

May 26, 2009

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 26th day of May, 2009 at 7:38 P.M. The meeting was called to order by Anthony Terrezza, 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, 2009, 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 and the Star Ledger. A copy of said Resolution is on file with the Clerk of the Township."

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

Rachelle Angebrandt	Gina August
Shayla Cole	Christina Dziejdzic
Melissa Ebert	Nicole Fuscaldo
Teddie Lawlor	Victoria Lodato
Kelsey Oakley	Melina Pena
Alexandra Sabogal	Darlyn Smith
Danielle Trapani	Erika Valera

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

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

Absent: Peter Capodice

BUSINESS OF THE MONTH:

HELMET SPONSORS

Dairy Queen – Mike & Melissa Shaffer
7-Eleven – Ozzie Maali
Larchmont Pizzeria – Greg Nasta
Gallop Hill Inn – George Thomas & Jimmy Thomas

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve the Minutes of Meetings held on May 11, 2009, Executive and Conference and the Meetings held on May 12, 2009 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 replacement and repair of the existing retaining walls for Lightning Brook in the Township of Union.

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 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:

ORDINANCE REAPPROPRIATING \$365,292.67
PROCEEDS OF OBLIGATIONS NOT NEEDED
FOR THEIR ORIGINAL PURPOSES IN ORDER
TO PROVIDE FOR THE REPLACEMENT AND
REPAIR OF EXISTING RETAINING WALLS FOR
LIGHTNING BROOK AND ALL OF ITS
TRIBUTARIES IN AND FOR THE TOWNSHIP
OF UNION, IN THE COUNTY OF UNION, 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 Mr. Florio, seconded by Mr. People, and carried, the Township Committee

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

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

The Clerk presented draft of an ordinance amending Chapter 505 of the Municipal Code entitled "Towing".

On motion of Mr. Florio, 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 CHAPTER 505
ENTITLED "TOWING" BY THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF UNION,
COUNTY OF UNION, STATE OF NEW JERSEY.

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

On motion of Mr. Florio, seconded by Mr. People, 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 9, 2009.

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

The Clerk presented draft of an ordinance amending Chapter 266-87 of the
Municipal Code entitled "Creation & Location of Parking Lots" combining Lots
17 & 24 into Lot 17.

On motion of Mrs. Restivo, seconded by Mr. People, 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 CHAPTER 266-87
ENTITLED "CREATION AND LOCATION OF
PARKING LOTS" BY THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF UNION,
COUNTY OF UNION, STATE OF NEW JERSEY
(This Ordinance combines Lots 17 and 24 into Lot 17)

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

On motion of Mrs. Restivo, seconded by Mr. People, 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 9, 2009

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

The Clerk presented draft of an ordinance amending Chapter 266-55 of the
Municipal Code entitled "Parking Prohibited at All Times", affecting Liberty
Avenue at Morris Avenue.

On motion of Mr. Florio, seconded by Mr. People, 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 CHAPTER 266-55,
ENTITLED "SCHEDULE XIV PARKING PROHIBITED
AT ALL TIMES" BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF UNION, COUNTY OF UNION,
STATE OF NEW JERSEY (This ordinance affects Liberty
Ave. at Morris Avenue)

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

On motion of Mr. Florio, seconded by Mr. People, 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 9, 2009.

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

The Clerk presented draft of an ordinance amending Ordinance No. 3729
of the Municipal Code to add a handicap parking space in front of 57 Maple
Avenue.

On motion of Mrs. Restivo, seconded by Mr. People, 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.

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

On motion of Mrs. Restivo, seconded by Mr. People, 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 9, 2009.

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

The Clerk presented draft of an ordinance creating a new chapter in the
Municipal Code entitled “Public Nuisances”.

On motion of Mr. People, 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 CREATING A NEW CHAPTER
ENTITLED “PUBLIC NUISANCES” BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF UNION, COUNTY OF UNION, STATE OF
NEW JERSEY.

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

On motion of Mr. People, 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 9, 2009.

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

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

Amending Resolution No. 2009-136, to amend the 2008 Consolidated Plan's effective date as May 26, 2009.

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

Authorizing the Township Engineer to advertise for public bid, on the West Branch Interceptor Sewer Replacement project no later than June 2, 2009.

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

Authorizing Change Order No. 1 increasing the amount to Lombardi Enterprises by \$16,323.00 for a revised total contract amount of \$138,105.00 for the Parking Lot Improvements & the Oil/Water Separator Installation at Firehouse #2.

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

Authorizing Change Order No. 1 Final, increasing the amount to Interstate Contracting and Excavating, LLC by \$103.08 for a revised total contract amount of \$67,991.53 for the Rabkin Field Sanitary Sewer Extension Project.

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

Authorizing Change Order No. 2, resulting in a net change of zero dollars (\$0.00) to DeFino Contracting Co., for a total amount not to exceed \$1,254,456.68 for the 2008 Road Improvement Program – Contract 2.

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

Authorizing the investment in certificate of deposit in the amount of \$2,000,000.00 at Garden State Community Bank from May 19 until June 23, 2009 at a rate of 1.50%.

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

Authorizing the Mayor & Clerk to sign a grant agreement with the NJDOT in connection with the Burke Parkway & Bond Drive Roadway Improvement Project.

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

Authorizing the release of a Maintenance Bond in the amount of \$7,558.50 to Tessler & Weiss for Block 5609, Lots 5, 7, & 31, 2389 Vauxhall Road.

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

Authorizing an award of contract to Lombardi Enterprises for the Rotary Park Restoration Project at their low bid not to exceed \$53,275.00.

Sealed bids were received in the Meeting Room at Municipal Headquarters, for the Rotary Park Restoration Project.

An award of contract to Lombardi Enterprises at their low bid not to exceed \$53,275.00.

The Bids received and opened were as follows:

L & L Construction Group 633 Franklin Avenue Nutley, N.J.	\$64,072.00
Argus Construction & Equipment 34 Woodland Road Roseland, N.J.	\$69,332.50
Andy Matt 19 Scrub Oaks Road Mine Hill, N.J.	\$72,150.00
Lombardi Enterprises 2901 South Clinton Avenue South Plainfield, N.J.	\$53,275.00
T. Fiotakis Construction 197 Central Avenue Edison, N.J.	\$84,135.00

J.A. Alexander 130-138 JFK Drive North Bloomfield, N.J.	\$73,110.00
Conserv 15 Washington Avenue Suffern, N.Y.	\$76,972.00
Berto Construction, Inc. 625 Leesville Avenue Rahway, N.J.	\$77,750.00
Zenith Construction 256 Grant Avenue East Newark, N.J.	\$63,875.00

Philip Haderer, Township Engineer, T&M Associates reported that the bid of Lombardi Enterprises was the low bid 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 Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the contract for the Restoration to Rotary Park, be awarded to Lombardi Enterprises 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. 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 May 26, 2009 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
2316/8	Wells Fargo Home Mortgage	2009	\$1,503.20

On motion of Mrs. Restivo, seconded by Mr. People, 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.

The Tax Department recommended the refund of the following over-payment – “Sewer Utility Account”:

BLOCK/ LOT	ACCT. #	NAME	YEAR	AMOUNT
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On motion of Mrs. Restivo, seconded by Mr. People, 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 Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$2,116.46

COMMUNICATION:

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

NAME	AMOUNT	CERT#	LOCATION
Crusader Lien	\$16,746.42	08-00068	1665 Burnet Ave
Services	\$14,000.00		

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to concur with the request.

From: Dominick Fagnoli, Superintendent of Recreation, Re: Requesting permission to proceed with the necessary contractual agreements for the 2009 "Fourth of July" fireworks.

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

From: Joe Leo, Here's the Story, 1043 Stuyvesant Avenue, Re: Requesting permission to hang a 12' x 4' banner until June 15, 2009 to advertise a book signing on June 14, 2009.

On motion of Mrs. Restivo, seconded by Mr. People, 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 approximately fifteen (15) cars in the Municipal Parking lot on Jeanette Avenue while away on their various weekend senior council trips.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approval the request, but at Lot 12 on Morris Avenue.

From: Officer Anthony Cavallo, Vice-President EMS Angels Motorcycle Club, Re: Requesting permission to utilize the Friberger Parking lot & the adjacent lots on Wednesday June 17, 2009 from 6:00-11:00 PM to hold their "Wednesday Bike Night" to benefit the October 4, 2009 "Ride for the Cure" event.

On motion of Mr. Florio, seconded by Mr. People, and carried, the

Township Committee moved to approve the request.

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

- A. Payment No. 1 & Final to Interstate Contracting & Excavating, LLC in the amount of \$67,991.53 for work completed through May 13, 2009 on the Rabkin Field Sanitary Sewer Extension Project
- B. Payment No. 1 to Lombardi Enterprises, in the amount of \$12,508.97 for work completed through May 13, 2009 on the Firehouse #2 Parking Lot Improvements & OWS Installation Project
- C. Payment No. 1 to S. Brothers, Inc., in the amount of \$247,304.96 for work completed through May 14, 2009 on the 2008 Road Improvement Project – Contract 1
- D. Payment No. 2 to DeFino Contracting, Co., in the amount of \$129,275.92 for work completed through May 14, 2009 on the 2008 Road Improvement Project – Contract 2
- E. Payment No. 2 to Luongo Associates, P.A. in the amount of \$2,780.00 for work completed through April 30, 2009 on the Fire Alarm/Security System Upgrades to the Municipal Building

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

From: Betty Morris, Township Resident, Re: Requesting permission to park thirteen (13) cars in the Municipal Parking lot on Jeanette Avenue overnight on June 5, 2009 while on a trip to New York.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee moved to approve the request and to use Lot 12 on Morris Avenue.

From: Geraldine Foligno, Director, Connecticut Farms Church Nursery School, Stuyvesant Avenue, Re: Requesting permission to hang two (2) 4' x 6' banners from June 5 through July 6, 2009 advertising their 2009-2010 school year & new summer camp.

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

From: James Zappulla, President, Knights of Columbus, Re: Requesting permission to use the Township of Union Senior Center bus on Saturday, August 1, 2009 to take them on their annual trip to Monmouth Park Race Track.

On motion of Mr. People, seconded by Mr. Florio, and carried, the

Township Committee moved to hold this request, pending further discussion.

From: Carine Bogoski, Township Resident, Re: Requesting permission for the residents of Filbert Lane to hold their 4th annual block party on Saturday, June 13, 2009 from 2:00 – 11:00 PM.

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

From: Arvind Patel, Joint Secretary, Indian Culture Society of NJ, Re: Requesting permission to hang India's Flags along the poles on Morris & Stuyvesant Avenues with a flag raising ceremony in front of the Municipal Building on Sunday August 16, 2009. Also, requesting the use of the Showmobile, sound system, 100 chairs & 8 tables with all fees waived for their Celebration to be held in Friberger Park on the same day.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved to approve the request, subject to them paying the over time costs.

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

DEPARTMENT REPORTS

MONTHLY REPORTS:

Division of Accounts
Health Department
Municipal Court
Recreation Department

COMMITTEE REPORTS:

MRS. RESTIVO:

Mrs. Restivo commended the Girl Scout Troop 566, on the great job they did in reciting the Prayer and Salute to the Flag.

Mrs. Restivo thanked Dairy Queen – Mike & Melissa Shaffer, 7-Eleven – Ozzie Maali, Larchmont Pizzeria – Greg Nasta and Galloping Hill Inn – George Thomas & Jimmy Thomas for their contributions to the Bicycle Helmet Program.

Mrs. Restivo announced the new summer hours for the Township Clerk's Office, they will be Monday through Thursday 8:00 A.M. to 5:00 P.M. and Friday 8:30 A.M through 4:30 P.M.

Mrs. Restivo announced that the Main Library will be closed on Friday, May 29, Saturday, May 30, and Sunday, May 31, 2009 for the replacement of a new furnace.

Mrs. Restivo invited all residents to participate in the annual Operation Clean Sweep that will be held on Saturday, May 30, 2009.

MR. PEOPLE:

Mr. People thanked Dairy Queen – Mike & Melissa Shaffer, 7-Eleven – Ozzie Maali, Larchmont Pizzeria – Greg Nasta and Galloping Hill Inn – George Thomas & Jimmy Thomas for their contributions to the Bicycle Helmet Program.

Concerning a report of the Recreation Department for the month of April, 2009, indicating total fees received and activities in the month, Mr. People moved the report be accepted for filing.

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

Mr. People spoke of the success and fun of last years Soap Box Derby and stated that sponsors are needed for this year's event. If anyone is interested in being a sponsor, they are to call Dominick Fargnoli at the Recreation Department.

Mr. People commended the Girl Scout Troop 566, on the great job they did in reciting the Prayer and Salute to the Flag.

MR. CAPODICE:

Mr. Capodice was absent.

MR. FLORIO:

Mr. Florio thanked Dairy Queen – Mike & Melissa Shaffer, 7-Eleven – Ozzie Maali, Larchmont Pizzeria – Greg Nasta and Galloping Hill Inn – George Thomas & Jimmy Thomas for their contributions to the Bicycle Helmet Program.

Mr. Florio commended the Girl Scout Troop 566, on the great job they did in reciting the Prayer and Salute to the Flag.

Mr. Florio stated that the Memorial Day Ceremonies, honoring those who served our Country was well attended.

MR. TERREZZA:

Mr. Terrezza commended the Girl Scout Troop 566, on the great job they did in reciting the Prayer and Salute to the Flag.

Mr. Terrezza thanked Dairy Queen – Mike & Melissa Shaffer, 7-Eleven – Ozzie Maali, Larchmont Pizzeria – Greg Nasta and Galloping Hill Inn – George Thomas & Jimmy Thomas for their contributions to the Bicycle Helmet Program.

Mr. Terrezza invited everyone to the Thursday Night Downtown, held in Union Center every Thursday night, local bands perform and it is a very enjoyable night.

PUBLIC HEARING:

Roxanne Ciampi, Beechwood Avenue, spoke about the new ruling from the Appellate Court on OPRA requests and that they do not have to be on the

official form, they can now be e-mailed. Mrs. Ciampi stated that it would be best to use the official form.

There being no further business presented, the Township Committee on motion of Mr. Florio, seconded by Mr. People, and carried, adjourned the meeting, the time being 8:16 P.M.

Dated: May 26, 2009

ANTHONY TERREZZA, Chairman
of the Township Committee
of the Township of Union
in the County of Union.

EILEEN BIRCH, Township Clerk