

October 13, 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 13th day of October, 2020 at 6:03PM. 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 October 2, 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

#### **APPROVAL OF MINUTES:**

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved to approve Conference and Regular Session Minutes of September 22, 2020

#### **SECOND AND FINAL READING:**

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading 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

The Clerk advised no comments were received on this ordinance.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee, moved to adopt this ordinance.

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

## DRAFT AND FIRST READINGS:

The Clerk presented draft of an ordinance providing funds for the purchase of SCBA Equipment for the Fire Department.

Providing for the acquisition of SCBA Equipment for the Fire Department

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried on roll call, the Township Committee, resolved, that the aforesaid ordinance be and the same is hereby passed on first reading, Mr. 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 27, 2020. Mr. Figueiredo, aye, Ms. Delisfort, aye, Mr. People, aye, Mr. Florio, aye, Ms. Cavadas, aye.

The Clerk presented draft of an ordinance amending the Municipal Code to include a portion of Marion Street as Parking Prohibited at all Times.

Amending Chapter 266-55 of the Municipal Code "Parking Prohibited at all Times" to include a portion of Marion Street

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 27, 2020. Mr. Figueiredo, aye, Ms. Delisfort, aye, Mr. People, aye, Mr. Florio, aye, Ms. Cavadas, aye.

The Clerk presented draft of an ordinance amending the Municipal Code to include Darby Lane as Residential Parking.

Amending Chapter 266-66 of the Municipal Code "Parking by Permit in Residential Areas" to include Darby Lane.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, 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 27, 2020. Mr. Figueiredo, aye, Ms. Delisfort, aye, Mr. People, aye, Mr. Florio, aye, Ms. Cavadas, aye.

## RESOLUTIONS:

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-265:**

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 purchases Office Supplies from W. B. Mason, 21 Commerce Dr., Cranbury, NJ 08512, State Contract 88839; and

WHEREAS, the Township Committee previously adopted Resolution No. 2020-62 for an amount not to exceed \$22,000.00 and it is necessary to increase that amount by an additional \$4,000.00 for a total amount not to exceed \$26,000.00.

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 Office Supplies from W.B. Mason, 21 Commerce Dr., Cranbury, NJ 08512; pursuant to N.J.A.C. 5:34-4.9, open-end contracts; and BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$22,000.00 and shall be encumbered to \$10,000.00 - 0-01-26-290-221 (DPW), \$14,000.00 - 0-01-20-240-221 (POLICE) and \$2,000.00 - 0-01-25-265-221 (FIRE).

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-266:**

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 wishes to purchase two shade tree clippers for the Department of Public Works; and

WHEREAS, these can be purchased from Modern Group Ltd., 2501 Durham Court, Bristol, PA. 19007, through the Sourcewell Coop, Contract #062117-BAN for an amount not to exceed \$124,362.48.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase of two shade tree clippers from Modern Group Ltd., through the Sourcewell Coop, Contract #062117-BAN for an amount not to exceed \$124,362.48; 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 contract, not to exceed \$124,362.48, and shall be encumbered to C-04-55-564-699.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-267:**

WHEREAS, the Township of Union needs to hire a service for the 2020 Tree Planting; and

WHEREAS, quotes were received for the Tree Planting, and Mahon Landscaping, Inc, was the sole responsive quote and will provide these services at an amount not to exceed \$25,420.00.

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 Mahon Landscaping, Inc., P.O. Box 1359, Union, New Jersey 07083 at their low quote of \$25,420.00; and

BE IT FURTHER RESOLVED that the Purchasing Agent shall obtain a Certificate of Availability of Funds for the purchase, not to exceed a total amount of \$25,420.00 and shall be encumbered to 0-01-26-313-236 – \$12,710.00, 0-01- 26-313-264 -\$12,710.00.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-268:**

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 purchases building supplies from Home Depot, 2455 Paces Ferry Road, Two Paces West, Atlanta, Ga., 30339 – locally from 2445 Springfield Avenue, Vauxhall, NJ 07088, State Contract No.83930; and  
WHEREAS, the Township Committee previously authorized Resolution No. 2020-61 for an amount not to exceed \$25,000.00 and Resolution No. 2020-181 not to exceed \$30,000.00 and it is necessary to increase that amount by an additional \$500.00.  
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby amends Resolution No. 2020-181 increasing the amount to Home Depot by an additional \$500.00.  
BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:34-5, the Purchasing Agent shall obtain a Certificate of Availability of Funds for purchases under this State Contract, not to exceed a total amount of \$30,500.00 and shall be encumbered to \$20,000.00 - 0-01-26-310-282 (DPW) and \$10,500.00 - 0-01-25-240-282 (Police).

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-269:**

WHEREAS, 1181 Liquor Corp., 1181 Morris Avenue trading as the Garden Buffet, has filed an application for the renewal of Plenary Retail Consumption License, State assigned number, 2019-33-044-011 for 2020-2021; and  
WHEREAS, no objections have been received against said renewal; and  
WHEREAS, 1181 Liquor Corp., has set forth in writing certification that no “Go-Go” Bar will be established and further that 1181 Liquor Corp’s stock will not be sold to any person that will undertake the operation of a “Go-Go” Bar.  
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, that a formal restriction be imposed on this license so as to prohibit any type of activity that is considered “Go-Go” dancing, by the general public; and  
BE IT FURTHER RESOLVED, that 1181 Liquor Corp. must adhere to all parking and zoning restrictions of contiguous properties; and  
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. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-270:**

BE IT RESOLVED, that the Mayor of the Township of Union is authorized to enter into an Easement Agreement between the property owners, Children’s Specialized Hospital, located at Block 3617 Lot 44 known as 2840 Morris Avenue (“Grantor”), and the Township of Union, a municipal corporation of the State of New Jersey (“Grantee”), as relates to the conveyance of two sight triangle easements specifically along Morris Avenue and Sprue Street as defined in the Agreement.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-271:**

WHEREAS, on or about October 23, 2019, the Township is providing representation and coverage to those certain police officers (the “Officers”) named in that certain Civil Action No. 2:14-cv-6685-SDW-LDW (the “Civil Action”) with Plaintiff, Kareem Tillery (“Tillery”); and  
WHEREAS, the Township and the Officers agreed to settle the Civil Action on or about October 23, 2019; and  
WHEREAS, the Officers now seeks to enter into a Settlement Agreement in the form attached hereto as Exhibit “A” memorializing the terms of such settlement;  
NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union approves and authorizes the Officers to execute the Agreement of which the Township is a third-party beneficiary.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-272:**

WHEREAS, the Township of Union is in need of purchasing two speed message boards, one with a speed sensor; and

WHEREAS, quotes were received and TSS (Traffic Safety Service), 601 Hadley Road, South Plainfield, NJ 07080 provided the low responsive quote not to exceed \$41,839.00; and

WHEREAS, 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 \$41,839.00 and shall be encumbered to G-01-02-900-314 in the amount of \$3,813.84 and G-01-20-900-316 in the amount of \$38,025.16.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union, in the County of Union, hereby authorizes the purchase of two message boards, one with a speed sensor from TSS, 601 Hadley Road, South Plainfield, NJ 07080

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved the adoption of **Resolution No. 2020-273:**

WHEREAS, The Oval Room Lounge, LLC, has filed an application for renewal of Plenary Retail Consumption License 2019-33-011-008 for the license year(s) 2020-2021 & 2021-2022; and

WHEREAS, No objections have been received against said renewal, and;

WHEREAS, The Oval Room Lounge, LLC has received the Special Ruling to Permit Renewal of Inactive License pursuant to N.J.S.A. 33:1-12:39.

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 said license be and hereby is renewed for the year July 1, 2020 through June 30, 2021.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Union in the County of Union hereby authorizes said renewal effective October 13, 2020.

On motion of Mr. Figueiredo, seconded by Ms. Cavadas, and carried, the Township Committee moved the adoption of **Resolution No. 2020-274:**

WHEREAS, on January 14, 2020 the Township of Union awarded a contract to DeMaio Electrical Company, Inc., 330 Roycefield Road, P O Box 5907, Hillsborough, New Jersey 08844 to perform the Sumner Avenue Pump Station Upgrades for a total contract amount of \$418,230.00, ; and

WHEREAS, the Township Committee approved Change Order No. 1 to reflect an increase of \$17,543.88 for Supplementary Item S-1 resulting in a net increase in the contract amount of \$17,543.88 for a revised contract amount of \$435, 773.88 having been reviewed and approved by the Township Engineer; and

WHEREAS, DeMaio Electrical Company has submitted Change Order No. 2 and Final to reflect an increase of \$570.00 for the testing of the force main and a decrease of \$21,452.30 for Supplementary Items S-6 and S-9 resulting in a revised total contract amount of \$414,891.58 having been reviewed and approved by the Township Engineer and;

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2019 Sanitary Sewer Capital Outlay Account to pay for said change order resulting in net decrease of \$20,882.30 for a revised total contract amount of \$414,891.58.

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 decrease of \$20,882.30 to the contract with DeMaio Electrical Company, Inc. for a revised total contract amount of \$414,891.58.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of **Resolution No. 2020-275:**

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 wishes to purchase a Mathieu MC-110 Vacuum Sweeper for the Department of Public Works; and

WHEREAS, this can be purchased from Northeast Sweepers and Rentals, Inc., 16 Passaic Ave., Unit 9, Fairfield, NJ 07004, through Keystone Purchasing Co-op, #KPN 201501-03 for an amount not to exceed \$130,327.14.

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 Mathieu MC-110 Vacuum Sweeper, Contract #KPN 201501-03 for an amount not to exceed \$130,327.14; 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 contract, not to exceed \$130,327.14, and shall be encumbered to \$88,031.02 to G-01-01-900-418 and \$42,296.12 to G-01-01-900-419.

On motion of Ms. Cavadas, seconded by Mr. Figueiredo, and carried, the Township Committee moved the adoption of **Resolution No. 2020-276:**

WHEREAS, in an effort to mitigate the spread of COVID-19, the Township is offering to test residents for COVID-19; and

WHEREAS, the Township seeks to award an emergency contract to Vault Medical Services of New Jersey, P.C. in the form attached hereto as Exhibit "A";

WHEREAS, this contract is being awarded in accordance with the authorized U.S. Food & Drug Administration Emergency Use Authorization; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Union authorizes the Mayor and Clerk to execute the Agreement.

#### **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 October 13, 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 \$72,996.66.

#### **COMMUNICATIONS:**

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

<b>NAME</b>	<b>AMOUNT</b>	<b>CERT#</b>	<b>LOCATION</b>
Us Bank Cust for Pro Cap 8	\$ 872.87	19-00048	1159 Jeanette Avenue
Tower DBW III	\$12,100.00	13-00062	776 Valley Street

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

From: Various Residents requesting permission to hold block parties:

- A. Monique Cooper, Overlook Terrace, Saturday October 31, 2020 from 12:00pm-10:00pm, with a rain date of November 1, 2020.
- B. Krystal Bryant, Revere Avenue, Saturday October 31, 2020 from 3:00pm-10:00pm.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved to approve the payments. Ms. Cavadas abstained from Ms. Cooper's request.

From: Joseph Venezia, Township Engineer, Re: Requesting payment no. 3, final, to DeMaio Electrical Inc. in the amount of \$197,269.11 for work completed through September 25, 2020 for the Sumner Avenue Pump Station Upgrades.

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

**DEPARTMENT REPORTS:**

**MONTHLY REPORTS:**

Clerk's Office  
Engineering Dept.  
Municipal Court

Police Department  
Fire Department

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

**COMMITTEE REPORTS:**

MS. CAVADAS:

- Ms. Cavadas gave the Recreation Department report concerning all the Halloween activities.

MR. FIGUEIREDO:

- Mr. Figueiredo gave the Fire Department report.

MR. FLORIO:

- Mr. Florio gave the Police report and informed residents of the aggressive speeding enforcement and pedestrian safety initiatives.

MS. DELISFORT:

- Ms. Delisfort thanked everyone involved in the Food Truck and Inflatable Village Fest and the Annual Fall Festival and Car show for making them a success.
- Ms. Delisfort asked everyone to complete the Census online or by calling 800-330-2020 and selecting your preferred language or by mail.
- Ms. Delisfort announced Restaurant Week in the Township October 19<sup>th</sup>-25<sup>th</sup>. For participating restaurants resident can go to [unioncentersid.com](http://unioncentersid.com).
- Ms. Delisfort reminded residents to sign up for Code Red notifications at [uniontownship.com](http://uniontownship.com) or call 908-851-8500.

**PUBLIC HEARING:**

The Clerk read the following correspondence from Karin Cigol, 338 Whitewood Road.

I am writing to ask if the Township plans to do anything to slow down the traffic on Whitewood Road? I have spoken to Union PD Traffic Officers on several occasions to let them know the unsafe conditions on this street. A speed monitor was put up for a week and the data revealed heavy traffic and speeds over 25mph. As a resident, that was no surprise. It is not safe to walk on this street at certain times of the day. I would never let my 10-year-old walk by herself or take her bike to the school (Washington) on her own. Two-way traffic at 25mph is very dangerous for pedestrians and residents on a narrow road with no sidewalks.

My question is: What can we do to fix this problem? The officers said they would put patrol cars out but I haven't seen much of that (I know they are busy). Although I think ticketing offenders would help, I believe we need a more permanent solution to this problem. I would like to work together with the Township and therefore need guidance

on viable options to reduce the speed and volume on Whitewood Road. Here are some ideas:

- Lower speed limit to 20mph on the street
- Install speed bumps
- Place electronic speed limit signs
- Change street to one-way traffic from Salem to Livingston
- Ticket all individuals speeding or not yielding to pedestrians

If you suggest one option for me to pursue, I will petition my neighbors to show you I am not the only one that feels this street is dangerous. If the Township already has another solution, I would love to hear it.

Also, a lot of streets in this neighborhood are getting stone curbs. Is Whitewood Road on the list too?

I look forward to your responses.

Mr. Travisano responded and advised that a traffic study was done and additional enforcement was recommended; however not speed bumps. Sgt. Vargas will respond to the resident directly.

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 6:25PM.

Dated: October 13, 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