

May 27, 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 27th day of May, 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."

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

TROOP 566

Rachelle Angebrandt	Gina August
Marianna Bolanos	Shayla Cole
Christina Dziejcz	Melissa Ebert
Nicole Fuscaldo	Jilienne Landicho
Victoria Lodato	Kelsey Oakley
Melina Pena	Alexandra Sabogal
Danielle Trapani	Erika Valera

TROOP 84

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

Present: Clifton People, Jr., Chairman
Peter Capodice-arrived at 7:43 p.m.
Joseph Florio
Brenda Restivo

Absent: Anthony Terrezza, Vice Chairman

TESTIMONIAL RESOLUTION:

Michael Yesenko and the Union Township Historical Society:

Remembering Historical Events within the Township

BUSINESS OF THE MONTH:

JS Blade Advertising –Suzanne Firsichbaum and Joseph Ubil

APPROVAL OF MINUTES:

Executive and Conference Session Minutes May 12, 2008
Conference and Regular Session Minutes May 13, 2008

On motion of Mr. Capodice, seconded by Mr. Florio, and carried, the Township Committee moved to approve the Minutes of Meetings held on May 12, 2008, Executive and Conference and the Meetings held on May 13, 2008 Conference and Regular, as printed and distributed by the Clerk.

Mr. Capodice moved to open the public hearing for the 2008 Municipal Budget, the motion was seconded by Mr. Florio, and carried.

Being no one in the audience expressed their desire to be heard, Mr. Florio moved to close the public hearing for the 2008 Municipal Budget, the motion was seconded by Mr. Capodice, and carried.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance establishing the Cap Bank for the year 2008.

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. 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:

CALENDAR YEAR 2008 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)

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. 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 absent, 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:

Authorizing the Township to do a self review of
the 2008 Municipal budget.

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

Amending the 2008 Municipal Budget as introduced.

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

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

Authorizing the adoption of the 2008 Municipal budget as amended.

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance adopting a redevelopment plan for certain properties known as the Schaefer Salt Site.

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. 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 OF THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, IN THE COUNTY OF UNION, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES COMMONLY KNOWN AS THE SCHAEFER SALT SITE.

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. 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 absent, Mr. People aye.

The Clerk presented draft of an ordinance amending Ordinance 3729 to add a handicapped parking space at 730 Midland Blvd. and to delete spaces at 841 Remmos Avenue and 125 Carnegie Place.

On motion of Mr. Florio, 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 "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 absent, Mr. People aye.

On motion of Mr. Florio, seconded by Mr. Capodice, 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 June 10, 2008.

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

The Clerk presented draft of an ordinance amending Chapter 168 of the municipal code to include no feeding of wild and/or stray animals within the Township.

On motion of Mrs. Restivo, 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 AMENDNG CHAPTER 168, ARTICLE III ENTITLED "FEEDING OF AVIAN WILDLIFE" IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY.

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza absent, 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 June 10, 2008.

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

The Clerk presented draft of an ordinance authorizing the 2008 road improvement program.

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 VARIOUS CAPITAL IMPROVEMENTS
FOR THE TOWNSHIP OF UNION AND APPROPRIATING
\$3,700,000, THEREFOR, AND PROVIDING FOR THE
ISSUANCE OF \$3,268,000 IN GENERAL IMPROVEMENT
BONDS OR NOTES OF THE TOWNSHIP OF UNION TO
FINANCE THE SAME

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza absent, 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 June 10, 2008.

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

The Clerk presented draft of an ordinance amending Chapter 434 of the Municipal Code increasing sewer user charges.

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 ARTICLE III SEWER
SYSTEM USER CHARGES, CHAPTER 434-36A.
USER CHARGES AND ASSESSMENTS FOR
RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL
PROPERTIES

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza absent,
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 June 10, 2008.

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

The Clerk presented draft of an ordinance adopting a redevelopment plan
for the Gateway North Redevelopment Area.

On motion of Mr. Capodice, seconded by Mr. Florio, 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 MAYOR AND TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF UNION, IN
THE COUNTY OF UNION, NEW JERSEY, ADOPTING
A REDEVELOPMENT PLAN FOR PROPERTIES WITHIN
THE GATEWAY NORTH PLAN AREA

Mr. Capodice aye, Mr. Florio aye, Mrs. Restivo aye, Mr. Terrezza absent,
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 June 10, 2008.

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

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

Authorizing the renewal of the Township's procedures for Closed Session Minutes

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

Authorizing an extension of the lease agreement for vehicles for the Tax Assessor and Building Department with Book Auto Leasing at a fee not to exceed \$6,890.99 (\$3,445.44 per vehicle).

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. 1 to Stilo Excavation resulting in a net change of \$0.00 for a total contract amount of \$1,147,887.69 for the 2007 Road Improvement Program – Minute Arms Road Area.

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. 1 decreasing the amount to DeFino Contracting by \$150.00, for a revised total contract amount of \$1,252,078.39, for the 2007 Road Improvement Program – Louisa Street Area.

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 Bond in the amount of \$110,334.00 to S.E.M. Properties, 2437 Morris Ave., subject to the posting of a maintenance bond in the amount of \$13,791.75.

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

Authorizing the investment of certificates of deposit in the amount of \$2,800,000.00 at Investor's Savings Bank from May 16, 2008 until July 22, 2008 at a rate of 3.01%.

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

Amending Resolution No. 2008-110 increasing the amount to Union Fire Equipment Corporation, State Contract A71051 by \$40,000.00, for a total contract amount not to exceed \$87,250.00 for the purchase of Firefighter Protective Clothing and Equipment.

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

Authorizing the Mayor and Clerk to execute a Local Aid Grant Application with the Township of Union and the DOT for Commerce 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 agreement with T&M Associates and East Coast Drilling, Inc. for geotechnical engineering services on Oakwood Parkway for a fee not to exceed \$2,450.00 in accordance with Resolution 2008-17.

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

Opposing S-1137 which Expands the Scope of Negotiations for collective bargaining agreements.

On motion of Mr. Capodice, seconded by Mrs. Restivo, 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. 2019-43-051-008, to Sanjana, LLC, located at 965 Magie Avenue.

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

Authorizing an award of contract to Zone Striping, Inc., for the striping of crosswalks and lane dividers within the Township for a total amount not to exceed \$17,761.76.

Quotes were received in the Meeting Room at Municipal Headquarters, for the striping of crosswalks and lane dividers within the Township.

An award of contract to Zone Striping for a total amount not to exceed \$17,761.76.

The quotes received and opened were as follows:

Zone Striping, Inc.

P.O. Box 568

501 New Jersey Avenue

Glassboro, New Jersey 08028

\$ 17,761.76

Straight Edge Striping
 18 Rue Cezanne
 Somerset, New Jersey 08873 \$ 35,868.44

James Kurpiel, Inc.
 19 Orchard Street
 Hackensack, New Jersey 07601 \$114,568.80

County of Union-Bureau of Traffic
 Safety Maintenance
 2371 South Avenue
 Scotch Plains, New Jersey 07076 \$ 21,202.20.

Sergio Panunzio, Superintendent of Public Works reported that the bid of Zone Striping, Inc., is low and Mr. Panunzio 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. Florio, seconded by Mrs. Restivo, and carried, the Township Committee,

RESOLVED, that the contract for the striping of crosswalks and lane dividers within the Township, be awarded to Zone Striping, 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 Mrs. Restivo, seconded by Mr. Capodice, 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 November 12, 2002, approved by respective Departments as being correct.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$1,290.00

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
US Bank/ Cust for Plymouth Park	\$43,786.76	07-00011	1466 Morris Ave
US Bank/ Cust for Plymouth Park	\$23,271.34 \$ 9,600.00	06-007	730 Greenwood Rd
US Bank/Cust for Plymouth Park	\$22,606.43	07-00023	113 Plum Tree Lane
Amaco	\$12,964.68	07-00009	966 Salem Rd.
Fidelity Tax, LLC	\$10,697.00	07-00031	302 Greenbriar - 3

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

From: John Agriantonis, St. Demetrios Greek Orthodox Church, 721 Rahway Avenue, Re: Requesting permission to hold their annual festival from September 4th – 7th, 2008 having two 40' x 100' tents with all fees waived. Also, requesting permission to place four (4)- 4' x 4' signs throughout the Township, and two (2) 30' banners across Stuyvesant Ave. from August 20th to September 8, 2008 to advertise their event.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee moved to approve one banner across Stuyvesant Avenue and the tents, subject to the approval of the fire and building departments.

From: Allie Herrera, Home Depot Grand Opening Marketing Team, 2445 Springfield Ave., Re: Requesting permission to hang four (4) 23' x 4' banners and eight (8) 5' cloudbuster balloons to advertise their grand opening on June 26th-28th, 2008.

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

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

- A. DeFino Contracting, payment no. 1, in the amount of \$403,032.08 for work completed through May 13, 2008 on the 2007 Road Improvement Program – Louisa Street Area.
- B. Stilo Excavation, payment no. 1, in the amount of \$224,177.70 for work completed through May 9, 2008 for the 2007 Road Improvement Program – Minute Arms Road Area.
- C. TSUJ Corporation, payment no. 3, in the amount of \$36,067.72 for work completed through May 19, 2008 for the Municipal Complex – Emergency Generator Project.

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

From: Lourdes Sabogal, Union Resident, Re: Requesting permission to have a block party on Filbert Lane Saturday June 21st with a rain date of June 22nd from noon until 10:00 PM.

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

From: Sweta Patel, Subway, 2583 Morris Ave., Re: Requesting permission to hang a promotional 3' x 9' banner for thirty days beginning May 28, 2008.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee moved to approve the banner for a period of thirty days.

From: Peter Varcos, District Sales Manager, Radio Shack, 324 Chestnut Street, Re: Requesting permission to set up a 10'x10' tent and four (4) tables in their Route 22 parking lot for various vendors to sell their products on Saturday May 31, 2008.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee moved to refer to the building department for approval.

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

DEPARTMENT REPORTS

MONTHLY:

Division of Accounts
Health Department
Municipal Court (March & April)

COMMITTEE REPORTS:

MR. CAPODICE:

Mr. Capodice thanked Mr. Yesenko and the historical society for the fine job they do. Mr. Capodice also, congratulated all the award winners and the Business of the Month.

Mr. Capodice thanked all those who attended the Memorial Day Parade.

Mr. Capodice announced that canvassers will be going door to door to make sure all pets within the Township are licensed.

MR. FLORIO:

Mr. Florio attended the Veteran's Day Ceremony and stated that it was very moving experience. Mr. Florio stated that the Veterans deserve many thanks for fighting for our freedom.

Mr. Florio thanked Mr. Yesenko and the historical society for the fine job they do. Mr. Florio also congratulated all the award winners and the Business of the Month.

Mr. Florio invited all to participate in the annual Adopt a Park clean up program. Mr. Florio stated it is a great way to keep you neighborhood clean and meet your neighbors. He urged residents to call the Department of Public Works for more information.

MRS. RESTIVO:

Mrs. Restivo invited residents to attend the Bicentennial activities that will be going on at Biertuempfel Park on June 6, 7 and 8, 2008.

Mrs. Restivo announced that the Department of Public Works is conducting their plant a tree program. Mrs. Restivo stated that any resident who has a Township tree removed from the front of their home and wants another one planted should call the Department of Public Works at 686-1922.

Mrs. Restivo thanked all those who attended the Memorial Day Parade and wished to thank the Veterans who served our Country for the freedom we have today.

Mrs. Restivo congratulated Mr. Florio who recently became a grandfather for the first time.

MR. TERREZZA:

Mr. Terrezza was absent.

MR. PEOPLE:

Mr. People thanked Mr. Yesenko and the historical society for the fine job they do. Mr. People congratulated all the award winners and the Business of the Month.

Mr. People thanked all those who attended the Memorial Day Parade, it was well attended and these Veterans sacrificed their lives for us.

PUBLIC HEARING:

Allan Hodapp, 1246 Orange Avenue, stated that he attended the North Gate Re-development Meetings and had a few questions about the draft ordinance being introduced, but will wait for the second reading for his questions.

Mr. Hodapp questioned how much will the increase be in the Sewer User ordinance. Mr. Manzella responded approximately 13%.

Roxanne Ciampi, Beechwood Avenue, questioned if the members of the Township Committee get health benefits. They responded yes, but not all of them participate.

Mrs. Ciampi questioned what attorney represents the Township in the Hott 22 case. Mr. Antonelli responded that the Township is self insured and explained to her how JIF works.

Mrs. Ciampi suggested that the Township put money aside every year for the Fire and Police Labor Contracts. Mr. Manzella stated that the Township already does that.

Mrs. Ciampi stated that the Police and Fire Departments do a great job.

Fran Metta, 2830 Kathleen Terrace, stated that lawsuits cost the Township a lot of money.

Mr. Gableman, 238 Milton Avenue, spoke about problems with water accumulating in front of homes on his street and some homes being in a flood zone. Mr. People suggested he speak to the Township Engineer and himself after the meeting to get the situation resolved.

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 8:48 P.M.

Dated: May 27, 2008

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

EILEEN BIRCH, Township Clerk