

**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:**

**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 December 19, 2007.

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

b. Reorganization Meeting Minutes of January 2, 2008.

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

**TAKEN OUT OF AGENDA ORDER****Discussion** – Stuart Koenig – 3<sup>rd</sup> round Plan for COAH

Mr. Koenig, special Counsel for COAH, distributed a detailed memo explaining differences between Round I, II and III regulations for municipal COAH obligations. In his presentation, he gave new projections for Union Township. The new proposed formula is that for four new residential market units created, there will be an obligation for one affordable unit. The obligation will also be created based upon number of certificates of occupancy issued between 2004-2018. He also mentioned that the cost of an RCA unit was increased from \$25,000 to \$35,000 in the new proposed regulations. Mr. Koenig went on to explain how new regulations are going to force small municipalities to raise taxes to pay for compliance.

After his presentation, he answered all questions asked by the Committee and public present. He said the new proposed regulations are going to be published in the New Jersey Register on January 22, 2008. They will undergo a 60-day comment period. He strongly urged all interested to post their comments. COAH will then review and answer the comments, with the intent of adopting and publishing final regulations by no later than June 2, 2008.

Mayor Mazza reported on a 7-town group meeting, he attended on the same subject on January 15, 2008. Attendees representing local municipalities decided to hire Mr. Koenig to assist with new COAH regulations. All towns involved are going to try to fight the new regulations as they are imposing a big financial burden on small and rural municipalities.

**VISITORS**

Environmental Commission – Discussion/RFP for restoration of the Hoffman House

Brain Kirkpatrick, Vice-chairman of UTEC's stated that an idea surfaced at last UTEC meeting for restoration of the Hoffman House. The need to develop RFP's was discussed, which would give an indication of the dollar amount necessary and prospective persons who would be interested in restoring. Mr. Kirkpatrick said that RFP would give broader ideas for usage (single family home, Bed & Breakfast, museum, arts building, environmental center etc.) of the building and potential income it might generate. Attorney Jost pointed out that although the Township maintains the property, the County has to approve any plans for the buildings.

It was agreed that the Township's Attorney would contact the County before making further decisions.

Mr. Nargi, Chairman of Environmental Commission, stated that he has already contacted the County regarding this issue and they would agree to rent it to a horse trail association who would also maintain the property. He also said the County would be reluctant to use the building for COAH purposes.

Kevin Horton – CO for 190 Main Street in Pittstown

Visitor not present for the meeting.

### REPORTS RECEIVED

- a. Road Dept.- Week Ending 12/15; 12/21; 12/28; 1/04/08
- b. Tax Collector – December 2007
- c. Construction Dept. – December 2007
- d. Municipal Court – December 2007

### CORRESPONDENCE

Mrs. Dziubek mentioned the following:

- Asked Twp. Engineer about municipal participation in the County surface treatment program for 2008. Mr. Reymann said we saved money by doing our own contract.
- Letter from the Freeholders regarding revising the Through Street designation along Charlestown Rd. Mrs. Dziubek asked if our Master Plan has been amended to indicate the change. Engineer Reymann said he would look into it, indicating that it is a county road and it probably does not affect our Master Plan.

Mayor Mazza mentioned the following:

- Gypsy Moth Suppression Program.
- Resolution adopted by Clinton Twp. Opposing Paid Family Leave. Mayor Mazza suggested we adopt the same resolution.

### RESOLUTION #2008-20

#### OPPOSING S-2249 AND A-3812 PROVIDING PAID FAMILY LEAVE

**WHEREAS**, Bills S-2249 and A-3812, will require all employers to provide paid family leave to employees with newborn children or ill family members; and

**WHEREAS**, these bills would apply to every New Jersey employer, private and governmental alike; and

**WHEREAS**, these bills would provide ten weeks of paid leave to workers, and employees would receive 2/3 of their weekly wages capped at \$502 per week from the Temporary Disability Insurance Fund; and

**WHEREAS**, employees may use the remainder of any sick leave, vacation or paid leave their employer provides them in addition to the ten weeks of state mandated paid leave; and

**WHEREAS**, hundreds of millions of dollars in paid family leave benefits would be funded by raising employee payroll taxes an additional 0.18 percent; and

**WHEREAS**, these bills would make New Jersey the only other state besides California to require paid leave benefits; and

**WHEREAS**, paid leave will be extremely costly and will put New Jersey out of step with employment policies nationwide.

**NOW, THEREFORE, BE IT RESOLVED**, by the Union Township Committee of the Township of Union, County of Hunterdon, State of New Jersey as follows:

1. The Union Township Committee expressed strong opposition to these two bills as being far too costly for employers.
2. Certified copies of the resolution shall be sent to the Offices of the Governor, Senate President Codey and Assembly Speaker Joseph Roberts, as well as State Legislators and all municipalities in Hunterdon County.

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

**PUBLIC COMMENTS**

Mike Romanek spoke of benefits from solar power energy and asked if the Township would consider putting solar panels on municipal buildings and schools. Attorney Jost said that this would be something to consider in the future. Clerk will send a copy of information sheet to local schools.

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

**OLD BUSINESS**

- a. The following resolution was introduced for adoption:

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

The above resolution was tabled at this time.

- b. The following resolution was introduced for adoption:

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

Mr. Jost stated the above matter should be discussed further in Executive Session.

**NEW BUSINESS**

a. The following resolution was introduced for adoption:

**RESOLUTION #2008-21  
UNION TOWNSHIP, HUNTERDON COUNTY  
2008 ANIMAL CONTROL SERVICE CONTRACT**

**WHEREAS**, there exists a need for an animal control company to render services to the Township of Union in various animal control activities; and

**WHEREAS**, the Township has provided funds for such services and said funds have been certified as being available by the Certified Finance Officer; and

**WHEREAS**, The Hunterdon Humane Animal Shelter has a professional animal control program and has expressed a willingness to offer said services;

**THEREFORE**, be it resolved by the Township Committee of the Township of Union to enter into Contract with The Hunterdon Humane Animal Shelter for the 2008 calendar year.

Date: January 16, 2008

**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

**UNION TOWNSHIP, HUNTERDON COUNTY**

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, as Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds to award a contract to The Hunterdon Humane Animal Shelter as appropriated in the 2008 Temporary/Adopted Budget under the line item "Dog Regulation Other Expense".

Date: \_\_\_\_\_

\_\_\_\_\_  
Grace M. Brennan, CFO

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.

b. The following resolution was introduced for adoption:

**RESOLUTION #2008-  
UNION TOWNSHIP, HUNTERDON COUNTY  
AUTHORIZING THE AWARD OF A  
2008 PROFESSIONAL SERVICES RESOLUTION/AUDITOR:  
SUPLEE, CLOONEY & COMPANY**

Attorney Jost requested that all professional services contracts be held until next meeting. Mr. Jost needs to determine if additional documents are required to be submitted with all contracts.

c. The following resolution was introduced for adoption:

**RESOLUTION 2008-22**  
**Re: Toll Brother’s Inc. 36 Rupell Road, Clinton, NJ 08809**  
**Block 11 Lot 8.22**

**WHEREAS**, Toll Brother’s Inc., did post an excavation bond in the amount of \$500.00 for work performed at Block 11 Lot 8.22 in the Township, and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the excavation bond in the amount of \$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.

d. The following resolution was introduced for adoption:

**RESOLUTION #2008-23**  
**UNION TOWNSHIP; HUNTERDON COUNTY**  
**2007 TAX OVERPAYMENT APPLIED TO 2008 TAXES**

WHEREAS, there exists an overpayment of taxes for the attached List of Properties;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the 2007 tax overpayment be applied to the 2008 taxes of persons named as follows:

Owner	Block	Lot	Qualifier	Amount
Zawislak, Jacob & Tricia	1	3		16.75
Lopez, Lorraine	1.01	6		11.02
Pattenburg Quarry Industries, LLC	1.08	18.01		1046.78
Stasyshyn, Robert	5	11		22.86
Everet, Robert & Marie Jenkins	6	4.03		15.25
Murray, John G. & Diane M. Etals	9	20.02		10.95
Philips, James & Judith	9	21		13.45
Cardoni, Joseph & Karen	9	22.01		14.00
Moskalski, John	11	4.01		249.97
Brush, Roberta Carolyn Etals	15	1		14.85
Petri, Robert & Rita Ann	15	8		19.93
Jurkouich, Scott & Michelle	15	27		50.61
Vogel, Darin & Barbara	15	28.01		120.97
Sujet, Andrew Trustee	17	1.10		18.36

Nahama, Jack & Joyce	17	4.42		32.89
Quinn, Muriel Loyola	17	7.01		36.29
Szafran, Marta	17	10.01		16.53
Sujet, Andrew Trustee	19	6		27.35
Yukiewicz, Wesley & Bridget	19	11.04		1855.05
Hammell, Edward & Vera	19	13		32.76
Crop Production Services Inc.	21	15		267.47
Ennis, Beverley Gayle	21.01	29.33		95.00
Gesualdo, Carmine & Maria	22	5		33.66
Diaz, Gary & Jamie	24	2	c2501	831.35
Hulse Richard & Chi Yin	25	1.07		24.90
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Yau Hua Kung & Philip Cooper	25	18		22.32
Atkinson Frances	26	15.01		12.32
Brand, Edward & Robin	29	24		24.84
Shpunder Harry & Rose Marie	30	1.06		20.00
Ronecker, Fred & Sharon	30	2		1600.07
Weider, Douglas & Ellen	22.02	23		28.68
Harrison, Bruce & Karen	29	13.01		17.21
Mrak, Joseph	25.02	6		20.94
Crown Perryville, LLC	13	6	c0003	150.52
Wang, Xiaoqi & Xiaoli Qi	11.01	13		21.78
Parolo, Cheryl	11	8.09		12.75
Rejmentowski, K & Forsberg Lisa	11	8.12		132.04
Toll Land IV Limited partnership	11.01	1		4453.35
Dyson, Cornelius & Mariangel	11.01	7		13.68
Anandani, Rakesh & Shireen	11.01	9		38.23
Sodhi, Anil & Prem	11.01	10		36.44
Vejarria, Nitikumar & Bhavana	11.01	11		14.17

NOW, THEREFORE, BE IT RESOLVED by the township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the 2007 tax overpayment be applied to the 2008 taxes of the person(s) named above.

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

e. The following resolution was introduced for adoption:

**RESOLUTION #2008-\_\_\_\_**  
**UNION TOWNSHIP, HUNTERDON COUNTY**  
**2008 WEBSITE MANAGEMENT AND MAINTENANCE SERVICE CONTRACT**

Attorney Jost requested that all professional services contracts be held until next meeting. Mr. Jost needs to determine if additional documents are required for submission with all contracts.

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

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

- Hoffman Park – together with Mayor Mazza and Matt Severino inspected buildings in the park. All buildings are in need of repair; there are also numerous safety issues.
- A new driveway permit was issued for Witte property at 14 Perryville Road.
- Full size copies of a new Fire District Map are prepared.
- NJDOT has selected an Engineer to study and design the Edna Mahon Frontage Road connection. Mr. Reymann said another letter should be sent to NJDOT outlining Townships' concerns. Contacted Mr. Glynn of Hunterdon County Planning Board on the subject, he would agree to attend one of Committee meetings, if questions were provided in advance.
- Contacted Mr. Roseberry of Maser Consulting regarding Lakeside Estates Subdivision. The gas line was not on the plans and the trees appear to be located as per the plan.
- Request was made for CO for 190 Main Street at Perryville Estates Development. Few issues need to be resolved in the development. Attorney Jost stated that the Construction Dept. released the CO before he had a chance to address them all.
- Temporary certificate of occupancy for Grand Colonial expires on February 25, 2008. It appears all conditions attached to the CO should be completed on time except for the lights; the light fixture selected does not fit the pole, to resolve this issue will take months.
- Helped arrange and attended cleaning of a sewer back up overflowing onto the grass by the Clinton Station Diner. Russell Reid, a utility contractor was onsite working on unclogging sewer lines. The cause of the blockage was grease. The owner of the Diner, Mike Zambas, has agreed to pay for the clean up. Engineer Reymann suggested we identify the location of the sanitary sewers that are Township's responsibility.  
Attorney Jost stated the sewer lines had been dedicated to the Township back in 1970's & 1980's. The property owners are responsible for maintenance and repair, but in Mr. Jost's opinion that is not the right way to do it. A sewer dept. should be created to perform regular maintenance and inspection of sanitary lines and pass the cost to the sewer customers. An ordinance needs to be adopted to address the issue.

At this time, a resolution for temporary emergency appropriation was introduced:

**RESOLUTION #2008-24  
EMERGENCY TEMPORARY APPROPRIATION**

**WHEREAS**, an emergent condition has arisen with respect to the Sewer Line at Union Hill/Union Gap/Union Station Diner and no adequate provision has been made in the 2008 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2008 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$15,000.00,

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the provisions of N.J.S.40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the Sewer Line in the amount of \$15,000.00
2. That said emergency temporary appropriation will be provided in the 2008 budget under title of: Sewer Improvements

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

At this time, Committee took a five minutes recess.

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

- Pilot Travel Centers, LLC litigation to be discussed in Executive Session.
- Union Township Municipal Court to be discussed in Executive Session.
- Has scheduled a walk through Hoffman Park property by Twp. Planner, Carl Hintz. In light of the latest proposition by Environmental Commission, the Clerk was instructed to call Mr. Hintz's office to postpone the visit.
- Received written approvals from the State for Perryville Rd. speed limits. Mr. Jost will prepare ordinance for the next Committee meeting.
- Union Twp. Board of Health ordinances need to be codified. Twp. Clerk stated, if electronic codification of Township's ordinances is approved this evening, they would include Bd. of Health.
- A joint meeting with Planning Board has been scheduled for January 24<sup>th</sup> for the purpose of discussing I-78 Exit 15/Service Rd. project.
- Read a letter from County Republican Committee nominating three candidates to fill Mrs. Nargi's seat after her resignation as the Township Committee Member effective December 31, 2007. The three candidates are Jim Marakowitz, William Bischoff and Bruce Rossi. Mr. Jost stated that if the Township Committee does not make the appointment tonight, it will go back to the County Committee to make the selection. Mr. Marakowitz wrote a note asking to withdraw his name.

**Mr. Severino made a motion to nominate Mr. William Bischoff to fill vacancy seat on the Township Committee. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Severino, Mrs. Dziubek, Mr. Mazza. Abstained: Mr. Haynes. Motion carried.**

Mr. Frank Goldberg made comments regarding Mr. Bischoff's appointment. Mayor Mazza said that there is a Public Comment section on the agenda to ask questions and make comments on action taken by the Committee.

**c. Mayor's Report**

- Would like to appoint Mr. Haynes as a liaison to the Road Department.

**Mr. Severino made a motion to appoint Mr. Haynes as a liaison to the Road Dept. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion carried.**

Both Mayor Mazza and Deputy Mayor Dziubek stated, they will not be performing neither marriages or civil unions ceremonies in 2008 due to time constraint.

Township CFO Grace Brennan asked the Committee if January 30<sup>th</sup> and February 13<sup>th</sup> would be suitable dates to schedule 2008 budget workshop meetings. All Committee members agreed.

**d. Committee Report**

Mrs. Dziubek reported the following:

- Has an issue with an IT easement with the Water Authority on Milligan Farm. Apparently, communication between professionals is the problem again, Mrs. Dziubek added.

Mr. Haynes reported the following:

- Asked about mandatory training for members of the Planning Board. Mayor Mazza answered, it has been resolved.
- Letter from a resident on Perryville Road complaining about drivers going through the stop sign at Perryville and Cooks Cross Road. Talked to Craig Herman, Road Dept. Foreman, who will replace existing stop sign with a larger one.
- Has a personnel issue for Executive Session.

**e. Clerk's Report**

- Field use application – United Soccer Academy

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

- Raffle License #2008-1; Friends of Anderson House; Off Premise Merchandise 04/21/08
- Raffle License #2008-2; Friends of Anderson House; 50/50 On Premise Cash 04/21/08
- Raffle License #2008-3; Friends of Anderson House; On Premise Merchandise 04/21/08

Mrs. Dziubek made a motion to approve Raffle License 2008-1; 2008-2; 2008-3. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

- Quote for Electronic Code Services

Mr. Haynes made a motion to approve a contract with Coded Systems for electronic codification of all Township ordinances subject to adoption of the 2008 budget. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

**PUBLIC COMMENTS**

Mr. Frank Goldberg expressed his disappointment that Mr. Bischoff was selected by this Committee to fill the seat vacated by Mrs. Nargi.

Mr. Goldberg also commented on the one and a half million dollars pledged by the County to help with the purchase of Milligan Farm. He said, if now the County is attaching conditions to release that money, maybe we should not count on it.

**PAYMENT OF THE BILLS** – Mr. Haynes 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 10:51 PM:

**RESOLUTION#2008-25  
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- Municipal Court, Litigation- Pilot Travel Centers, LLC and Personnel.

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

At approximately 11:33 PM, Mr. Severino made a motion to return to the regular meeting, Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

After coming out of Executive Session Mrs. Dziubek made a motion to authorize Mark Anderson, the Planning Bd. Attorney, to represent the Planning Bd. as well as the Township Committee in defending the Pilot Travel Centers, LLC lawsuit. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Mazza. Motion Carried.

The following resolution was also introduced for adoption after coming out of Executive Session:

**RESOLUTION #2008-26  
UNION TOWNSHIP, HUNTERDON COUNTY  
INTERIM PART-TIME DEPUTY COURT ADMINISTRATOR  
Jan Simonetti**

**WHEREAS**, there is a need for an interim part-time Deputy Court Administrator; and

**WHEREAS**, Jan Simonetti is qualified and has expressed an interest in same;

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union to hire Jan Simonetti as interim part-time Deputy Court Administrator effective immediately, at an hourly rate of \$18.00.

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

Meeting adjourned at approximately 11:35 PM

Respectfully submitted,

Ella Malecki Ruta, RMC  
Municipal Clerk