11-1 et. al. bids were received for the Uniform Rental on September 9, 2020; and
WHEREAS, American Wear Inc., 261 No. 18th Street, East Orange, NJ 07017 was the low bid at a price not to exceed \$50,000.00; and
WHEREAS, the Purchasing Agent has reviewed the bid and issued a recommendation of award letter dated September 9, 2020 recommending that the Township award the Uniform Rental to American Wear Inc., 261 No. 18th Street, East Orange, NJ 07017 at the sole bid not to exceed \$50,000.00; and
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 American Wear Inc., 261 No. 18th Street, East Orange, NJ 07017; 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 \$50,000.00, and shall be encumbered to 0-01-26-290-222 (DPW)
BE IT FURTHER RESOLVED that a copy of this Resolution 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. 2020-249**:

WHEREAS, The Township of Union ("Township") and ExteNet Systems, Inc. ("ExteNet") wish to enter into a Rights-of-Way Agreement ("Rights of Way Agreement"); and

WHEREAS, the Assistant Township Attorney has reviewed the attached agreement and has recommended the Township Committee approve; and
WHEREAS, the Township and ExteNet agree to all terms set forth in the attached agreement.
NOW THEREFORE, be it resolved that the Township and ExteNet Systems, Inc. agree to the Rights-of-Way agreement attached.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-250:**

WHEREAS, the Township of Union purchases fuel for Township vehicles from Riggins, Inc., 3938 South Main Street, Vineland, NJ 08360, State Contract No. 19-Fleet-00969; and
WHEREAS, the Township Committee previously authorized purchases not to exceed \$140,000.00 by Resolution No. 2020-55 and it is necessary to increase that amount by an additional \$30,000.00 for a total amount not to exceed \$170,000.00.
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 purchase fuel from State Contract Vendor, Riggins, Inc., 3938 So. Main Street, Vineland, NJ 08360, State Contract No. 19-Fleet-00969; 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 \$170,000.00 and shall be encumbered to \$130,000.00 - 0-01-31-460-201 and \$40,000.00 to 0-01-31-460-203.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-251:**

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 in the County of Union purchases automotive and light truck parts from Samuels, Inc. t/a Buy Wise, 2091 Springfield Ave., Vauxhall, NJ 07088 through the State Contract #42071, and
WHEREAS, the Township previously authorized Resolution No. 2020-76 in the amount of \$45,000.00, Resolution No. 2020-165 increasing it by \$3000.00 and Resolution No. 2020-204 increasing the amount by an additional \$5,000.00 it is necessary to increase that amount by an additional \$3,000.00 for a revised total contract amount not to exceed \$56,000.00; and
WHEREAS, the availability of funds has been certified by the Local Finance Officer in the amount of \$56,000.00 and will be charged to Police Account 240-226 - \$21,000.00 (increase of \$3,000.00) and Public Works 290-226 - \$35,000.00; and
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby amends Resolution No. 2020-204 increasing the amount to Samuels, Inc. t/a Buy Wise, 2091 Springfield Ave., Vauxhall, NJ 07088 State Contract Vendor 42071 by an additional \$3,000.00.
NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union hereby authorizes said purchases.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-252:**

WHEREAS, The Township has received the vouchers listed below which have been properly documented and checked, and
WHEREAS, said vouchers were submitted in accordance with the verification procedure designed by Suplee, Clooney and Company, which assures accurate calculation of charges for disposal and all applicable taxes, and
WHEREAS, The Township of Union continues to protect the interim rate of

\$75.09 per ton for household waste and \$ 107.12 for bulky waste, this resolution is authorized subject to a possible retroactive rate adjustment by the Department of Environmental Protection, Board of Public Utilities, in which case the Township will demand a refund, and

NOW THEREFORE BE IT RESOLVED THAT, the Township Committee of the Township of Union, in the County of Union, New Jersey, in a meeting assembled this 22ND day of SEPTEMBER 2020, hereby authorizes for payment the following vouchers, which are now owed, in accordance with the exceptions hereinbefore expressed.

MONTH OF AUGUST	VOUCHER	AMOUNT
Contract Service	207719	191,666.67
Bulky Waste Contract	207718	16,666.67
Condo/Apartments Contract	207716	11,666.67
Recycling Contract	207717	79,166.67
Schools	207714	7,500.00
Vegetative Waste	207713	80,000.00
TOTAL – 8/1/2020 – 8/31/2020		\$386,666.68

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-253:**

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.

Consumption License:

2019-33-055-017 Irazu Restaurant LLC d/b/a El Chignon

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

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-254:**

WHEREAS, the Township of Union Office has had a agreement with Emergency Communications Network, LLC, Code Red Next, since December 21, 2016 for the purpose of incorporating alternate communications systems in order to reach residents during a time of emergency; and

WHEREAS, the agreement provides for an automatic three year renewal unless terminated by the parties; and

WHEREAS, maintaining an alternate communications systems in order to reach residents during a time of emergency is important for the public safety and welfare; and

WHEREAS, the price per year for the service will remain at \$19,500.00 for a total amount not to exceed \$58,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the three year extension of the agreement with Emergency Communications Network, LLC, 9 Sunshine Blvd., Ormond Beach, Fl. 32174 at an amount not to exceed \$19,500.00 per year ; 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 \$19,500.00 per year and shall be encumbered to 0-01-20-100-269 – 1-01-20-100-269 and 2-01-20-100-269.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-255:**

WHEREAS, the Township of Union received one (1) quote on September 15, 2020 in connection with the 2021 Road Program- Phase I Sanitary Sewer Cleaning and TV Inspection; and

WHEREAS, National Water Main Cleaning Company of Kearny, New Jersey was the responsive, low bidder at a total bid amount of \$27,889.00; and

WHEREAS, the Township Engineer has reviewed the bids and issued a recommendation of award letter dated September 16, 2020, 2020 recommending the Township award the 2021 Road Program Phase I Sanitary Sewer TV Inspection/Cleaning in the amount of \$27,889.00 to National Water Main Cleaning Company, 1806 Newark Turnpike, Kearny, N.J .07032; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Sewer Capital Outlay 0-07-55-512-502; 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 2021 Road Program Phase 1 Sanitary Sewer Cleaning and TV Inspection in the amount of Twenty-Seven Thousand, Eight Hundred Eighty-Nine and 00/100 Dollars [\$27,889.00] be and the same is hereby awarded to National Water Main Cleaning Company 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. 2020-256:**

WHEREAS, the Township of Union received one (1) quote on September 15, 2020 in connection with the 2021 Road Program- Phase II Sanitary Sewer Cleaning and TV Inspection; and

WHEREAS, Oswald Enterprise, Inc. of Belford, New Jersey was the responsive, low bidder at a total bid amount of \$21,803.00; and

WHEREAS, the Township Engineer has reviewed the bids and issued a recommendation of award letter dated September 16, 2020, 2020 recommending the Township award the 2021 Road Program Phase II Sanitary Sewer TV Inspection/Cleaning in the amount of \$21,803.00 to Oswald Enterprises, Inc., 161 East Road, Belford, N.J .07718; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Sewer Capital Outlay 0-07-55-512-502; 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 2021 Road Program Phase II Sanitary Sewer Cleaning and TV Inspection in the amount of Twenty-One Thousand, Eight Hundred Three and 00/100 Dollars [\$21,803.00] be and the same is hereby awarded to Oswald Enterprises, Inc. in accordance with all bid specifications and requirements.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-257:**

WHEREAS, the Township of Union received one (1) quote on September 15, 2020 in connection with the 2021 Road Program- Phase III Sanitary Sewer Cleaning and TV Inspection; and

WHEREAS, Oswald Enterprise, Inc. of Belford, New Jersey was the responsive, low bidder at a total bid amount of \$25,053.50; and

WHEREAS, the Township Engineer has reviewed the bids and issued a recommendation of award letter dated September 16, 2020, 2020 recommending the Township award the 2021 Road Program Phase III Sanitary Sewer TV Inspection/Cleaning in the amount of \$25,053.50 to Oswald Enterprises, Inc., 161 East Road, Belford, N.J .07718; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Sewer Capital Outlay 0-07-55-512-502; 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 2021 Road Program Phase III Sanitary Sewer Cleaning and TV Inspection in the amount of Twenty-Five Thousand, Fifty-Three and 50/100 Dollars [\$25,053.50] be and the same is hereby awarded to Oswald Enterprises, Inc. in accordance with all bid specifications and requirements.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-258:**

WHEREAS, the Township of Union received one (1) quote on September 15, 2020 in connection with the 2021 Road Program- Lehigh Avenue Sanitary Sewer Cleaning and TV Inspection; and

WHEREAS, National Water Main Cleaning Company of Kearny, New Jersey was the responsive, low bidder at a total bid amount of \$24,170.00; and

WHEREAS, the Township Engineer has reviewed the bids and issued a recommendation of award letter dated September 16, 2020 recommending the Township award the 2021 Road Program Lehigh Avenue Sanitary Sewer TV Inspection/Cleaning in the amount of \$24,170.00 to National Water Main Cleaning Company, 1806 Newark Turnpike, Kearny, N.J. 07032; and

WHEREAS, the Chief Financial Officer has certified that funding is available in Sewer Capital Outlay 0-0755-512-502; 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 2021 Road Program Lehigh Avenue Sanitary Sewer Cleaning and TV Inspection in the amount of Twenty-Four Thousand, One Hundred Seventy and 00/100 Dollars [\$24,170.00] be and the same is hereby awarded to National Water Main Cleaning Company in accordance with all bid specifications and requirements.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-259:**

WHEREAS, the Department of Public Works received a residential complaint of a sewer lateral backup on Dewey Street on July 21, 2020 and identified the location of the sewer lateral break at 832 Dewey Street; and

WHEREAS, the Department of Public Works, Sewer Division immediately investigated the backup and determined the lateral to the house was not functioning; and

WHEREAS, the Township Engineer solicited Jo-Med Contracting Corporation who was available on short notice to inspect the break in the lateral and provide a time & materials estimate to make the repair on an emergency basis; and

WHEREAS, Jo-Med Contracting Corporation completed the emergency repair on July 21, 2020 and provided a time & materials invoice of \$7,000.00 on July 22, 2020 for the work which was completed in a satisfactory manner; and

WHEREAS, the Township Engineer in a memorandum dated September 16, 2020 to the Purchasing Agent urged the township to award an emergency contract to Jo-Med Contracting Corporation for the repair of the sanitary sewer because the sewer backup

affected the residential home on Dewey Street and was determined to be a significant risk to public health, safety and welfare; and
WHEREAS, the Purchasing Agent, pursuant to N.J.S.A. 40A:11-6 concurs with the recommendation of the Township Engineer and the Superintendent of Public Works to award an emergency contract to Jo-Med Contracting Corporation of Elizabeth, N.J. in the amount of \$7,000.00 NTE for the sewer repair; and
WHEREAS, the Chief Financial Officer has determined that there is sufficient funding in the Sewer Capital Outlay Account No. 0-07-55-512-502 to award the contract; and
WHEREAS, the aforementioned emergency 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 emergency contract for the sewer repair be awarded to Jo-Med Contracting Corporation, 800 South Second Street, Elizabeth, N.J. 07206 in the amount not-to-exceed seven thousand and 00/100 Dollars [\$7,000.00] in accordance with said contractor's invoice dated July 22, 2020.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-260:**

WHEREAS, the Department of Public Works received a residential complaint of a sewer lateral backup on Dewey Street on July 19, 2020 and identified the location of the sewer main break near 832-833 Dewey Street; and
WHEREAS, the Department of Public Works, Sewer Division immediately investigated the backup and determined the main in that area had collapsed was not functioning; and

WHEREAS, the Township Engineer solicited Montana Construction who was available on short notice to inspect the break in the main and provide a time & materials estimate to make the repair on an emergency basis; and
WHEREAS, Montana Construction completed the emergency repair on July 19, 2020 and provided a time & materials invoice of \$57,141.98 on July 19, 2020 for the work which was completed in a satisfactory manner; and
WHEREAS, the Township Engineer in a memorandum dated September 16, 2020 to the Purchasing Agent urged the township to award an emergency contract to Montana Construction for the repair of the sanitary sewer because the backup affected the residential homes on Dewey Street and was determined to be a significant risk to public health, safety and welfare; and
WHEREAS, the Purchasing Agent, pursuant to N.J.S.A. 40A:11-6 concurs with the recommendation of the Township Engineer and the Superintendent of Public Works to award an emergency contract to Montana Construction of Lodi, N.J. in the amount of \$57,141.98 NTE for the sewer repair; and
WHEREAS, the Chief Financial Officer has determined that there is sufficient funding in the Sewer Capital Outlay Account No. 0-07-55-512-502 to award the contract; and
WHEREAS, the aforementioned emergency 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 emergency contract for the sewer repair be awarded to Montana Construction, 80 Contant Avenue, Lodi, N.J. 07644 in the amount not-to-exceed fifty seven thousand one hundred forty one dollars 98/100 Dollars [\$57,141.98] in accordance with said contractor's invoice dated August 25, 2020.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-261:**

WHEREAS, the Township of Union is qualified as an entitlement community pursuant to the provision of the Union Housing and Community Development Act of 1974 and is receiving Federal financial assistance pursuant to such Act; and
WHEREAS, the Township Housing and Community Development application included a provision for the following various nonprofit entities for the COVID -19 Substantial Amendment:

Hospice Care –COVID-19 Implementation – Center for Hope Hospice, 1900 Raritan Road, Scotch Plains, NJ 07075 - \$13,393.28

Homemaker Services – Jewish Family Services, 655 Westfield Ave., Elizabeth, NJ 07028 - \$32,444.55

Companion Aide Personal Protection Equipment – Union Township Community Action Organization, 2410 Springfield Ave., Vauxhall, NJ 07088 - \$11,990.00

Day Care Program Infants & Toddlers – Remote Learning and Training - Union Township Community Action Organization, 2410 Springfield Ave., Vauxhall, NJ 07088 - \$21,980.00

Infant Toddler Daycare-Sanitizing Cabinets - Union Township Community Action Organization, 2410 Springfield Ave., Vauxhall, NJ 07088 - \$50,000.00

Adult Day Services – YMCA of Easter Union County W.I.S.E. Adult Day Services, 2095B Berwyn St., Union, NJ 07083 - \$26,916.00.

COVID-19 Testing and Contact Tracing - Township of Union- \$149,134.57.

WHEREAS, funds will be available from the grant of the Federal Government; and

WHEREAS, under the Local Public Contracts Law and the regulation promulgated pursuant to the Housing and Community Development Act of 1974, the contract

hereinafter authorized may be entered into without competitive bidding; and

WHEREAS, however, the awarding of said contract must be publicly advertised; 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 and the contract itself must be available for inspection;

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

1. The Chairman of the Township Committee and the Township Clerk be and they are hereby authorized and directed to enter into a contract with the organizations above named for the activities set forth in the contract between said organization and the Township and that through the Office of Community Development the Township will pay to said organization the amount in accordance with each said contract.
2. These contracts are awarded without competitive bidding in accordance with the Local Public Contracts Law.
3. Notice of the awarding of these contracts shall be printed in the Local Source.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-262**:

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the township committee (“Township Committee”) of the Township of Union (the “Township”) must authorize the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Committee; and

WHEREAS, on May 26, 2020, the Township Committee adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 3402, Lots 2.01 (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment, which designation would authorize the Township and Township Committee to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on August 27, 2020, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Committee designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Township Committee has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Township Committee to use all those powers provided by

the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Township Committee.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain, pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "Non-Condensation Redevelopment Area").

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-263**:

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the township committee ("Township Committee") of the Township of Union (the "Township") must authorize the planning board of the Township (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Municipal Committee; and

WHEREAS, on May 26, 2020, the Township Committee adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as 3303, Lot 8 (hereinafter the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment, which designation would authorize the Township and Township Committee to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on August 27, 2020, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Committee designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Township Committee has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Township Committee to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Township Committee.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain, pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "Non-Condensation Redevelopment Area").

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-264**:

WHEREAS, the LSRP for Prestige Environmental Inc. solicited GWS Environmental Contractors, Inc. to perform the soil remediation at Hall Stadium Little League Field starting the work on February 20, 2020 and completing it by February 26, 2020; and

WHEREAS, the Township Engineer recommended the township award a professional services contract to GWS Environmental Contractors, Inc. for the soil remediation at Hall Stadium Little League Field because the soil was determined to be a significant risk to the public health, safety and welfare; and

WHEREAS, GWS Environmental Contractors Inc. performed additional project management services including excavation and backfill of the soil, infield repairs, installing a safety fence and protective material during repair work, and mobilization and demobilization of equipment to ensure Hall Stadium was in complete compliance for the Little League Season; and

WHEREAS, the Chief Financial Officer has determined that there is sufficient funding in Account No. C-04-55-559-499 to award the contract; 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 additional project management services at Hall Stadium Little League Field be awarded to GWS Environmental Contractors, Inc., 105 Fresh Ponds Road, (South Brunswick Township Jamesburg, N.J. 08831 in the amount of Thirty Thousand, Two Hundred Eighty-eight and 80/100 Dollars [\$30,288.80] in accordance with said contractor's invoice dated March 3, 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 September 22, 2020, approved by respective Departments as being correct.

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

<u>BLOCK/ LOT</u>	<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>DEDUCTION</u>
1607-16	Linda & Elizabeth Lancaster	2019-4	\$2383.50	Refund O/P

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 \$1,528.33.

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>
US Bank Cust for	\$ 932.01	19-00002	790 Green Lane

Pro Cap 8	\$1,100.00		
US Bank Cust/	\$6,221.76	16-00010	101 Reimar Court
BV002 Trst & Crdtrs	\$1,600.00		
Christiana T.C/F	\$16,834.27	19-00022	1983 Patton Road
CE1 /Firstrust	\$20,900.00		
Christiana T.C/F	\$25,589.51	19-00001	140 Mary Alice Court
CE1 /Firstrust	\$39,500.00		

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request.

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

A. Payment No. 5 to Granada Construction in the amount of \$439,829.99 for work completed through September 4, 2020 in connection with 2020 Road Program-Phase III.

B. Payment No. 4 to ADG Construction Inc. in the amount of \$269,881.22 for work completed through August 28, 2020 in connection with the 2020 Road Program - Reconstruction Phase II.

C. Payment No. 1, final, to Jo-Med Contracting Corp. in the amount of \$7,000.00 for the emergency repair of the lateral sanitary sewer line at 832 Dewey Street.

D. Payment No. 1, final, to Montana Construction in the amount of \$57,141.98 for the emergency repair of the main sanitary sewer line at 8323 Dewey Street.

E. Payment No. 1, final, to GWS Environmental Contractors in the amount of \$30,288.80 for the Hall Stadium environmental cleanup.

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

From: Debbie Ivins, TNT Fireworks, Re: Requesting permission to hold a tent sale in the parking lot of Walmart, 900 Springfield Road on June 18, 2021 - July 6, 2021 utilizing a 20'x40' tent, banners and American Flags on the tent. Also requesting permission for a 10'x20' container for storage and a small generator to operate the lights.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve the request based on building, fire and police approvals.

From: Allison Kohler, Just Jersey Fest, Re: Requesting permission to hold a Food Truck Festival in the parking lot of St. Demetrio's Greek Church October 10th, 2020, with live music, alcohol and family & children activities.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved to approve the request based on building, fire, police and health approvals.

From: Janine Carruthers, 2nd Ave Value Stores, Re: Requesting permission to hold a first anniversary celebration in the parking lot of 2661 Morris Avenue on October 24th and 25th, 2020. With a DJ and three food trucks and restaurant participation in the parking lot.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request based on building, fire, police and health approvals.

From: Erin Orsini, Resident, Re: Requesting a block party on Vivian Terrace, October 10, 2020 from 1:00pm-10:00pm.

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

received.

DEPARTMENT REPORTS:

MONTHLY REPORTS:

Community Development

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

Mayor Delisfort made a motion to approve the following license application:

Gas Station – J&S Exxon, 2201 Springfield Avenue, Vauxhall, seconded by Mr. People, and carried.

COMMITTEE REPORTS:

MR. FLORIO:

Mr. Florio expressed sympathy for the passing of Brian Sheridan who was a football player for Union high school, went on to play at Rutgers and was a coach at the high school before moving to Florida to coach. Mr. Florio spoke of Mr. Sheridan's many accomplishments both on and off the field and expressed his condolences to the family.

MS. DELISFORT:

- Ms. Delisfort informed residents that the Township has a zero tolerance policy for speeding. The month of October has been designated as pedestrian safety month in the township and police will be doing extra enforcement.
- Ms. Delisfort congratulated EMS Robert Zinkowicz and EMS RJ Miller for their work as they assisted the Ruegamer family back in July. She stated she received a letter commending their work and professionalism.
- Ms. Delisfort stated that there are only eight days left to complete the 2020 census. If you haven't responded yet, you can respond online at 2020census.gov or by phone by calling 844.330.2020 and selecting your preferred language or by mail.
- Ms. Delisfort reminded residents of the last 70's Skate Night Friday from 6:00pm-9:00pm at Rabkin Park Tennis Courts.
- Ms. Delisfort announced Burgers and Brews for a Cause to be held Sunday September 27th 12:00pm-6:00pm at Joe's Place, 2032 Morris Avenue. The cost is \$10.00 for the burgers and fries. Brews sold separately. A portion of the proceeds will go to small businesses and you can pre-register online at unioncentersid.com.
- Ms. Delisfort invited all residents to the family fitness festival Saturday September 26th from 8:00am-2:00pm at Rabkin Park. There will be fun events for everyone. The cost is \$15 for adults and \$5 for children and proceeds will go to help Union students and families.
- Ms. Delisfort asked residents to save the date for the township Food Truck Fest and Inflatable Village to be held Saturday October 3rd from 2:00pm-7:00pm at Rabkin Park. For more details go the website uniontownship.com.
- Ms. Delisfort reminded residents to sign up for Code Red notifications at uniontownship.com or call 908-851-8500.

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 6:24PM.

Dated: September 22, 2020

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

EILEEN BIRCH, Township Clerk