

December 23, 2008

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 23rd day of December, 2008 at 7:38 P.M. The meeting was called to order by Clifton People, Jr., 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, 2008, 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 Union Leader, Star Ledger. A copy of said Resolution is on file with the Clerk of the Township."

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

Present: Clifton People, Jr., Chairman
Anthony Terrezza, Vice Chairman
Peter Capodice
Joseph Florio
Brenda Restivo

GIRL SCOUT CADET TROOP 566 AND TROOP 84 WILL CONDUCT THE PRAYER AND FLAG CEREMONY:

Rachelle Angebrandt	Gina August
Shayla Cole	Christina Dziedzic
Melissa Ebert	Nicole Fuscaldo
Victoria Lodato	Kelsey Oakley
Melina Pena	Alexandra Sabogal
Danielle Trapani	Erika Valera

TROOP 84:

Teddie Lawlor	Darlyn Smith
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SPECIAL PRESENTATION BY MAYOR:

Silver Awards presented to Girl Scout Cadet Troop 566 by Mayor People

CIVILIAN VALOR AWARD:

Jimmie Session & Anthony Quinones

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee moved to approve the Minutes of Meetings held on December 8, 2008, Executive Session, Conference and the Meetings held on December 9, 2008 Conference and Regular, as printed and distributed by the Clerk.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance providing for the acquisition and installation of car mounted video cameras for the Police Department.

The said ordinance having been advertised and posted on the bulletin board in the Municipal Building in accordance with statutory requirements, it was

On motion of Mr. Capodice, seconded by Mrs. Restivo, and carried, the Township Committee,

RESOLVED, that the said ordinance, the title of which is hereinbelow set forth, be taken up on second reading.

The Clerk read:

AN ORDINANCE OF THE TOWNSHIP OF UNION,
IN THE COUNTY OF UNION, NEW JERSEY,
PROVIDING FOR THE ACQUISITION AND
INSTALLATION OF CAR MOUNTED VIDEO
CAMERAS FOR THE POLICE DEPARTMENT
OF THE TOWNSHIP AND APPROPRIATING
\$175,000 THEREFOR, AND PROVIDING FOR
THE ISSUANCE OF \$166,250 IN BONDS OR
NOTES OF THE TOWNSHIP OF UNION TO
FINANCE THE SAME

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was

On motion of Mr. Capodice, seconded by Mrs. Restivo, and carried, the Township Committee

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on second and final reading.

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza aye
Mr. People aye.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Ordinance No. 3729 to include a handicap parking space in front of 1029 Woolley Avenue and 1433 Burnet Avenue and deleting handicap parking spaces in front of 1078 Woodland Avenue and 964 Park Terrace.

The said ordinance having been advertised and posted on the bulletin board in the Municipal Building in accordance with statutory requirements, it was

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee,

RESOLVED, that the said ordinance, the title of which is hereinbelow set forth, be taken up on second reading.

The Clerk read:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE DESIGNATION OF RESTRICTED PARKING SPACES FOR USE BY PERSONS WITH SPECIAL VEHICLE IDENTIFICATION CARDS AND FIXING PENALTIES FOR THE VIOLATION THEREOF", adopted on June 12, 1984 and identified as Ordinance No. 3729, IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY.

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on second and final reading.

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza aye
Mr. People aye.

On motion of Mr. Capodice, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Requesting the Commissioner of Transportation to adopt regulations expanding and adding new Bus Stop Locations along Springfield Avenue, (State Highway Route 124) and to erect the appropriate signs.

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the re-investment in certificates of deposit in the amount of \$2,000,000.00 at Investor's Savings Bank from December 9 until December 29, 2008 at a rate of 2.55%.

On motion of Mr. Florio, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the release of a Performance Guarantee in the amount of \$75,573.00, subject to the posting of a two-year Maintenance Guarantee in the amount of \$10,496.26 to Fuel Stop, Inc., for Block 3409, Lot 49, 2570 Route 22 East.

On motion of Mr. Capodice, seconded by Mrs. Restivo, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the release of a Performance Guarantee in the amount of \$16,353.00, subject to the posting of a two-year Maintenance Guarantee in the amount of \$2,044.12 to 1982 Morris Avenue, LLC, for Block 2904, Lot 19, NATC Donuts.

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried on roll call, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing an appropriation transfer for the last two months of the fiscal year. (2/3 majority vote required)

	<u>TO</u>	<u>FROM</u>
Group Insurance – Medicare	5,000.00	Economic Development – Other Expense
Recreation – Salary	2,000.00	Economic Development – Other Expense
Electricity Account	15,000.00	Water Account – Fire Hydrants
Postage Account	5,000.00	Traffic Control – Salary
P.E.R.S.	7,400.00	Water – Fire Hydrants

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza aye
Mr. People aye.

On motion of Mr. Terrezza, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing a Change in Corporate Structure of
Plenary Retail Distribution License No.
2019-44-060-0010, Saikrupa, Inc., t/a Payless
Liquors, located at 1770 Burnet Avenue.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Amending Resolution No. 2008-210 increasing the amount to Robert Clarke, Esq., by an additional \$36,000.00 for a revised total contract amount not to exceed \$161,000.00 for labor matters and negotiations.

On motion of Mr. Terrezza, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing Change Order No. 1 & Final, increasing the amount to Independence Constructors, Inc., by \$4,800.00 for a revised total contract amount of \$28,800.00 for the Upgrades to Underground Storage Tank at Firehouse # 2.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing Change Order No. 2 & Final, decreasing the amount to Navka Construction Co., by \$25.00 for a revised total contract amount of \$137,005.00 for the Balmoral Avenue Retaining Wall Replacement Project.

On motion of Mr. Florio, seconded by Mr. Terrezza, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing a Professional Service Agreement with T&M Associates to provide design plan review, attend meetings and provide inspection services in connection with the Garden State Parkway 142 Interchange (I-78) project for an amount not to exceed \$16,000.00, in accordance with Resolution No. 2008-17.

On motion of Mr. Florio, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing a Professional Service Agreement with T&M Associates to complete design plans & specifications for the West Branch Interceptor Replacement Project, Phase 2, for an amount not to exceed \$18,500.00, in accordance with Resolution No. 2008-17.

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing an award of contract to Global Development Contractors, LLC for Sewer Repair, on Portland Road, at their low quote not to exceed \$10,000.00. (received 3 quotes)

Quotes were received in the Meeting Room at Municipal Headquarters, for Sewer Repair, on Portland Road

An award of contract to Global Development Contractors, LLC for, at their low quote not to exceed \$10,000.00.

The quotes received and opened were as follows:

Global Development Contractors, LLC Belleville, N.J.	\$10,000.00
Carner Brothers Roseland, N.J.	\$11,729.00
J&C General Excavating Vauxhall, N.J.	\$13,600.00

Phil Haderer, Engineer, T&M Associates reported that the quote of Global Development Contractors, LLC. was the low quote and Mr. Haderer recommended that the award be made accordingly.

Clerk advised that approved Contract Award Certification forms from the C.F.O. are on file.

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee,

RESOLVED, that the contract for Sewer Repair, on Portland Road, be awarded to Global Development Contractors, LLC, at the bid price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

On motion of Mr. Terrezza, seconded by Mr. Florio, 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 December 23, approved by respective Departments as being correct.

RESOLVED, that refund of the following tax over-payments be approved and payment authorized:

BLOCK/ LOT	NAME	YEAR	AMOUNT
2004/2.602	Michael & June A. Hunter	2008	\$ 151.00
1013/11	Donnelly, Frances – Heaton S.	2008	170.43

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee,

RESOLVED, that the said communication be received, and

FURTHER RESOLVED, that the Township Treasurer be and is hereby authorized and directed to draw checks to cover overpayments.

On motion of Mr. Terrezza, seconded by Mr. Florio, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$288,590.00.

COMMUNICATION:

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

NAME	AMOUNT	CERT#	LOCATION
Staples Sewing Aids	\$17,904.77	06-058	307 Ohio Street
Pension	\$ 9,300.00		
Fidelity Tax LLC	\$24,851.59	07-00059	2050 Tyler Street
	\$13,100.00		
US Bank/Cust for	\$11,672.22	08-00018	1924 Arbor Lane
Plymouth Park	\$ 9,900.00		
Crusader Lien	\$15,118.33	08-00052	2189 Morrison Ave
Services	\$15,000.00		

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

From: Philip Haderer, Township Engineer, Re: Requesting payment to the following contractors:

- A. Payment No. 2 & Final to Navka Construction Co., Inc., in the amount of \$11,266.10 for work completed through December 5, 2008 on the Balmoral Avenue Wall Replacement Project.
- B. Payment No. 3 to Denbar Construction, Inc., in the amount of \$70,185.15 for work completed through December 15, 2008 on the 2008 CDBG Road Improvement Program.
- C. Payment No. 2 to Quality Electrical Construction, Co., in the amount of \$53,400.00 for work completed through December 13, 2008 on the Biertuempfel Park Sports Lighting (Tennis Court) Project.

- D. Payment No. 1 & Final to Independence Constructors in the amount of \$28,800.00 for work completed through November 19, 2008 on the Replacement of Underground Storage Tank Project at Firehouse #2.
- E. Payment No. 1 to Luongo Associates, P.A. in the amount of \$12,554.00 for work completed through November 26, 2008 on the Fire Alarm/Security Systems Upgrades to the Municipal Building.
- F. Payment No. 1 to WHL Enterprises, Inc., in the amount of \$205,800.00 for work completed through December 19, 2008 on the Mechanical/Electrical Upgrades to Main Library Project.
- G. Payment No. 5 to Luongo Associates, P.A. in the amount of \$6,575.86 for work completed through November 26, 2008 on the Main Library Mechanical/Electrical Upgrade Project.

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

From: Geraldine Foligno, Director, Connecticut Farms Church Nursery School, 888 Stuyvesant Avenue, Re: Requesting permission to hang two (2) 3' x 6' banners from January 23 until February 23, 2009 to advertise their 2009-2010 school year.

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

From: Matthew Weisholz, Facilities/Construction, Party City, 2706 Route 22, Re: Requesting permission to place a 40 foot storage unit on the side of their building from December 18, 2008 until February 4, 2009 while remodeling the store.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to deny the request, subject to applying for construction permits for their remodeling.

From: Richard Malanda, Construction Code Official, Re: Requesting a refund in the amount of \$58.00 be issued to Smart Home Improvement Inc., for a permit issued for work never performed.

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

From: Jimmy Hartley, Assoc. Brand Manager, Red Lobster Corporate Offices, Re: Requesting permission to hang a 12' x 4' banner at the Red Lobster located at 2520 Route 22 for thirty (30) days beginning December 29, 2008 to promote their new lunch menu.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee moved to grant permission.

On motion of Mr. Terrezza, seconded by Mr. Capodice, and carried, the Township Committee directed the following reports be received for filing:

DEPARTMENT REPORTS

Division of Accounts
Municipal Court

COMMITTEE REPORTS:

MR. CAPODICE:

Mr. Capodice commended the Girl Scouts for the great job they did in reciting the Salute to the Flag and the Prayer. Mr. Capodice congratulated the Girl Scouts who received their Silver Award and wished them continued success.

Mr. Capodice commended and thanked the Civilian Valor Award winners Jimmie Session and Anthony Quinones.

Mr. Capodice announced that it was such a great Bicentennial Year and he thanked Brenda Restivo, Kathleen Holmes, Nancy Terrezza and Ted Kobran for all their hard work.

Mr. Capodice wished everyone a Merry Christmas and a Happy New Year and remember the Troops.

MR. FLORIO:

Mr. Florio commended Mayor People for a great year and thanked him for the fine job he has done as Mayor.

Mr. Florio commended the Girl Scouts for the great job they did in reciting the Salute to the Flag and the Prayer. Mr. Florio congratulated the Girl Scouts who received their Silver Award and wished them continued success.

Mr. Florio announced that it was a great Bicentennial Year and he thanked Brenda Restivo, Kathleen Holmes, Nancy Terrezza and Ted Kobran for all their hard work.

Mr. Florio wished to thank the Municipal Family for making the Township of Union the 75th Safest Town to live, in the Country.

Mr. Florio wished everyone a Happy and Healthy New Year.

MRS. RESTIVO:

Mrs. Restivo thanked the Girl Scout Troops for the fine job they did in reciting the Pledge to the Flag and the Prayer and congratulating those who earned the Silver Award.

Mrs. Restivo announced that leaf collection is still going on and asked residents to report any potholes they see within the Township.

Mrs. Restivo reminisced about the year gone by the Bicentennial Year and the many great celebrations that took place. Mrs. Restivo wished to thank all those who participated in making it such a memorable year.

Mrs. Restivo wished everyone a Merry Christmas and a Happy New Year.

Mrs. Restivo commended Mayor People for a wonderful year.

MR. TERREZZA:

Mr. Terrezza commended the Girl Scouts for the great job they did in reciting the Salute to the Flag and the Prayer.

Mr. Terrezza congratulated the Girl Scouts who received their Silver Award and wished them continued success.

Mr. Terrezza commended and thanked the Civilian Valor Award winners Jimmie Session and Anthony Quinones.

Mr. Terrezza thanked the Bicentennial Committee for the great job they did, in making it such a huge success.

Mr. Terrezza commended Mayor People on the fine job he did as Mayor in 2008.

Mr. Terrezza wished everyone a Happy and Healthy Holiday Season.

MR. PEOPLE:

Mr. People thanked the remaining members of the Township Committee for all their help during the past year.

Mr. People commended the Girl Scouts for the great job they did in reciting the Salute to the Flag and the Prayer. Mr. People congratulated the Girl Scouts who received their Silver Award and wished them continued success.

Mr. People commended and thanked the Civilian Valor Award winners Jimmie Session and Anthony Quinones, for their heroic act of courage.

Mr. People announced that it was a pleasure and an honor for him to serve as Mayor for 2008.

Mr. People commended Brenda Restivo, Nancy Terrezza and Ted Kobran for making it such a fantastic Bicentennial Year.

Mr. People wished every on a Happy and Healthy Holiday Season.

PUBLIC HEARING:

Paula Bornstein, Elizabeth resident, urged the Township of Union to join Hillside, Elizabeth and Union County in stopping commercial redevelopment in the area of Morris and North Avenues. Ms. Bornstein explained that this area is already congested and does not need more development.

Dr. Peter Louis, Coolidge Avenue, stated that approximately 1 year ago he had requested 2 hr. parking on his street, questioned if the Committee made their decision as of yet. Mr. People explained that he will look into the matter.

Devendra Makkar, Springfield resident, stated to the Committee that he is not in favor of a Police Director because we have a Police Chief, Deputy Police Chief and Administrator.

Mr. Makkar believes that the Township of Union has a traffic ticket quota.

There being no further business presented, the Township Committee on motion of Mr. Terrezza, seconded by Mr. Capodice, and carried, adjourned the meeting, the time being 8:44 P.M.

Dated: December 23, 2008

CLIFTON PEOPLE, Chairman
of the Township Committee
of the Township of Union
in the County of Union.

EILEEN BIRCH, Township Clerk