

November 23, 2010

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 November, 2010 at 7:34 P.M. The meeting was called to order by Brenda Restivo, Vice 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, 2010, 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."

The opening prayer was led by Committeeman Clifton People, Jr., and the pledge to the flag was led by Committeeman Joseph Florio

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

Present: Brenda Restivo, Vice Chairman
Joseph Florio
Manuel Figueiredo
Clifton People, Jr.

Absent: Anthony Terrezza, Chairman

SPECIAL PRESENTATION:

Grand Master of Hwa Rang Do Karate School for a donation to the Municipal Drug Alliance from the "Battle of the Orient".

APPROVAL OF MINUTES:

On motion of Mr. Figueiredo, seconded by Mr. Florio, and carried, the Township Committee moved to approve the Minutes of Meetings held on November 8, 2010, Executive and Conference November 9, 2010 Conference and Regular, as printed and distributed by the Clerk.

SECOND READINGS:

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Chapter 266-46 of the Municipal Code entitled Schedule V: "Prohibited Turns at Intersection" to create parking restrictions at the 7-11 on Morris and Elmwood Avenues.

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. People, seconded by Mr. Figueiredo, 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 CHAPTER 266-46 ENTITLED SCHEDULE V: "PROHIBITED TURNS AT INTERSECTION" BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance creates parking restrictions at 7-11 on Morris and Elmwood Avenues)

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Chapter 266-59 of the Municipal Code entitled Schedule XVIII: "Time Limit Parking" to include a portion of both sides of Commerce Avenue and Axton Avenue.

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. People, 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 CHAPTER 266-59 ENTITLED SCHEDULE XVIII: "TIME LIMIT PARKING" BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY (This ordinance affects Commerce Ave and Axton Avenue)

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.

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending "Residential Permit Exemptions" to include portions of Commerce Avenue and Axton Avenue.

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. Figueiredo, 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 "RESIDENTIAL
PERMIT EXEMPTIONS" BY THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF
UNION, COUNTY OF UNION, STATE OF
NEW JERSEY (This affects Commerce
Ave and Axton Ave)**

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. Figueiredo, and carried, the Township Committee

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

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

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Chapter 170, Article VI, of the Municipal Code to change zoning for Houses of Worship and Medical Health Districts.

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. Figueiredo, 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 AND STATE OF
NEW JERSEY TO AMEND CHAPTER 170,
ARTICLE VI (DISTRICTS; ZONING MAP;
SCHEDULES), OF THE CODE OF THE
TOWNSHIP OF UNION TO DELETE
HOUSES OF WORSHIP AS A PERMITTED
CONDITIONAL USE IN THE BA AND BB
DISTRICT AND TO INCLUDE HOUSES OF
WORSHIP AS A PERMITTED PRINCIPAL USE
IN THE BC, OB, I, AND C DISTRICTS AND
TO ESTABLISH USES PERMITTED IN THE
MEDICAL HEALTH MH DISTRICT**

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. Figueiredo, and carried, the Township Committee

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

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

RESOLUTIONS:

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 at Garden State Community Bank in the amount of \$14,200,000.00 at a rate of 0.65% from November 12, 2010 through December 28, 2010.

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

Authorizing the release of a Maintenance Bond in the amount of \$10,496.25 to Fuel Stop, Inc., Block 3409, Lot 49, 2570 Route 22, East.

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

Authorizing Change Order No. 1 resulting in a net change of \$0.00 to S. Brothers, Inc., in connection with the 2010 CDBG Road Improvements – Laurel Avenue Resurfacing Project, for a total contract amount not to exceed \$176,937.02.

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

Authorizing an agreement to participate in the Garden State Municipal Joint Insurance Fund for a period not to exceed three years.

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

Supporting the Trans-Hudson Express Tunnel (ARC) to New York City.

On motion of Mr. Figueiredo, 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 Distribution License, No. 2019-44-026-002 to Dimpal Corp., t/a Village Drugs, located at 1233 Magie Avenue.

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

Authorizing an award of contract to R&R Pump & Control Services for the semi-annual inspections of various pump stations located in the Township at an amount not to exceed \$1,040.00.

A quote was received in the Meeting Room at Municipal Headquarters, for the semi-annual inspections of various pump stations located in the Township.

The quote received and opened was as follows:

R&R Pump & Control Services	
1145 Westbrook Road	
W. Milford, N.J. 07480	\$1,040.00

Sergio Panunzio, Supt. of Public Works reported that the sole quote of R&R Pump & Control Services was the low bid 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 Mr. Figueiredo, and carried, the Township Committee,

RESOLVED, that the contract for the semi-annual inspections of various pump stations located in the Township, be awarded to R&R Pump & Control Services at the quote price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

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

Authorizing an award of contract to Jersey Elevator Company to install electronic safety edges on the front & rear doors of the elevator for a fee not to exceed \$1,800.00.

A quote was received in the Meeting Room at Municipal Headquarters, to install electronic safety edges on the front & rear doors of the elevator

The quote received and opened was as follows:

Jersey Elevator Company	
1657 Line Road	
Aberdeen, N.J. 07747	\$1,800.00

Sergio Panunzio, Supt. of Public Works reported that the quote of Jersey Elevator Company was a low quote 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. People, seconded by Mr. Figueiredo, and carried, the Township Committee,

RESOLVED, that the contract to install electronic safety edges on the front & rear doors of the elevator, be awarded to Jersey Elevator Company at the quote price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

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

Authorizing an award of contract to Honeywell for the 2011 HVAC Services for the Municipal Building at an amount not to exceed \$12,720.00.

Quotes were received in the Meeting Room at Municipal Headquarters, for the 2011 HVAC Services for the Municipal Building.

The quotes received and opened were as follows:

Honeywell	
101 Columbia Road	
Morristown, New Jersey	\$12,720.00

Bernie Stummer, Purchasing Agent, reported that the quote of Honeywell was a low quote and Mr. Stummer 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. Figueiredo, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the contract for the 2011 HVAC Services for the Municipal Building, be awarded to Honeywell at the quote price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

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

Authorizing an award of contract to Lombardi Enterprises, Inc., for the concrete repair at Firehouse #1 at an amount not to exceed \$3,870.00.

Quotes were received in the Meeting Room at Municipal Headquarters, for the concrete repair at Firehouse #1

The quotes received and opened were as follows:

Lombardi Enterprises, Inc. 2901 South Clinton Ave South Plainfield, N.J. 07080	\$3,870.00
Michael Cangialosi 10 Sun Valley Way Long Valley, N.J. 07853	\$4,394.00

Philip Haderer, Township Engineer, T&M Associates reported that the quote of Lombardi Enterprises, Inc., 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. People, seconded by Mr. Figueiredo, and carried, the Township Committee,

RESOLVED, that the contract for the concrete repair at Firehouse #1, be awarded to Lombardi Enterprises, Inc. at the quote price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

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

Authorizing an emergency contract with Jo-Med Contracting, Corp., for the sanitary sewer repair at 1319 Magie Avenue at an amount not to exceed \$10,000.00.

Sealed bids were received in the Meeting Room at Municipal Headquarters, for the sanitary sewer repair at 1319 Magie Avenue.

The Bids received and opened were as follows:

H. Scott Excavating, Company
115 Morris Ave
Springfield, N.J. 07081 \$19,800.00

Jo-Med Contracting, Corp.
815 Garden Street
Elizabeth, N.J. 07202 \$10,000.00

Philip Haderer, Township Engineer, T&M Associates, reported that the quote of Jo-Med Contracting, Corp. 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. Figueiredo, seconded by Mr. Florio, and carried, the Township Committee,

RESOLVED, that the contract for the sanitary sewer repair at 1319 Magie Avenue, be awarded to Jo-Med Contracting, Corp. at the quote price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

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

Authorizing an award of contract to Catanzaro
& Sons Enterprises, for the demolition of 45
Atlanta Avenue, Vauxhall for a fee not to exceed
\$18,400.00.

Quotes were received in the Meeting Room at Municipal Headquarters, for the demolition of 45 Atlanta Avenue, Vauxhall

The quotes received and opened were as follows:

Catanzaro & Sons
10 Gregory Drive
Montville, N.J. 07045 \$18,400.00

Global Development
86 Laverne Street
Belleville, N.J. 07109 \$23,321.00

Richard Malanda, Building Inspector reported that the quote of Catanzaro & Sons was the low quote and Mr. Malanda 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. People, seconded by Mr. Florio, and carried, the Township Committee,

RESOLVED, that the contract for the demolition of 45 Atlanta Avenue, Vauxhall, be awarded to Catanzaro at the quote price set forth in their sealed

proposal, and that the Chairman and the Clerk be authorized to execute said contract.

FINANCES:

On motion of Mr. People, 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 November 23, 2010 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. People, seconded by Mr. Florio, 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
4218/22.01	Bernard M. Reilly	2010	\$ 9,468.65	County Appeal
1304/2	Siana Associates, LP	2010	5,751.09	County Appeal
1107/11	Arthur L. Rogers	2010	2,599.20	Veteran Exempt

COUNTY APPEALS:

BLOCK/ LOT	NAME	YEAR	AMOUNT
4218 22.01	Bernard M. Reilly	2010	\$ 9,468.65
1304 2	Siana Associates, LP	2010	5,751.09

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

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

BLOCK/ LOT	NAME	YEAR	AMOUNT
4218/22.01	Bernard M. Reilly	2010	\$ 9,468.65
1303/25	Geoffrey & Miriam Fleming	2010	250.00
604/2	Jose & Rosa Vieira	2010	250.00
1307/17	Terry & Nicaury Miller	2010	54.00
5807/87	Karleen Kemp	2010	381.28
3806/2	Sarah Robinson – Tammy Perrony	2010	1,525.15
4112/23	Jesus Villarino	2010	270.07
1006/19	Monica Baez	2010	413.06
1107/11	Arthur L. Rogers	2010	2,599.20
3602/13	Signature Settlement Title Agency	2010	2,340.39
1304/2	Siana Associates, LP	2010	5,751.09
5225/7	Medford A. Penk	2010	500.00
5515/15	Carolyn Thompson	2010	1,380.00
4405/8	Lidia C. Watson	2010	1,575.18

On motion of Mr. People, 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. People, seconded by Mr. Florio, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$146,409.34

COMMUNICATIONS:

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/CCTS Capital, LLC	\$20,031.47 \$ 7,000.00	09-00043	952 Ray Avenue
Tower Lien LLC	\$11,722.06 \$ 2,800.00	10-00012	850 Colonial Ave
Tower Lien LLC	\$ 7,958.19 \$ 1,900.00	10-00014	4 Euclid Avenue
Jean Joel Romain	\$ 4,280.33 \$ 6,600.00	10-00031	242 Globe Avenue
Tower Lien LLC	\$ 6,166.72 \$18,000.00	10-00049	1215 Kirkman Place

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

From: Philip Haderer, Supervising Engineer, Re: Requesting payment No. 1 in the amount of \$134,351.83 be issued to S. Brothers, Inc., for work completed through November 16, 2010 on the 2010 CDBG Road Improvement Program – Laurel Avenue Resurfacing Project.

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

From: Rabbi Avremy Kanelsky, Torah Education Director, Re: Requesting permission to hold a candle lighting ceremony during the week of Chanukah, December 2 to 9, 2010 in the Municipal Building and also requesting permission to place a large Menorah outside the building.

On motion of Mr. People, seconded by Mr. Florio, and carried, the Township Committee moved to approve the request for outside the building only.

From: Patricia Darmanie-McLean, 2012B Morris Avenue, Re: Requesting permission to hang a 24” x 48” banner inside her window at the above location to advertise “The Tea Bar of Union” will soon be opening.

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

From: Joseph Alpar, Union Jewelers Exchange, 2290 Route 22, East, Re: Requesting permission to hang ten (10) pennant flags, six (6) buntings and a 3’ x 5’ banner from November 26 through December 26, 2010 advertising their sale.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to approve all except the pennant flags.

From: Victor M. Fano, D.C., Union Medical, LLC, Re: Requesting an on-street handicap parking space in front of 1458 Gregory Avenue.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to refer to the Police Department for review and investigation and report back to the Committee.

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

DEPARTMENT REPORTS:

MONTHLY REPORTS:

Board of Health
Municipal Court

MR. FIGUEIREDO:

Mr. Figueiredo thanked Grand Master of Hwa Rang Do Karate School for his generous donation to the Municipal Drug Alliance.

Concerning a report of the Department of Public Works for the month of October 2010, indicating total fees received and activities in the month, Mr. Figueiredo moved the report be accepted for filing.

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

Mr. Figueiredo wished everyone a Happy Thanksgiving.

MR. FLORIO:

Mr. Florio invited everyone to attend the Veteran's Alliance Pearl Harbor Day Ceremonies, to be held on Sunday, December 5, 2010 at the American Legion Hall.

Mr. Florio thanked Grand Master of Hwa Rang Do Karate School for his generous donation to the Municipal Drug Alliance.

MR. PEOPLE:

Mr. People thanked Grand Master of Hwa Rang Do Karate School for his generous donation to the Municipal Drug Alliance.

Mr. People announced the many great programs going on at the Senior Center, any senior interest should call 851-5290.

Mr. People wished everyone a Happy and Healthy Thanksgiving.

MRS. RESTIVO:

Mrs. Restivo Mr. People thanked Grand Master of Hwa Rang Do Karate

School for his generous donation to the Municipal Drug Alliance.

Mrs. Restivo wished everyone a Happy and Healthy Thanksgiving.

Concerning a report of the Recreation Department for the month of October 2010, indicating total fees received and activities in the month, Mrs. Restivo moved the report be accepted for filing.

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

Mrs. Restivo invited everyone to the annual Tree Lighting on Sunday December 5, 2010.

Mrs. Restivo announced that the Township's Municipal Food Pantry is in need of non perishable items.

Mrs. Restivo reminded everyone that the Township Meetings for December have been rescheduled to December 7, 2010 and December 21, 2010, instead of December 14, 2010 and December 28, 2010.

MR. TERREZZA:

Mr. Terrezza was absent.

PUBLIC HEARING:

Allen Hodapp, Orange Avenue, questioned items #4 and #7 on the agenda, Phil Haderer, Township Engineer responded to both items to Mr. Hodapp's satisfaction.

There being no further business presented, the Township Committee on motion of Mr. Figueiredo, seconded by Mr. Florio, and carried, adjourned the meeting, the time being 8:03P.M.

Dated: November 23, 2010

BRENDA RESTIVO, Vice Chairwoman
of the Township Committee
of the Township of Union
in the County of Union.

EILEEN BIRCH, Township Clerk