

**CALL TO ORDER**

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

**FLAG SALUTE**

**ROLL CALL** - Present: Rob Haynes, Matt Severino, Patricia Dziubek, Frank Mazza.  
Absent: Lisa Nargi  
Others Present: J. Peter Jost, Esq., Attorney, John Reymann, Twp. Engineer, Grace Brennan, CFO, Ella M. Ruta, Township Clerk

**APPROVAL OF MINUTES**

- a. Regular and Executive Session Meeting Minutes of November 28, 2007

Mr. Severino had a correction to Executive Session Minutes of November 28, 2007. Approval of said minutes will follow Executive Session. Mrs. Dziubek made following correction to the regular meeting minutes from “letter of recertification” to” letter of certification “. Mrs. Dziubek made a motion to adopt said minutes as amended. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

- b. Regular and Executive Session 1<sup>st</sup> and 2<sup>nd</sup> Minutes of December 5, 2007.

Mr. Severino made a motion to adopt said minutes. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Abstain: Mrs. Dziubek, Motion Carried.

**VISITORS** - none

TAKEN OUT OF AGENDA ORDER

**REPORTS RECEIVED**

- a. Road Dept.- week ending 11/30/07; 12/07/07;  
Mayor Mazza commented on the great job Road Dept. has done once again.
- b. Building Dept. – November 2007
- c. Municipal Court – November 2007

**CORRESPONDENCE**

Mr. Severino mentioned the following:

- 2010 Census Lucas program. He recommended Union Twp. opts out to participate in the program as it would be time consuming and require additional computer. Security of personal information would also be a concern.

Mrs. Dziubek mentioned the following:

- Paris Grant update; Township was approved to enter into shared services with the County on the project. Not required, but strongly advised, is establishing a Records Committee. Mrs. Dziubek suggested the clerk would chair the committee and all department heads be its members. She said she would be happy to be a liaison to the committee. Resolution would be prepared for January 16, 2008 meeting.

Mr. Haynes mentioned the following:

- Request from Toll Brothers to release maintenance bond for The Sanctuary. Attorney Jost said the maintenance bond already expired in the middle of December. Engineer Reymann stated he has no objection releasing the bond, but he will revisit the development.

The following resolution was introduced for adoption:

**RESOLUTION #2007-165  
THE SANCTUARY  
BLOCK 27 LOT 3  
MAINTENANCE GUARANTEE RELEASE**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the maintenance guarantee of the developer, Toll Brothers at the Sanctuary as set forth below may be released, subject to, and upon final certification of the Union Township Chief Financial Officer that all professional escrow bills have been paid and that the developer's escrow account is not in arrears:

Maintenance Surety Bond:	#104091693
Issued by:	Travelers Casualty and Surety Company of America
Amount:	\$59,172.77

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mayor Mazza mentioned the following:

- Public Hearing notice on the final draft of the Regional Master Plan from Highlands Council. Public comments period will close on February 28, 2008. Comments can be submitted through Highlands's website. Notice of the Public Hearing will be posted on the Townships bulletin board.
- Read a letter from the Township resident, Perry Weiss, admiring the Township Committee for a great job done on open space and land preservation.
- Letter from Lakeview Estates asking the Township to take over roads. Engineer Reymann said all issues have been resolved to Township's satisfaction at that development. Attorney Jost stated that taking over roads requires adoption of an ordinance. Mr. Haynes said there is an issue with trees being planted too close to the road, which makes plowing difficult during winter months. Engineer Reymann will verify the issue with Maser Consulting.
- Received written confirmation from local and state legislators on passing a resolution designating Route #78 a scenic byway by Township of Union.
- Letter from Southbranch Watershed Association asking for donation. Letter will be referred to the Union Twp. Environmental Commission for recommendation.
- Read a resignation letter from Mrs. Nargi as a committee member effective December 31, 2007.
- Another letter of resignation from Deputy Court Administrator, Jan Simonetti effective December 31, 2007.

Mrs. Dziubek expressed her feelings regarding Mrs. Nargi leaving her elected position as the Union Twp. Committeewoman. She said it will be a loss to the community.

Attorney Jost explained procedures to be followed to replace vacant seat on the Committee.

### **PUBLIC COMMENTS**

Mike Sroka, 18 Race St., on behalf of Board of Ed. thanked Township's Road Dept. for help plowing school property in the last snow/ice storm. Mr. Sroka explained school's truck broke down plowing that night and is going to be out of service for some time. He asked if the Committee would consider extending plowing services/help by Union Twp. Road Dept. until their plow is back from repair shop. Mr. Haynes stated that one of Townships trucks is also out of service. After a brief discussion and consideration of different options to help the School Bd. Of Ed., it was agreed that Mr. Severino would look into the issue further and get back to Mr. Sroka with an answer.

Mr. Sroka also mentioned that work has started on 2008 school budget and invited any committee members interested in the process to participate.

### **OUT OF AGENDA ORDER**

**AT THIS TIME CONTRACT NEGOTIATIONS WITH PATTENBURG FIRE DEPT. WERE DISCUSSED IN OPEN SESSION.**

Fire Chief Dan Van Fossen made a presentation of history and backgrounds of Pattenburg Fire Dept.. He emphasized the importance and priority of serving and protecting Union Twp. Community. He said there are times the members feel they have to defend themselves and justify their actions, which takes away from important tasks they need to do. He gave an overview of department finances, coverage they provide and importance of service to the community. Chief Van Fossen also apologized for this year's fund drive that might have been unfair to other fire dept's serving Union Twp. Community. He also said it was discussed with Mayor Mazza and should not happen in the future.

Other members of Pattenburg Fire Dept. substantiated statements by Chief Van Fossen and stated how proud they are to serve on the department. They placed emphasis on personal dedication by their Fire Chief and all awards received.

Mr. Severino on behalf of the Union Twp. Committee, expressed appreciation for great work by Pattenburg Fire Dept.

**PUBLIC HEARING** – 2<sup>nd</sup> reading – none

### **OLD BUSINESS**

a. The following resolution was introduced for adoption:

**RESOLUTION #2007-166  
UNION TOWNSHIP; HUNTERDON COUNTY**

**2007-2008 PLENARY RETAIL CONSUMPTION LICENSE; with Conditions  
PATTENBERG ENTERTAINMENT t/a Pattenburg House**

BE IT RESOLVED, by the Township Committee of the township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union effective July 1, 2007; and

BE IT FURTHER RESOLVED that the Municipal Clerk, or her duly authorized agent, is hereby authorized to execute, issue and deliver such license to the following licensee with the Special Conditions noted below:

NAME & TRADE NAME: Pattenberg Entertainment  
t/a Pattenburg House

LOCATION & ADDRESS: 512 Pattenburg Rd.  
Asbury, NJ 08802

LICENSE NUMBER: 1025-33-004-007

Special Conditions: 1. All doors and windows, in the building, must be closed while music, live or recorded, is being played.

2. Live music shall not be played within the confines of the building at any other time than Friday, Saturday or Sunday.

3. The petitioner shall provide a security person on all dates and at all times that live music is being played at the licensed premises.

4. The patio and deck adjacent to the Pattenburg House may be utilized for lunches and dinners with the deck and patio to be closed and all patrons removed therefrom by 10:00 p.m. every evening. All food orders and service shall terminate by 9:00 p.m. each evening.

5. The Pattenburg House is limited to 92 seats (persons to be served) and such patron count shall not be increased in the utilization of the patio and deck and the total seating capacity for service of patrons shall be 92 seats, including the patio, deck and restaurant/bar areas of the Pattenburg House.

6. The only egress onto the patio and deck area after 10:00 p.m. shall be for "emergency exit" purposes only, and the outside gate to the deck shall be locked after 10:00 p.m. so that no entrance can be gained to the patio and deck area.

7. The door to the deck and patio area from inside the Pattenburg House shall be clearly marked as an emergency door.

8. The front door of the Pattenburg House shall not be propped or maintained in an open condition at any time that entertainment is performing.

9. The parking lot will be striped.

BE IT RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Mrs. Dziubek made a motion to adopt above resolution. Mr. Severino seconded the motion. Vote – Ayes: Mr. Severino, Mrs. Dziubek, Mr. Mazza. Abstained: Mr. Haynes. Motion Carried.

**NEW BUSINESS**

a. The following resolution was introduced for adoption:

**Resolution #2007-167  
UNION TOWNSHIP, HUNTERDON COUNTY  
APPROPRIATION TRANSFER(S)**

Be it resolved by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2007 Budget in the following accounts:

TO:	Legal Service OE	10515520	\$30,000.00
	Construction Official Other Expenses	10519520	1,000.00
	Engineering OE	10516520	7,500.00
	Street Lighting Other Expenses	10543520	2,000.00
	Emergency Management S & W	10525210	2,000.00
	Fuel Oil	10544720	500.00
	Gasoline	10546020	3,000.00
	Social Security	10547220	1,000.00
			\$47,000.00

WHEREAS, the following account(s) have sufficient excess funds to meet such demands:

FROM:	Employee Group Insurance	10522020	\$12,900.00
	Planning Board OE	10518020	19,100.00
	Solid Waste Collection OE	10530520	15,000.00
			\$47,000.00

BE IT RESOLVED that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the transfer(s) required to meet the obligations of Union Township.

Mrs. Dziubek made a motion to adopt above resolution. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

b. The following resolution was introduced for adoption:

**RESOLUTION 2007-168  
Re: Toll Brothers Raking and Seeding Bond  
Block 11.01 Lot 4**

**WHEREAS**, Toll Brothers, Inc. posted a grading and seeding bond for block 11.01, lot 4, and

**WHEREAS**, the work and inspection are complete, and

**WHEREAS**, in a letter dated 11/19/07, Toll Brothers, Inc. has requested the refund of this bond,  
and

WHEREAS, in a letter dated 11/19/07 Maser Consulting, P.A. has recommended the release of this bond,

NOW, THEREFORE, BE IT RESOLVED, that the balance of the grading and seeding bond in the amount of \$2,500.00 be refunded to Toll Brothers, Inc. and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mrs. Dziubek made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

c. The following resolution was introduced for adoption:

**RESOLUTION 2007-169  
RE: TOLL BROTHERS DRIVEWAY INSPECTION FEES**

WHEREAS, Toll Brothers, Inc, posted \$700.00 per lot for driveway inspection fees at Lookout Pointe, and

WHEREAS, Toll Brothers, Inc. has requested refunds for the unused portion of these fees, and

WHEREAS, Maser Consulting, the Township Engineer, as recommended the release of these unused fees,

NOW, THEREFORE, BE IT RESOLVED, that the following inspection fees be released to Toll Brothers, Inc.

Block 11 Lot 8.07	\$224.25
Block 11 lot 8.09	1.25
Block 11 lot 8.13	107.50
Block 11 lot 8.14	0.00
Block 11 lot 8.16	286.50
Block 11 lot 8.18	247.75
Block 11.01 lot 16	22.25
Block 11.01 lot 14	247.75
Block 11.01 lot 13	7.00
Block 11.01 lot 12	224.25
Block 11.01 lot 10	222.75
Block 11.01 lot 9	350.75
Block 11.01 lot 8	180.50
Block 11.01 lot 7	89.75
Total	\$2,212.25

Mr. Haynes made a motion to adopt above resolution. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

d. The following resolution was introduced for adoption:

**RESOLUTION 2007-170  
Re: Excavation Bond Refund  
Toll Brother’s Inc.  
36 Rupell Road, Clinton, NJ 08809  
Block 11.01 Lot 20**

WHEREAS, Toll Brother’s Inc., did post excavation bonds in the amount of \$500.00 for work performed at the following Blocks and lots in the Township,

Block 11 lot 8.21, Block 11 lot 8.24, Block 11 lot 8.29, block 11 lot 8.31, Block 11.01 lot 21, block 11.01 lot 19, and block 11.01 lot 4, and

**WHEREAS**, the work and inspections are complete, and

**WHEREAS**, the construction department has requested that these bonds now be released back to Toll Brother’s Inc.

**NOW, THEREFORE, BE IT RESOLVED**, that the excavation bonds totaling \$3,500.00 be released to Toll Brother’s Inc.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately

Mr. Haynes made a motion to adopt above resolution. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

e. The following resolution was introduced for adoption:

**RESOLUTION#2007-**  
Addresses Correction for Driftway/Baptist Church Rd.

The above resolution was tabled at this time.

f. The following resolution was introduced for adoption:

**RESOLUTION 2007-**  
**Authorizing Shared Court Agreement with Clinton Township**

Mr. Jost stated he would like to discuss further the above matter in Executive Session.

**NEW ORDINANCE** – 1<sup>ST</sup> Reading – none  
**REPORTS**

a. **Engineer’s Report** – Mr. Reymann mentioned the following:

- Grand Colonial was granted a temporary Certificate of Occupancy valid for sixty (60) days.
- Resolution has to be prepared for Pattenburg Quarry.
- Twp’s. Engineer will look at the septic system at the Hoffman house.

b. **Attorney’s Report** – Mr. Jost mentioned the following:

- Met with County Freeholders last week. At their regular meeting, they have adopted a resolution approving partial payment for the Milligan Farm for \$1.5 million dollars, however there are two conditions attached to the resolution. First is to comply with the right of way dedication of Route 173 as per HC Planning Board, second is in relation to exit #15 improvements. Attorney Jost suggested meeting with County and State representatives to seek answers before a decision is made.

A discussion evolved regarding both issues/conditions posed by the Freeholders. Committee members expressed their disappointment in both. Engineer Reymann will contact John Glynn at the County Planning Board and the Township Planner, Carl Hintz to clarify those issues and ask guidance on proceeding that would be in best interest for Union Township.

c. **Mayor's Report**

- UTEC is preparing next issue of the Newsletter. Deadline for submitting information is December 31, 2007.

d. **Committee Report**

Mr. Severino reported the following:

- Working on new recycling mandates set by the County.

Mrs. Dziubek reported the following:

- New COAH Rules will be adopted. RCA's are going up.
- RFP's should be prepared for starting COAH Housing Project.
- Sage grant application has been submitted. Waiting for response from DCA.

Mr. Haynes reported the following:

- Asked Grace Brennan, CFO, to clarify funds transfer to social service agency. She explained it was not over expenditure.
- Distributed copies of policy for mailboxes replacement after snowplowing. Asked if the policy has to be approved by resolution; until now it was just a verbal agreement.
- Has an issue for Executive Session.

e. **Clerk's Report**

- John Leonard – request to carry over three (3) vacation days to 2008.  
Township CFO, Grace Brennan, suggested the Committee not allow employees to carry over any vacation time from one year to the next.  
Mr. Haynes made a motion to approve for Mr. Leonard to carry his vacation days to 2008 and to be used by March 31, 2008. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes; Nays: Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion defeated.
- Jan Simonetti – resignation letter  
Discussed at earlier time.

**PUBLIC COMMENTS** - none

**PAYMENT OF THE BILLS** – Mr. Severino moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mrs. Dziubek seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.

The following resolution was introduced for adoption at about 9:52 PM:

**RESOLUTION#2007-171  
EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

**WHEREAS**, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Contract Negotiations, Potential Litigation and Personnel.

Mr. Severino made a motion to adopt the above resolution. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At approximately 10:48 PM, Mr. Haynes made a motion to return to the regular meeting, Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

After coming out of Executive Session Mr. Severino made a motion to approve, as amended, Executive Session Meeting Minutes of November 28, 2007. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Severino, Mr. Mazza. Abstain: Mr. Haynes, Mrs. Dziubek. Motion Carried.

**ADJOURNMENT** – There being no further business to come before the Township Committee at this time, a motion to adjourn was made by Mrs. Dziubek, seconded by Mr. Severino. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:50 PM

Respectfully submitted,

Ella Malecki Ruta, RMC  
Municipal Clerk