

UNION TOWNSHIP – TOWNSHIP COMMITTEE  
**REGULAR MEETING**

**FEBRUARY 7, 2007**

**MINUTES**

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: Lisa Nargi, Patricia Dziubek, Rob Haynes, Matt Severino and Frank Mazza. J. Peter Jost, Esq., Township Attorney; John D. Reymann, P.E., Township Engineer and K. Judith Fabian, Township Clerk, were also present.

**APPROVAL OF MINUTES** – Regular Meeting and Executive Session, January 17, 2007; - Motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to adopt the Minutes. Vote – Ayes: Mr. Haynes\*, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

\* Mr. Haynes abstained on the Executive Session Minutes.

**REPORTS RECEIVED** –

1. Finance Officer; Claims Register	2/07/07
2. Tax Collector	1/07
3. Zoning Officer	1/07

**CORRESPONDENCE** – Mrs. Nargi mentioned the Perryville Rd. Speed Study done by Maser Consulting; aspects clarified.

Mrs. Dziubek mentioned the following: County Engineer’s letter regarding the 2007 surface treatment program. The Township Engineer will look into the feasibility of participation; - County notice regarding the PARIS grant (records management); after a brief discussion, the following resolution was introduced for adoption:

**RESOLUTION #2007-30**  
**SHARED SERVICES WITH HUNTERDON COUNTY/PARIS GRANTS PROGRAM**

BE IT RESOLVED, by the Township Committee of the Township of Union, that:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of the county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2007-08 grant cycle, priority funding will be given to county projects to perform municipal inventories for all of their municipalities; and

WHEREAS, the Union Township Committee desires to collaborate with the County of Hunterdon in the performance of an archives and records management inventory, needs assessment, and strategic plan; and

WHEREAS, the Union Township Committee urges the county to develop a proposal to perform county-wide municipal inventories, needs assessments, and strategic plans; and

WHEREAS, the Union Township Committee is acknowledging that the County of Hunterdon would be both the lead agency and the applicant for such a proposal;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union to support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

Motion was made by Mrs. Dziubek, seconded by Mr. Severino, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Mr. Haynes mentioned the letter from the Emergency Management Coordinator regarding NIMS training for the Township Committee; future date to be selected.

Mr. Mazza mentioned the following: letter from Assemblywoman Karrow regarding Small Cities Grant; - New Jersey Water Supply is starting up the Spruce Run Initiative; - UTEC is looking into an anjec matching grant.

Mrs. Nargi mentioned the e-mail from the Recreation Committee. The Chair will be advised to recommend candidate(s) to serve on the Recreation Committee.

**COMMENTS FROM THE PUBLIC** – Francis A. Gambony, 737 County Rte. 625; requesting the Township vacate the easement for a “Master Plan Roadway” and revert the land back to Block 19, Lot 5.01; the information will be provided to the Township Engineer for his review.

Michele McBride asked who was going to represent the Township Committee at the New Jersey Water Supply meeting on February 14<sup>th</sup>? Mr. Mazza or Mr. Severino will attend.

Tom Ricker was in favor of having a Township Committee representative attend the Highlands meetings; Mr. Mazza or Mr. Severino will attend. Mr. Ricker was in favor of the Township Committee getting involved in the DEP clean up of various sites within the Township.

Mr. Jost mentioned DEP has primary jurisdiction over environmental law. Mr. Nargi, Chairman of the Environmental Commission and Mrs. Nargi provided additional information. Mr. Jost suggested the Township Engineer be requested to review data and make an inquiry regarding the sites within the Township; various aspects discussed.

Mr. Ricker continued: the website / sign and lighting ordinances.

Neil Davis – website.

Mr. Mazza mentioned Craig Hermann, Road Dept. Foreman, was requested to attend this meeting. He thanked Mr. Hermann for coming and for his efforts on maintaining the roads. The Committee agreed Mr. Hermann should keep in touch with them and the Township Engineer on upcoming projects/activities and large item purchases. Mrs. Dziubek was interested in an inventory of equipment for planning purposes.

**OLD BUSINESS** – Ord. #2007-1; Exceed Municipal Budget Appropriation Limits/To Establish a Cap Bank; 2<sup>nd</sup> Reading; Public Hearing; - Mr. Mazza read the ordinance by title, as follows, and introduced same for 2<sup>nd</sup> reading:

**ORDINANCE #2007-1**

**CALENDAR YEAR 2007**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)**

Motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to open the Public Hearing. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Comments: Michael Beck/Tom Ricker/Neil Davis.

There being no further comments/questions, motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to close the Public Hearing. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mrs. Dziubek, seconded by Mr. Severino, to adopt the above ordinance on 2<sup>nd</sup> reading. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

2. The following resolution was introduced for adoption:

**RESOLUTION #2007-31**

**SUBMISSION OF MILEAGE/EXPENSE VOUCHERS**

WHEREAS, the Township Committee of the Township of Union wishes to establish a policy for the efficient payment of mileage and expense vouchers; and

WHEREAS, mileage and expense vouchers are considered for payment at regular meetings of the Union Township Committee;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union that all employees submit mileage and expense vouchers on a monthly basis. Submission of vouchers after 30 days may result in non-payment of said expenses.

Motion was made by Mr. Haynes, seconded by Mrs. Nargi, to adopt the above resolution. After a brief discussion – Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

**NEW BUSINESS** – 1. The following resolution was introduced for adoption:

**RESOLUTION #2007-32  
RE-APPOINTMENT/MUNICIPAL JUDGE; Edward R. Martin, Esq.**

WHEREAS, Edward R. Martin, Esq., has been appointed to serve as Union Township Municipal Judge; and

WHEREAS, Judge Martin was appointed to serve a three-year term(s);

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, to re-appoint Edward R. Martin, Esq., as Union Township Municipal Judge to a new three-year term, effective April 1, 2007.

Motion was made by Mrs. Dziubek, seconded by Mr. Severino, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

2. 2007 Renewal Application for Junkyard License; Cozze Brothers LLC; - motion was made to renew the 2007 Junkyard License Renewal Application for Cozze Brothers LLC by Mr. Severino, seconded by Mrs. Nargi. Discussion – Mrs. Nargi expressed reservations about renewing this License based on environmental issues; there is a Class 1 stream behind the property. Mr. Jost suggested looking at the Township ordinance and make a determination to what investigation the Committee wants to make; tabled to the next meeting.

3. The following resolutions were introduced for adoption:

**RESOLUTION # 2007-33**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT BETWEEN THE TOWNSHIP OF UNION AND THE BOROUGH OF CARTERET**

**WHEREAS**, the Township of Union has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A. 52:27d-301, *et seq.*; and

**WHEREAS**, the Fair Housing Act provides that municipalities within the same region, as defined by the New Jersey Council on Affordable Housing (COAH), may meet up to 50 percent of that obligation through a regional contribution agreement (RCA), under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality's fair share obligation; and

**WHEREAS**, the Township of Union proposes to transfer a total of 35 units of its fair share obligation at a cost of \$35,000 per unit to address a prior round obligation for a payment totaling \$1,225,000 in the form of an RCA as the sending municipality with the Borough of Carteret, the receiving municipality; and

**WHEREAS**, the Township of Union and the Borough of Carteret are in the same region (Region #3 – Hunterdon, Middlesex and Somerset Counties) as defined by COAH; and

**WHEREAS**, the Borough of Carteret desires to provide affordable housing for low and moderate income residents of the region, which action will be furthered by funds made available through the RCA; and

**WHEREAS**, the RCA is in the best interests of the Township of Union in helping the Township satisfy its fair share affordable housing obligation.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, that the Mayor and Clerk of the Township of Union are hereby authorized to execute such documents and exhibits and to undertake or direct any and all such acts as may be necessary to effectuate an RCA between the Township of Union and the Borough of Carteret.

**RESOLUTION # 2007-34**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT BETWEEN THE TOWNSHIP OF UNION AND THE CITY OF LAMBERTVILLE**

**WHEREAS**, the Township of Union has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A. 52:27d-301, *et seq.*; and

**WHEREAS**, the Fair Housing Act provides that municipalities within the same region, as defined by the New Jersey Council on Affordable Housing (COAH), may meet up to 50 percent of that obligation through a regional contribution agreement (RCA), under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality's fair share obligation; and

**WHEREAS**, the Township of Union proposes to transfer a total of 7 units of its fair share obligation at a cost of \$35,000 per unit to address a third round obligation for a payment totaling \$245,000 in the form of an RCA as the sending municipality with the City of Lambertville, the receiving municipality; and

**WHEREAS**, the Township of Union and the City of Lambertville are in the same region (Region #3 – Hunterdon, Middlesex and Somerset Counties) as defined by COAH; and

**WHEREAS**, the City of Lambertville desires to provide affordable housing for low and moderate income residents of the region, which action will be furthered by funds made available through the RCA; and

**WHEREAS**, the RCA is in the best interests of the Township of Union in helping the Township satisfy its fair share affordable housing obligation.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, that the Mayor and Clerk of the Township of Union are hereby authorized to execute such documents and exhibits and to undertake or direct any and all such acts as may be necessary to effectuate an RCA between the Township of Union and the City of Lambertville.

After a brief discussion, motion was made by Mrs. Nargi, seconded by Mr. Severino, to adopt Resolutions #2007-33 and 34. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

4. The following resolution was introduced for adoption:

**RESOLUTION #2007-35  
MILEAGE FOR OFFICIAL USE OF AN AUTOMOBILE**

WHEREAS, employees may be required to use a personal vehicle to fulfill the duties of their position for the Township of Union;

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union the mileage reimbursement rate is **\$.42** per mile effective immediately.

Motion was made by Mrs. Dziubek, seconded by Mr. Severino, to adopt the above resolution. Discussion/questions: Tom Ricker. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek and Mr. Mazza. Naye: Mrs. Nargi. Motion carried.

5. Carl Hintz, PP; 2006 Proposal; Milligan Farm/Planning Services; - Mr. Jost explained the history of this Proposal; a substantial amount of work has been done; to be discussed in Executive Session.

6. Franklin Township Fire District No. 1; 2007 Fire Service Contract; - after a brief discussion, the following resolution was introduced for adoption:

**RESOLUTION #2007-36  
2007 FIRE SERVICE CONTRACT  
FRANKLIN TOWNSHIP FIRE DISTRICT NO. 1**

WHEREAS, the Township Committee of the Township of Union has determined that it is necessary to secure fire protection services for the Township; and

WHEREAS, Franklin Township Fire District No. 1 has agreed to provide fire protection services to Union Township pursuant to certain terms and conditions of the attached Agreement;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union to authorize the Mayor and Clerk to execute such Agreement.

Motion was made by Mr. Severino, seconded by Mrs. Nargi, to authorize the Mayor and Clerk to execute said Agreement. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

**ENGINEER’S REPORT** – Mr. Reymann is obtaining information on Rte. 78, Exit 12/15; - the Road Dept. has maintained the roads in good condition; - guide rail repairs will be made.

Duty distribution between Maser Consulting and Mr. Reymann was discussed and agreed on.

**ATTORNEY’S REPORT** – Mr. Jost mentioned he prepared the Application to apply to the County for open space monies. He has a matter for Executive Session.

**MAYOR’S REPORT** – Mr. Mazza mentioned the following: 2007 dues for the New Jersey Conference of Mayor; \$250 – motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to approve the 2007 dues. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

**COMMITTEE REPORT** – Mr. Severino mentioned the DEP is pushing to increase the amount of recyclables; a plan needs to be developed to meet the new requirements.

Mrs. Dziubek mentioned the following: the Memo from the Township Planner’s office regarding the recent Court ruling pertaining to COAH. The Planner is in favor of a COAH subcommittee being formed – 1 member of the Planning Board/1 member of the Township Committee/1 other; - the informal meeting with the Freeholders regarding funds for Milligan Farm. A decision should be forthcoming shortly.

Mr. Haynes had matters for Executive Session.

**COMMENTS FROM THE PUBLIC** – None.

**CLERKS REPORT** – Motion was made by Mr. Severino, seconded by Mrs. Nargi, to approve the following raffle licenses:

- 2007-4; Hunterdon Medical Center Foundation; On-premise 50/50; 3/16/07
- 2007-5 & 6; Ducks Unlimited; On-premise Merchandise & 50/50; 3/2/07
- 2007-7; Assoc. for Hunterdon Developmental Center; Off-premise Merchandise; 6/10/07
- 2007-8; Friends of Anderson House; Off-premise Merchandise; 4/16/07
- 2007-9; “ “ ; On-premise 50/50; 4/16/07
- 2007-10; “ “ ; On-premise Merchandise; 4/16/07
- 2007-11; Pattenburg Vol. Fire Co. Ladies’ Auxiliary; On-premise Merchandise; 3/23/07
- 2007-12; “ “ “ “ ; On-premise 50/50; 3/23/07
- 2007-13; Woman’s Club of Tewksbury Twp.; Off-Premise 50/50; 6/5/07

Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

**PAYMENT OF THE BILLS** – Mrs. Dziubek 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; seconded by Mrs. Nargi. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

The following resolution was introduced for adoption:

**RESOLUTION  
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 exempted 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/Litigation

Motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mr. Severino, seconded by Mrs. Nargi, to return to the regular meeting. Vote – Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

The following resolution was introduced for adoption:

**RESOLUTION #2007-37  
2007 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES  
John D. Reymann, P.E.; Roberts & Reymann Engineering LLC**

WHEREAS, the Township of Union has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is ninety (90) days; and

WHEREAS, the firm of Roberts & Reymann Engineering LLC, 1670 Whitehorse-Hamilton Square Rd., Hamilton, NJ 08690, has completed and submitted a Business Entity Disclosure Certification which certified that Roberts & Reymann Engineering LLC has not made any reportable contributions to a political or candidate committee in the township of Union in the previous one year, and that the contract will prohibit Roberts & Reymann Engineering LLC from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Roberts & Reymann as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Roberts & Reymann Engineering LLC under the direct supervision of John D. Reymann, P.E., when John D. Reymann, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2007, to April 4, 2007.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and also part of this agreement.
6. Roberts & Reymann Engineering LLC will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.
8. A notice of this action shall be printed once in the official newspaper.

Motion was made by Mrs. Nargi, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mr. Dziubek and Mr. Mazza. Motion carried.

**ADJOURNMENT** – There being no further business to come before the Township Committee at this time, a motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adjourn. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Meeting adjourned at approximately 10:55 p.m.

Respectfully submitted,

K. Judith Fabian, RMC  
Township Clerk

I certify the attached to be a true copy of Minutes adopted by the Union Township Committee meeting held on February 21, 2007.

\_\_\_\_\_  
K. Judith Fabian, RMC  
Clerk, Township of Union

Witness my hand and seal of the Township  
of Union this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

SEAL