

July 22, 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 22nd day of July, 2008 at 7:37 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 opening prayer was led by Committeewoman Brenda Restivo, and the pledge to the flag was led by Committeeman Peter Capodice.

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

On motion of Mr. Terrezza, seconded by Mr. Capodice, and carried, the Township Committee moved to approve the Minutes of Meetings held on July 7, 2008, Executive and Conference and the Meetings held on July 8, 2008 Conference and Regular, as printed and distributed by the Clerk.

Mrs. Restivo abstained.

PROCLAMATION:

August 5, 2008 as **"NIGHT OUT AGAINST CRIME"**

August 17, 2008 **"17th ANNIVERSARY UKRAINE INDEPENDENCE"**

MAYOR'S AWARDS:

Mike Bryant and Tim Flynn who unselfishly volunteered their time and made the "2008 SOAPBOX DERBY" in the Township of Union a great success.

The Clerk presented draft of an ordinance authorizing improvements to various playground facilities.

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

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE OF THE TOWNSHIP OF UNION
IN THE COUNTY OF UNION, NEW JERSEY,
PROVIDING FOR PLAYGROUND FACILITIES
IMPROVEMENTS AND RELATED EXPENSES IN
AND FOR THE TOWNSHIP OF UNION AND
APPROPRIATING \$150,000 THEREFOR AND
PROVIDING FOR THE ISSUANCE OF \$71,250
IN BONDS OR NOTES OF THE TOWNSHIP
OF UNION TO FINANCE THE SAME.

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

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

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on August 26, 2008

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

The Clerk presented draft of an ordinance amending Ordinance No. 3729 to delete a handicapped parking space in front of 1223 Higa Terrace.

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

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

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.

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

On motion of Mrs. Restivo, seconded by Mr. Terrezza, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on August 26, 2008.

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

The Clerk presented draft of an ordinance amending Chapter 434-36 of the Municipal Code entitled Sewers and Sewage Disposal.

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

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED CHAPTER 434-36 ENTITLED "SEWERS AND SEWAGE DISPOSAL, IN THE TOWNSHIP OF UNION, UNION COUNTY NEW JERSEY.

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

On motion of Mr. Terrezza, seconded by Mr. Restivo, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on August 26, 2008.

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

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

Adopting the uniform tort claim form recommended by the Garden State Municipal Joint Insurance Fund.

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

Establishing a dedicated trust by rider for the purpose of a donation from TKV Union Station.

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 the remaining inspection escrow in the amount of \$20,384.38 to Super Stop & Shop located at 1211 Stuyvesant Avenue.

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

Amending Resolution No. 2008-71 increasing the amount to Stilo Excavation, Inc., by an additional \$465,253.25 for a revised total contract amount not to exceed \$1,613,140.94 to include the add alternate roads for the 2007 Road Improvement Program Minute Arms Road Area

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

Authorizing Change Order No. 2 increasing the amount to Stilo Excavating, Inc., by \$45,848.76 for a revised total contract amount of \$1,658,989.50, for the 2007 Road Improvement Program Minute Arms Area Roads.

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

Authorizing a Professional Service Agreement with T&M Associates to prepare plans & specifications for the CDBG Road Improvement Program at a fee not to exceed \$44,830.00 in accordance with Resolution 2008-17.

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 BLM Consultants, LLC. as Community Development Director and all additional duties including staffing for an amount not to exceed \$198,790.00.

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

Authorizing a Professional Service Agreement with Cassandra Corbett, Esq., to provide legal representation to a Township Police Officer at

in amount not to exceed \$2,500.00.

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

Authorizing a Professional Service Agreement with Michael Campagna, Esq., to provide legal representation to a Township Police Officer at an amount not to exceed \$2,500.00.

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

Authorizing a Professional Service Agreement with Edward Kologi, Esq., to provide legal representation to a Township Police Officer at an amount not to exceed \$2,500.00.

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

Authorizing a Professional Service Agreement with Joseph Spagnoli, Esq., to provide legal representation to a Township Police Officer at an amount not to exceed \$2,500.00.

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

Authorizing a new club license in the name of the Portuguese-American Civic Association, Inc., at 721 Rahway Avenue.

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

Authorizing an award of contract to Dosch King Co., Inc., for chip seal resurfacing to service drives in the Fairway Drive Section at their low quote of \$17,110.00.

Sealed quotes were received in the Meeting Room at Municipal Headquarters, for chip seal resurfacing to service drives in the Fairway Drive Section.

An award of contract to Dosch King Co., Inc., at their low quote of \$17,110.00.

Quotes received and opened were as follows:

Dosch King, Company, Inc. 16 Troy Hills Road Whippany, New Jersey 07981	\$17,110.00
Asphalt Paving Systems	

P.O. Box 530
Hammontan, New Jersey 08037

\$18,270.00

Peggy Gehrig, Executive Assistant, Department of Public Works reported that the quote of Dosch King Co., Inc. at \$17,110.00 was the low quote and Ms. Gehrig 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. Capodice, seconded by Mrs. Restivo, and carried, the Township Committee,

RESOLVED, that the contract for chip seal resurfacing to service drives in the Fairway Drive Section, be awarded to Dosch King Co., Inc., 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 July 22, 2008, approved by respective Departments as being correct.

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 \$32,750.54

COMMUNICATION:

From: Paul Batkiw, Vice President, Ukrainian Congress Committee of America, Re: Requesting permission to celebrate the Ukraine's 17th anniversary in front of town hall on August 17, 2008, and also requesting permission to hang Ukrainian flags along Morris & Stuyvesant Avenues, as well as placing a banner across Stuyvesant Avenue.

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

From: Vincent Amato, Feast Co-Chairman, Columbia Italian-American Club, Re: Requesting permission to hold their annual Italian Feast in Union Center from September 19 until September 21, 2008.

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

From: Cornelius Smith, Union Resident, Re: Requesting a handicapped parking space be placed in front of 2023 Ostwood Terrace.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to refer to the Police Department, Traffic Division for investigation and report back.

From: Louis Peirce, Senior Vice President, TKV Union Station, L.P., Re: Requesting permission to hang two (2) 25'x 6' banners located

at 1070 Morris Avenue, to advertise they are now leasing extended stay suites.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to grant permission for a period of 30 days.

From: Philip Haderer, Supervising Engineer, Re: Requesting payments to the following companies:

- A. Payment No. 3 in the amount of \$92,029.76 to DeFino Contracting, Co., for work completed through July 11, 2008 on the 2007 Road Program – Louisa Street Area Project.
- B. Payment No. 3 in the amount of \$637,181.45 to Stilo Excavation, Inc., for work completed through July 11, 2008 on the 2007 Road Program – Minute Arms Road Area Project.

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

From: P.M. Ricardo McNeil, Chairperson, Golden Rule Lodge No. 24, Re: Requesting permission to hold their 4th annual Community Day Affair on Saturday September 27, 2008.

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

From: Sweta Patel, Subway Shop, 2583 Morris Avenue, Re: Requesting permission to hang a 3'x 9" banner for thirty (30) days to advertise their promotion.

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

From: Geraldine Foligno, Director, Connecticut Farms Nursery School, 888 Stuyvesant Avenue, Re: Requesting permission to hang two (2) 3' x 6' banners from August 15 through September 15, 2008 to advertise their 2008-2009 school year.

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

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

DEPARTMENT REPORTS

Department of Public Works
Division of Accounts

COMMITTEE REPORTS:

MR. CAPODICE:

Mr. Capodice announced that the dog & cat licensing canvass will be completed shortly. Residents who were issued violation notices and still did not

license their pet will be issued summons to appear in Court.

Mr. Capodice invited all residents to participate in the annual Night Out Against Crime, on Tuesday August 5, 2008, put your front lights on and meet your neighbors.

Mr. Capodice congratulated all the award winners and wished them well.

Concerning a report of the Police Department for the month of June, 2008, indicating total fees received and activities in the month, Mr. Capodice moved the report be accepted for filing.

The motion was seconded by Mr. Florio, and carried.

MR. FLORIO:

Mr. Florio announced that the free Summer Concerts, held at Biertuempfel Park are very successful and enjoyable. Mr. Florio invited all to attend.

Concerning a report of the Recreation Department for the month of June, 2008, indicating total fees received and activities in the month, Mr. Florio moved the report be accepted for filing.

The motion was seconded by Mr. Capodice, and carried.

Mr. Florio was happy to announce that the Township of Union has been chosen by CNN Money Magazine as the 75th Best Community in the Country, to live in.

MRS. RESTIVO:

Mrs. Restivo was happy to announce that the 4th of July Events went very well, despite the weather. Mrs. Restivo wished to thank all the sponsors and volunteers who made the Celebration such a success.

Mrs. Restivo urged residents to call the Department of Public Works if they see any potholes within the Township.

Mrs. Restivo announced that the street striping program has begun within the Township.

MR. TERREZZA:

Mr. Terrezza congratulated the Ukrainians on the 17th Anniversary of Ukraine Independence.

Mr. Terrezza announced that Verizon is finishing up with the installation of Fios within the Township. Mr. Terrezza stated that TV 34 can be viewed on Channel 36, if you have Fios.

The monthly report of the Fire Department was submitted by Mr. Terrezza, and he recommended it be accepted for filing. The motion was seconded by Mr. Capodice, and carried.

Mr. Terrezza announced that the next Township Committee Meeting is scheduled for August 26, 2008.

MR. PEOPLE:

Mr. People congratulated the Ukrainians on the 17th anniversary of their independence.

Mr. People urged residents to put their outside lights on and meet their neighbors, to participate in the Night Out Against Crime, on Tuesday, August 5, 2008.

Mr. People commended the Police and Fire Departments, Administration, Department Heads and all Township Employees on making The Township of Union the 75th Best Place to live.

Mr. People was happy to announce the success of the 4th of July Celebration, despite the inclement weather.

PUBLIC HEARING:

No one expressed their desire to be heard.

There being no further business presented, the Township Committee on motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, adjourned the meeting, the time being 8:15 P.M.

Dated: July 22, 2008

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

EILEEN BIRCH, Township Clerk