

June 24, 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 24th day of June, 2008 at 7:35 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 Deputy Chairman Anthony Terrezza.

#### **SPECIAL PRESENTATION**

Schering Plough to Municipal Drug Alliance

Edward Rauch – Safety & Health Manager  
Frank Rodriquez – General Manager of New Jersey Operations

#### **PROCLAMATION:**

Philippine Independence Day

#### **BUSINESS OF THE MONTH:**

McCracken Funeral Home – Ronald Mowad, James Goerlich & Henry Salerno

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. Florio, and carried, the Township Committee moved to approve the Minutes of Meetings held on June 9, 2008, Executive and Conference and the Meetings held on June 10, 2008 Conference and Regular, as printed and distributed by the Clerk.

Mr. Capodice abstained.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Ordinance No. 4945 increasing the reimbursement of utility Engineering Costs from the NJDOT incurred in connection with the Garden State Parkway Interchange Project to \$15,000.00.

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. Terrezza, seconded by Mr. Florio, 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 ORDINANCE NO. 4945  
AUTHORIZING THE REIMBURSEMENT OF UTILITY  
ENGINEERING COSTS FROM THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION INCURRED  
IN CONNECTION WITH THE GARDEN STATE  
PARKWAY INTERCHANGE 142 (I-78) PROJECT  
FOR AN AMOUNT NOT TO EXCEED TWO  
THOUSAND DOLLARS (\$2,000.00) FIFTEEN  
THOUSAND DOLLARS & 00/100 CENTS (\$15,000.00)

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 Mr. Florio, 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 authorizing the reimbursement of inspection services costs from New Jersey American Water incurred in connection with their water main cleaning and relining project to be performed on local roads for an amount not to exceed \$50,000.00

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. Florio, seconded by Mr. Terrezza, 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 AUTHORIZING THE REIMBURSEMENT OF INSPECTION SERVICES COSTS FROM NEW JERSEY AMERICAN WATER INCURRED IN CONNECTION WITH THEIR WATER MAIN CLEANING AND RELINING PROJECT TO BE PERFORMED ON LOCAL ROADS WITHIN THE TOWNSHIP OF UNION FOR AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (50,000.00)

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. Florio, seconded by Mr. Terrezza, 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.

The Clerk presented draft of an ordinance amending Ordinance No. 3729 to add a handicapped parking space in front of 1040 Brighton Street.

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 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 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 July 8, 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:

Authorizing the acceptance of a PARIS Grant in the amount of \$65,000.00 for records management.

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

Authorizing the Person-to-Person transfer of Plenary Retail Consumption License No. 2019-33-046-008 t/a The Bar Room, located at 1784 Burnet Avenue to the Joey Cadillac Foundation, LLC.

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

Authorizing the renewal of liquor licenses in the Township of Union for the annual period of July 1, 2008 – June 30, 2009 with special conditions listed.

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

Authorizing the renewal of Plenary Retail Consumption License No. 2019-33-044-010 trading as the Garden Buffet and located at 1181 Morris Ave. with special conditions that no "Go-Go" bar be established and that no stock will be sold to any person that will undertake the operation of a "Go-Go" Bar for the annual period of July 1, 2008 – June 30, 2009.

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

Authorizing the renewal of Plenary Retail Consumption License No. 2019-33-041-009 trading as Shooters 22 and located at 1235 West Chestnut Street with special conditions recommended by the Police Department and that no topless or nude dancing is to occur and no de-licensing of the licensed premises is permitted despite any change in State law for the annual period of July 1, 2008 – June 30, 2009.

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

Authorizing the renewal of Plenary Retail Consumption License No. 2019-33-058-005 trading as Suspenders and located at 1131 Magie Ave. with special conditions to retrain persons who sell and serve alcoholic beverages to deter excessive consumption for the annual period of July 1, 2008 – June 30, 2009.

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

Township Committee moved the adoption of the following entitled Resolution:

Authorizing Chris-N-Pro Inc., permission to assign the lease rights for the parking lot on Kingswood Road, Block 1704, Lot 11 to FGK Diner, LLC upon sale of business.

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

Authorizing Change Order No. 2 decreasing the amount to DeFino Contracting Co., by \$17.60 for a revised total contract amount of \$1,252,060.79 for the 2007 Road Improvement Program – Louisa Street Area.

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

Amending Resolution No. 2008-66, for repairs to the concession stand at Biertuempfel Park to the Scurzo Group, LLC d/b/a Roof-It by an additional \$1,700.00 for a total contract amount not to exceed \$15,400.00.

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

Amending Resolution No. 2007-155, for the purchase of leaf bags from Dano Enterprises, Co., by an additional \$34,875.00, for a total contract amount not to exceed \$76,725.00.

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

Authorizing an extension of the contract for leaf bags with Dano Enterprises, Co., at last years bid price of .279 cents per bag, for a total contract amount not to exceed \$76,725.00.

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

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

Authorizing an award of contract to W.H.L. Enterprises, Inc., for the Main Library Mechanical/ Electric upgrades at an amount not to exceed \$354,900.00.

On motion of Mr. Terrezza, seconded by Mrs. Restivo, 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 June 24, 2008, approved by respective Departments as being correct.

The Clerk presented listing of "Adjustment of Taxes Receivable"

submitted by the Collector of Taxes for remission, in pursuance to Revised Statutes.

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

RESOLVED, that the said listing be received and that in pursuance of the Collector's recommendation, he be and is hereby authorized to cancel of record the taxes enumerated in the listing as follows:

BLOCK/LOT	NAME	YEAR	AMOUNT	DEDUCTION
5107/16	Center for family support NJ Inc.	2008	\$4052.67	Tax Exempt
1501/69	Union Chapel Church	2008	2,463.39	County Appeal
101/4.0101	AGL Resources	2007	131,028.91	State Appeal
5601/24	Pouliot, Rene Edward	2008	3,963.79	Disabled Vet.

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

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

<u>BLOCK/ LOT</u>	<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT</u>
5107 16	Center for Family Support NJ Inc.	2008	\$ 4,052.67
1017 12	Torres, Juan & Jessica	2008	1,563.99
3608 19	Cadiche, Jackson & Nickole	2008	1,477.31
5013 14.01	Lozano, Madeline & Ray	2008	1,780.71
1005 25	Hugo, Jose	2008	1,780.72
1103 20	Sabatino, Jeremy & Meggin	2008	2,134.69
5601 24	Pouliot, Rene Edward	2008	3,963.79
2709 12	Clavijo, Frederick	2008	1,712.32
1501 69	Union Chapel Church	2008	2,463.39
101 4.0101	"AGL Resources"	2007	131,028.91
203 27	Padron, Jessica	2008	1,932.42

Listed below are adjustments due to County Tax Appeals.

<u>BLOCK/ LOT</u>	<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT</u>
1501 69	Union Chapel Church	2007	\$ 2,463.39

Listed below are adjustments due to Tax Appeal:

<u>BLOCK/ LOT</u>	<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>ADJUSTMENT</u>
101 4.0101	AGL Resources	2007	\$131,028.91	State Tax Appeal

On motion of Mr. Terrezza, seconded by Mrs. Restivo, 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 Mrs. Restivo, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$39,457.97

**COMMUNICATION:**

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

<b>NAME</b>	<b>AMOUNT</b>	<b>CERT#</b>	<b>LOCATION</b>
Crusader Servicing Corp	\$16,988.54	06-023	748 Liberty Ave
	\$ 8,000.00		

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

From: Lavel Jackson, Resident, Re: Requesting permission to hold a Block Party on May Terrace, Vauxhall on Saturday, September 6 with a raindate of Sunday September 7, 2008.

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

From: Michael Garrison, P.C. Richard & Son, 2264 Route 22, Re: Requesting permission to utilize a 70'x 30' tent for their annual sale to be held from August 25 through September 10, 2008.

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

From: Rev. Jerry Jay Olivo, Orchard Park Church, 1264 Victor Avenue, Re: Requesting permission to hold a "Neighborhood Appreciation" event at their church on Saturday July 5 with a raindate of Saturday July 12, 2008 from 1:00 – 5:00 PM.

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

From: John A. Appezzato, Esq., St. Bartholomew's Church, Scotch Plains, Re: Requesting permission to utilize the Township's Showmobile from August 29 until September 1, 2008 for their annual "Labor Day Italian Festival" with all fees waived.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to deny the request, due to the Showmobile not being available.

From: Toni Davidson, US Marketing & Promotions for the Home Depot Superstore, Springfield Avenue, Re: Requesting permission to hold a Contractor Trade Show in the Home Depot parking lot on Tuesday July 8, 2008 from 9:00 AM until 2:00 PM and also requesting permission to utilize a 40' x 60' tent for approximately 8-10 vendors.

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

From: Anna Talley-Schuetz, Day Camp Director, Five Points

Branch, YMCA of Eastern Union County, Tucker Avenue, Re: Requesting permission for parents to use Sumner Avenue to drop-off (7-9 AM) and pick-up (5-6 PM) their children attending the 2008 summer camp program.

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

From: Sweda Petal, Owner Subway Shop, 2589 Morris Avenue, Re: Requesting permission to hang a 3'x 9' banner advertising their \$5.00 "Subs" promotion.

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

From: Phil Haderer, Supervising Engineer, Re: Requesting payment to the following:

- A. Stilo Excavation Inc., payment no. 2 in the amount of \$126,038.28 for work completed through June 17, 2008 on the 2007 Road Program - Minutes Arms Road Area Project.
- B. TSUJ Corporation, payment no. 4 in the amount of \$8,197.21 for work completed through June 19, 2008 on the Municipal Complex Emergency Generator Project.
- C. DeFino Contracting Co., payment no. 2 in the amount of \$626,334.88 for work completed through June 19, 2008 on the 2007 Road Program - Louisa Street Area Project.

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

From: Richard Stone, Executive Director, Senior Citizens Council of Union County, Re: Requesting permission to park 16 cars in a Municipal Parking Lot on the following dates; July 20 – July 25, August 12 (one night) and August 24 – August 27, 2008.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to approve the request for parking at the Caldwell Avenue Lot.

From: Betty Morris, Resident, Re: Requesting permission to park 12 cars overnight in the Jeanette Avenue parking lot on July 5, 2008.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee moved to approve the request for lot 12, located on Morris Avenue.

From: Arvind Patel, Joint Secretary, Indian Culture Society of NJ, Re: Requesting permission to hold India's Independence Day Celebration on Sunday August 17, 2008 in Friberger Park, including a flag raising ceremony, the use of the Showmobile, with all fees waived, chairs & tables. Also requesting permission to display India's flag throughout Union Center.

On motion of Mr. Capodice, seconded by Mr. Terrezza, and carried, the Township Committee moved to approve the request, but the fees cannot be waived for the showmobile.

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

Township Committee directed the following reports be received for filing:

## **DEPARTMENT REPORTS**

### **MONTHLY REPORTS:**

Division of Accounts  
Health Department  
Community Development

### **COMMITTEE REPORTS:**

#### **MR. CAPODICE:**

Mr. Capodice announced that a town wide canvas is being conducted for dog and cat licensing, this canvas is mandated by the State every two years. Mr. Capodice urged residents to license their dogs or cats in the Township Clerk's Office.

Mr. Capodice thanked Schering Plough for their generous gift to the Municipal Drug Alliance. Mr. Capodice congratulated the business of the month.

Mr. Capodice urged drivers to drive carefully now that school is out for the summer and there are more children playing in the streets.

#### **MR. FLORIO:**

Mr. Florio announced that Computer Classes will begin at the Senior Center, for more information call the Center at 851-5290.

Mr. Florio was happy to announce that the Senior Citizens Olympics was very well attended and a lot of fun.

Mr. Florio thanked and congratulated all the award winners and wished them well.

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

Mr. Florio invited all to attend the annual 4<sup>th</sup> of July Celebration with events going on all weekend long.

#### **MRS. RESTIVO:**

Mrs. Restivo congratulated all the award winners and wished them well and thanked Schering Plough for their presentation to the Municipal Drug Alliance.

Mrs. Restivo commended the Department of Public Works for the fine job they did with the removal of fallen trees and branches, due to recent storms.

Mrs. Restivo announced the tree planting program is still going on, resident wanted a tree planted in front of their home should call the Department of Public Works.

Mrs. Restivo announced that the street striping program has begun, with

striping around the school areas.

Mrs. Restivo invited everyone to attend the 4<sup>th</sup> of July Bicentennial Weekend.

MR. TERREZZA:

Mr. Terrezza congratulated the award winners and the “Business of the Month”.

Applications for licenses were presented by Mr. Terrezza, and none of the Township Committeemen voicing any conflict, he moved that the Township Committee approve the applications, as follows:

License applications to be approved:

**Outdoor Cafes:**

Union Hot Bagels-1561 Morris Avenue  
Yes Café-1989 Morris Avenue

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

MR. PEOPLE:

Mr. People congratulated the award winners and thanked Schering Plough for their gift to the Municipal Alliance.

Mr. People invited everyone to attend the 4<sup>th</sup> of July Bicentennial weekend celebration.

PUBLIC HEARING:

Carol Norman, Morrison Avenue, requesting the Township Committee bring back the art classes at the Senior Center, conducted through the Union County College. Ms. Norman explained that for many years the Senior Center had the art classes, now she has to go to Roselle’s Community Center for these art classes. She explained that this is a good way to keep the senior citizen’s mind active and sharp. She researched the cost will be approximately five thousand dollars per year for the art program.

Roxanne Ciampi, Beechwood Avenue, requested a list of roads, in connection with ordinance no. 2. Mr. Florio directed her to the Engineering Department for that information.

Mrs. Ciampi referred to resolution no. 8, and asked what is a Go Go Bar? Mr. Antonelli responded to Mrs. Ciampi question.

Mrs. Ciampi stated that she always has a problem with the Clerk’s Office concerning OPRA requests.

Allan Hodapp, 1246 Orange Avenue, stated that the American Water Company is sending out notices to senior citizens to get insurance on their water pipes because they may burst.

Mr. Horton, 319 Oregon Street, stated that the Boys and Girls Club of

Union has raised their price for children to join. He explained that the price is now between \$1,500 and \$1,800 this is a lot for a family to pay. Mr. Florio explained to him that the Boys and Girls Club is an independent entity and he is to contact the Director who is Russ Triola.

Veronica Carvalho, 919 Rosemont Avenue, questioned why the swings and the slide were removed from the Tot Lot, behind the Municipal Building. Sergio Panunzio, Supt. of Public Works explained to her that they did not comply and were outdated, therefore, the Township is looking into new equipment.

Mr. Gableman, 28 Milton Avenue, explained that Milton Avenue was just repaved and everyone was very nice. He stated that the paving is good, but he has a problem with his gutters in the street.

There being no further business presented, the Township Committee on motion of Mr. Capodice, seconded by Mr. Florio, and carried, adjourned the meeting, the time being 8:53 P.M.

Dated: June 24, 2008

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

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EILEEN BIRCH, Township Clerk