

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, William Bischoff, Patricia Dziubek, Frank Mazza.

Absent: None

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 March 5, 2008.

Mr. Severino made a motion to approve the said minutes reflecting the following amendments. Mrs. Dziubek would like the minutes of March 5th to reflect an explanation of the amendment to the February 6th meeting minutes. The minutes did not reflect the amendment that Mr. Dziubek did not vote on Mr. Bischoff’s appointment as a Class III member to the Planning Board. In addition, COAH discussion under correspondence, Mrs. Dziubek said the meeting she attended on COAH was the subcommittee, it was not a committee meeting, and that it was regarding the preparation of RFP’s for COAH development. On page four of the minutes Mary Beth Lonergan stated that a resolution had been adopted in 2005. She had also said that she already contacted potential developers who might be interested in our RFP request. In the last paragraph it should not state that Mrs. Dziubek and Mr. Koenig would respond to potential developers, it should say that RFP’s are going to be prepared by Mr. Koenig. Mrs. Dziubek also wanted to bring to the Committee’s attention that approval of the meeting minutes should be immediate and should be set as a priority. She added that it is difficult to go back a month and remember that meeting discussion. She emphasized the importance of minutes to be done in a timely fashion.

Mr. Severino asked that the discussion with Mr. Holt reflect our dissatisfaction with the open space funding for Milligan Farm being tied to the frontage road extension. Also, that Mr. Holt expressed to us that the Freeholders were satisfied with our letter to the NJDOT and that he would recommend moving forward with the open space funding due to the fact that we have not objected to the project. In addition, Mr. Severino mentioned to Mr. Holt that the Township has not objected to it or have rendered an opinion, because we have not had our questions answered at this time. When they are answered, it is possible that we may have objections.

Mr. Jost said he had seen Mr. Holt in Clinton. Mr. Holt made a point of saying to Mr. Jost that he will be sending us a letter. Mr. Jost’s personal opinion is that Freeholder Holt is not exactly certain what to say in the letter because some of the Freeholders are not sure what the Township’s position is concerning the Route 173 Extension. Mr. Bischoff said that as far as he could recall, Mr. Holt was very clear that they have received and are aware of all our concerns and the money would be forthcoming.

Mayor Mazza mentioned a letter from the Hunterdon County Planning Board in reference to the I-78 westbound weigh station, which closes more frequently than the eastbound side. The County asked the NJDOT to respond and will keep the Township informed.

Mr. Severino indicated that so far the Governing Body of the Township made it very clear on more than one occasion that it would be irresponsible to make a decision before all questions are answered. The primary

question would be the volume and the load of traffic that could be handled by this new road. Thus far, he said, we are still waiting for this question and many others to be answered. Mayor Mazza said that another piece of correspondence indicated that the answers would be coming soon, possibly within next three weeks.

VISITORS

- a. Dan Van Fossen – Award from the Township Committee for outstanding service on the Pattenburg Fire Dept. and ten years without missing a call.

Mayor Mazza presented Dan VanFossen with a plaque for his outstanding leadership and commitment to the Pattenburg Volunteer Fire Dept. and the people of Union Township. He had not missed a call. One hundred percent call response (3010) from 1996 to 2007. All present expressed their appreciation with a round of applause. Chief VanFossen thanked the Committee for their continued support.

- b. Debbie Hirt, Main Street, Pattenburg

Mrs. Hirt clarified that questions and concerns regarding truck weigh station should be directed to the State Police, not to the NJDOT. Mayor Mazza said he has already talked to the Police. The State Police made him aware of other problems relating to trailer truck traffic. The Mayor said the State Police are aware of the problem and they are working hard trying to enforce the law to the fullest. They were provided with a copy of the letter that was sent to the NJDOT, so they know that the Township wants to work together. Mayor Mazza suggested writing a letter to the County and State offices making everyone aware of issues this Township has to face on daily basis.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 3/01/08;3/09/08
 - b. Construction Dept. – February 2008
 - c. Municipal Court – February 2008
 - d. Zoning Office – Jan. /Mar. 17th
 - e. Environmental Commission
- Mr. Bischoff mentioned a letter from Mr. Harclerode regarding engine idling. Mrs. Dziubek said she received an e-mail from Michele McBride on behalf of Environmental Commission. It was an update on maintenance/stewardship of the town owned properties. It states that Mrs. McBride would like to pursue the safety issue at the Hoffman house rather aggressively. Mrs. Dziubek would like to know what the consensus of the Committee is on the issue, so the safety issue could be addressed and possibly solved. Mayor Mazza indicated that he contacted Brian Plushanski, who in the past was involved in the maintenance of the Hoffman house. Mr. Plushanski offered to inspect the property and provide a quote for necessary work. Mayor Mazza also offered his help, if needed.
- Grace Brennan, CFO, explained that the reason for holding off with repairs to the Hoffman's property was high expenses and the requirement for more than one quote.
- Atty. Jost stated that in this case emergency appropriation could be justified.
- Mayor is going to get a quote from Mr. Plushanski.
- Mr. Haynes suggested that we get quotes for all other services such as electric, demolition, masonry, plumbing, well etc.
- Mrs. Dziubek recommended that a preliminary assessment has to be done of what repairs are needed before further action could be taken.
- The discussion evolved whether it could be treated as an emergency issue and how to proceed further.
- Atty. Jost said there is a liability issue and action has to be taken as soon as possible. Mayor Mazza recommended putting a fence around the property and no trespassing signs as an immediate solution.

Mrs. Dziubek said she would wait for ideas from the Environmental Commission. She said Mrs. McBride would have some proposition for the next Committee meeting.

Mr. Severino proposed putting temporary rental fencing around the problem area as opposed to purchasing permanent fencing. It would give the Township time to research costs.

Mrs. Dziubek motioned that Mr. Severino would organize renting temporary fencing as the emergency measure and ask the Stewardship Committee to provide quotes for a permanent solution. Mr. Bischoff seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

CORRESPONDENCE

Mr. Bischoff mentioned the following:

- A letter from Borough of Point Pleasant – part of the letter was missing.
- Letter dated March 24, 2008 from NJDOT regarding Local Aid and Economic Development such as Bikeways, which the Township has been looking into for some time. Mayor Mazza said it was discussed at the County Planning Board meeting, concluding that it is not feasible in this Township for various reasons.
- Letter dated March 19, 2008 from HC Planning Board referring to HC Open Space Trust Fund Program for CY 2008 Allocation of Municipal Grant Program Funds. He would like to know how the allocations are calculated. Grace Brennan, CFO gave a brief explanation. Atty. Jost will prepare a resolution.

Mr. Severino mentioned the following:

- A letter from the County Freeholders regarding NJDEP request to become the County Wastewater Management Planning Agency. Mr. Severino would like the Twp. Engineer to review it further. Engineer will report at the next Committee Meeting.

Mrs. Dziubek mentioned the following:

- Asked if we are responsible for putting up project signs for NJ Environmental Infrastructure Financing Program. Mr. Haynes confirmed and asked if the signs were delivered. No signs were delivered.
- Memo from the HC Housing Corporation regarding Revolving Fund of the Small Cities rehabilitation program. Mrs. Dziubek asked if the properties listed in the memo are rehab or COAH. Grace Brennan replied that they are COAH-Rehab. Refund amount due to the Township will be deposited into a COAH fund.
- Mrs. Dziubek would like the Township Committee to pass two resolutions; one opposing the failure of the Governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax Relief as our Priority and second opposing Governor's proposal to eliminate Dept. of Agriculture.
- A letter by Gregg Rackin, Chairman of the HC Planning Board to COAH reinforcing comments and concerns on proposed new rules.

Mr. Haynes mentioned the following:

- A letter received from NJDEP about the Clean Communities Funds. Reminded the Committee that the money has to be spent (certain items only) or returned. Briefly discussed were different options of using this money.

Mayor Mazza mentioned the following:

- A meeting regarding FEMA matters, for anyone that would be interested.

- Correspondence from Raritan Valley Rail Coalition. Mayor asked the letter be forwarded to Mr. Harclerode who is working on Quiet Rail Crossings.
- Meeting on April 9, 2008 presenting 2008 Scope of Work set forth by Hunterdon County Government.
- Notice of Violation issued to Pilot Travel LLC concerning litter along Route 173.

PUBLIC COMMENTS

Debbie Hirt, Main Street Pattenburg – offered the name of Mr. Hirt at NJDOT who could help with matters regarding railroads crossings.

TAKEN OUT OF AGENDA ORDER

At about 8:03 PM Mayor Mazza asked the Committee to go into Executive Session. The following resolution was introduced for adoption:

**RESOLUTION #2008-57
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 to share Municipal Court Services with Clinton Township and Litigation.

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

At approximately at 9:16 PM, Mr. Bischoff made a motion to return to the regular meeting, Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Following the Executive Session, two resolutions regarding two Township positions were introduced for adoption. The word “temporary” would be inserted in front of each position title.

RESOLUTION #2008-58

**UNION TOWNSHIP, HUNTERDON COUNTY
TEMPORARY PART-TIME DEPUTY COURT ADMINISTRATOR-NIGHT SESSIONS
Jan Simonetti**

WHEREAS, there is a need for a temporary part-time Deputy Court Administrator attending night court sessions; and

WHEREAS, Jan Simonetti has expressed an interest in same;

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to hire Jan Simonetti as a temporary part-time night court sessions Deputy Court Administrator effective March 1, 2008, at an hourly rate of \$20.00, for up to 5 hours for each of two (2) Court Sessions per month.

RESOLUTION #2008-59

**UNION TOWNSHIP, HUNTERDON COUNTY
TEMPORARY PART-TIME DEPUTY COURT ADMINISTRATOR
Nancy Horvath**

WHEREAS, there is a need for a temporary part-time Deputy Court Administrator; and

WHEREAS, Nancy Horvath and has expressed an interest in same;

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to hire Nancy Horvath as a temporary part-time Deputy Court Administrator effective April 7, 2008, at an hourly rate of \$16.00 with an increase to \$18.00 after three months, for up to 19.5 hours per week.

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

TEMPORARY ADJOURNMENT

At this time, Mrs. Dziubek made a motion to adjourn temporarily the regular session meeting so that the Committee could conduct the Board of Health meeting. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

BACK TO REGULAR SESSION MEETING

Mr. Haynes made a motion to reconvene the regular session. Mrs. Dziubek seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

BACK TO REGULAR AGENDA ORDER

PUBLIC HEARING – 2nd reading

**ORDINANCE #2008-2
UNION TOWNSHIP, HUNTERDON COUNTY
AN ORDINANCE OPENING AND ACCEPTING
GEPHARDT FARM ROAD AND ADDITIONAL WIDTH ALONG
RACE STREET AND ESTABLISHING THE BOUNDARIES
THEREOF IN THE TOWNSHIP OF UNION,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

Mr. Haynes made a motion to open the public hearing. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

There being no questions/comments from the public, Mr. Haynes made a motion to close the public hearing. Mrs. Dziubek seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mrs. Dziubek made a motion to adopt Ord. #2008-2 on 2nd reading. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

OLD BUSINESS

- a. **Discussion** – MIS – LUCARS Software System

Mrs. Dziubek said she was going to check into availability of GIS system as shared service with the County through Freeholder Sworen’s Office.

NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION 2008-60
Re: William and Janet Riddle, 11 Cooks Cross Road
Pittstown, New Jersey
Block 30 Lot 1.09

WHEREAS, William and Janet Riddle did post an inspection fee for a Road Opening in the amount of \$500.00 for work performed at Block 30, Lot 1.09 in the Township, and

WHEREAS, the Township Engineer, John Reymann, in a letter dated 3/26/08 deemed the work and inspection complete, and

WHEREAS, the Chief Financial Officer, Grace M. Brennan, certifies that all bills in connection with this matter have been paid, and that there is a \$288.75 unused balance in the account,

WHEREAS, William and Janet Riddle have requested that the balance of the escrow be refunded,

NOW, THEREFORE, BE IT RESOLVED, that the remaining balance of \$288.75 in the escrow account be refunded to William and Janet Riddle.

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

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

- b. The following resolution was introduced for adoption:

RESOLUTION 2008-61
UNION TOWNSHIP, HUNTERDON COUNTY
2008 TEMPORARY BUDGET

WHEREAS, N.J.S. 40 A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2008 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, one fourth of the total appropriations in the 2007 budget, exclusive of any appropriations

MINUTES OF REGULAR MEETING April 2, 2008

made for
interest/debt redemption charges and capital improvement fund in said 2008 budget is the sum of
\$567,514.91;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a
certified copy of this
resolution be transmitted to the Chief Financial Officer for his/her records:

TEMPORARY APPROPRIATIONS 2008

	SALARIES	OTHER EXPENSES
General Administration		\$ 5,000.00
Mayor & Township Committee	\$ 6,000.00	
Municipal Clerk	\$ 12,500.00	
Finance Administration	\$ 13,750.00	\$ 2,000.00
Audit Services		\$ 10,000.00
Computerized Data Processing		\$ 5,000.00
Revenue Admin. Tax Collection	\$ 10,000.00	\$ 2,000.00
Assessment of Taxes	\$ 10,000.00	\$ 4,500.00
Legal Services	\$ 4,000.00	\$ 30,264.91
Engineering Services		\$ 10,000.00
Planning Board	\$ 12,000.00	\$ 20,000.00
Zoning Board of Adjustment	\$ 3,000.00	\$ -
Construction Official	\$ 15,000.00	\$ 2,000.00
Building Sub Code Official	\$ 15,000.00	\$ -
Fire Sub Code Official	\$ 3,000.00	\$ -
Unemployment Insurance		\$ 500.00
Liability Insurance		\$ 25,000.00
Worker Compensation Insurance		\$ 20,000.00
Employee Group Insurance		\$ 35,000.00
Office of Emergency Management	\$ 3,000.00	\$ 750.00
911 Coordinator	\$ 500.00	
Aid to Volunteer Fire Companies		\$ 2,500.00
Aid to Volunteer Fire Companies Adj.		\$ 2,500.00
Contribution to First Aid Org.		\$ 2,500.00
Fire Hydrant Service		\$ 1,000.00
Municipal Prosecutor	\$ 5,000.00	
Streets & Roads	\$ 50,000.00	\$ 50,000.00
Solid Waste Collection	\$ 3,000.00	\$ 25,000.00
Buildings and Grounds		\$ 20,000.00
Public Health Services		\$ -
Environmental Health Services	\$ 100.00	\$ 1,500.00
Animal Control Services	\$ 1,200.00	\$ 2,000.00
Contribution to Social Services		\$ 1,250.00
Recreation Services & Programs		\$ 10,000.00
Maintenance of Parks	\$ 3,500.00	\$ 6,000.00
Celebration of Public Events		
Electricity		\$ 4,000.00

Street Lighting		\$ 5,000.00
Telephone		\$ 4,000.00
Fuel Oil		\$ 500.00
Gasoline Diesel Fuel		\$ 5,000.00
Municipal Court	\$ 50,000.00	\$ 5,000.00
Public Defender	\$ 1,500.00	
Fair Share Housing		\$ -
LOSAP		\$ -
Social Security		\$ 18,000.00
Total	\$229,750.00	\$337,764.91
Total Temporary Budget 2008		\$567,514.91
Debt Service		
Principal on Notes		\$ 30,000.00
Interest on Notes		\$ 7,810.37
interest on Bonds		\$121,039.38
		\$158,849.75

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

c. The following resolution was introduced for adoption:

**RESOLUTION #2008-62
TOWNSHIP OF UNION, HUNTERDON COUNTY
A RESOLUTION OPPOSING S-770 AND A-1645 MANDATING THE APPOINTMENT OF A
QUALIFIED PURCHASING AGENT AND THE ATTENDANT REORGANIZATION OF (YOUR
MUNICIPALITY) PURCHASING FUNCTIONS**

WHEREAS, Township of Union strongly supports the employment of the best purchasing practices to not only ensure compliance with the numerous state statutes governing public procurement but also to obtain the most favorable pricing for required services and products; and

WHEREAS, Township of Union encourages and allows its employees to receive continuing education courses and frequent training to remain relevant of new statutes, changes in regulations and best practice procedures which encourage proper cost effective purchasing; and

WHEREAS, the Legislature has before it bills, S-770 and A-1645, endorsed by the Purchasing Officials and no other statewide local government organization that would significantly impact on the operation of the purchasing function by requiring the reorganization of the purchasing function into a separate office not under the direct supervision of the local unit’s administrator, manager, CFO and other official; and

WHEREAS, Township of Union has not experienced any challenges or crisis in purchasing procedures that warrants imposing this unfunded mandate upon local governments and questions what existing problem (s) it purports to fix; and

WHEREAS, Township of Union takes exception to this unfunded state mandate which represents an intrusion into the management prerogatives of local officials to organize purchasing functions that are in the best interests of resident taxpayers; and

WHEREAS, S- 770 and A-1645 will not reduce the cost of the municipal operation nor lead to better purchasing activities; rather these unfunded mandates will, in all probability, lead to higher personnel costs in the future given the mandates contained therein; and

WHEREAS, It is unconscionable for the Legislature to impose another unfunded mandate during a time when Mayors and governing body members are focused on proposed budget cuts that will result in increased property taxes and the curtailment of services to residents.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Township of Union in the county of Hunterdon

1. Opposes S 770 and its companion bill A 1645 as an unfunded state mandate with no new or additional capabilities to assist towns in improving purchasing activities and in all probability will lead to future cost increases.

2. Opposes S-770 and its companion bill A-1645 which change an existing option afforded local units into an unfunded mandate to appoint a qualified purchasing agent.

3. Certified copies of this resolution be forwarded to Governor Jon Corzine, State Senator Leonard Lance, State Assembly Representatives Michael J. Doherty and Marcia A. Karrow and the NJ League of Municipalities.

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

d. The following resolution was introduced for adoption:

RESOLUTION #2008-63
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2008
William Brinton Esq. – Special Counsel

WHEREAS, William D. Brinton, Esq. and Roger Towers, PA (“Contractor”)has been appointed as Special Counsel for the Township of Union, Hunterdon County, New Jersey, (“Municipality”) for the calendar year 2008; and

WHEREAS, the Municipality and the Contractor wish to have a written agreement as to services to be rendered and fees to be charged;

NOW THEREFORE, BE IT AGREED this 2nd day of April 2008 by and between the Municipality and the Contractor as follows:

1. Purpose and Scope of Work: Contractor agrees to provide services to the Municipality as set forth in the engagement letter attached hereto as Exhibit A and made part hereof.

2. Professional Service: In order to insure that the retention of the Professional by the Township constitutes a professional service, as that term is defined under the New Jersey local Public Contracts Law, Contractor represents (1) the services are being rendered and performed by a person authorized by law to practice a recognized profession, (2) the practiced is regulated by law and (3) the performance of the service requires knowledge of an advance type in a field of learning acquired by a prolonged, formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. Conflict of Interest: The Contractor represents that it is not employed or retained and will not be rendering services for an individual, company, municipality or other entity which would create a conflict of interest by virtue of the services to the Contractor is now rendering for the Township of Union under the terms of this Agreement. Moreover, the Contractor represents and acknowledges that all information, strategies, positions, etc. will not be disseminated to any third party.

4. Terms of Contract: This contract shall be effective for the period January 1, 2008 through December 31, 2008. Funding for the first ninety (90) days of this contract has been appropriated by the governing body pursuant to the 2008 temporary municipal budget. This contract shall be subject to availability and appropriation of sufficient funds as may be required in the 2008 permanent municipal budget.

5. Appropriation; Compensation: The maximum amount of fees and compensation under this agreement shall not exceed the amount to be appropriated for legal services during the term of this agreement or as said amount may be amended by the governing body. Invoices shall be submitted by the Contractor to the Municipality with vouchers in accordance with applicable laws, regulations and ordinances regarding public contracts and payment claims.

6. Professional Liability Insurance: The Contractor shall maintain, during the full term of this Contract, policy of professional liability insurance in the amount satisfactory to the Township, insuring the Township against errors and omissions in connection with work performed by the Contractor.

7. Political Contribution Disclosure: This contract has been awarded to Contractor based on the merits and abilities of Contractor to provide the goods and services as described herein. This contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned/above signed does hereby attest that Contractor its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement commission pursuant to N.J.S.A.19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

8. Affirmative Action: Contractor agrees to comply with the terms and conditions of Exhibit B, Mandatory Affirmative Action Language and Affirmative Action Plan/Report Filing Information, which are attached to and made part of this contract.

9. Exhibit C (Business Registration Certificate), Exhibit D (Business Entity Disclosure Certification) and Exhibit E (Political Contribution Disclosure Form) attached to and made part of this contract.

10. Assignment: This contract shall not be assigned.

11. A Notice of this action shall be printed once in the official newspaper of this municipality.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 *et seq.*, I, Grace M. Brennan, CFO of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2008 Temporary/Adopted Budget to award a contract to William D. Brinton, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

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

e. Motion to authorize the Mayor to Sign a Letter to the DOT; Hot Air Balloon(s)

Mr. Severino made a motion to authorize Mayor Mazza to sign a letter to NJ DOT to the effect that Union Township does not have ordinance(s) prohibiting the flying of hot air balloon(s) and has no objection to this practice; however, Union Township assumes no responsibility for the operation of this private company. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried

NEW ORDINANCE – 1ST Reading – ITEM ADDED TO THE AGENDA

Atty. Jost presented and read the following ordinance by title

ORDINANCE # 2008-4

AN ORDINANCE AMENDING CHAPTER II, ARTICLE XI, OF THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, AND PROVIDING FOR THE ESTABLISHMENT OF SHARED MUNICIPAL COURTS WITH ANOTHER MUNICIPALITY

WHEREAS, P.L. 2008, c.2 (S-335), effective March 26, 2008, authorizes municipalities with shared courts to appoint separate judges and administrators; and

WHEREAS, it may be advisable for Union Township to enter into a shared court arrangement with another municipality while retaining separate judges and administrators, until such time as it is feasible to combine such positions; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that Chapter II, ADMINISTRATION, Article XI, Establishment of the Municipal Court, is hereby amended to read as follows: (deletions are shown thusly []; additions thusly _____)

2-33 SHARED MUNICIPAL COURTS

2-33.1 Interlocal Agreement for Municipal Court. Pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1, and N.J.S.A. 2B:12-1c, the Mayor, on behalf of the Township Committee, is hereby authorized to enter into a shared services agreement to provide jointly for courtrooms, chambers, equipment, supplies and employees for the municipal courts of the Township of Union and another municipality, and to agree to appoint [the same persons as] judges and administrators without establishing a joint municipal court. Where the municipal courts of Union Township and another municipality share facilities in this manner, the identities of the individual courts shall continue to be expressed in the captions of orders and process. Pursuant to N.J.S.A. 2B:12-1.d., said interlocal agreement may be terminated as provided in the agreement.

2-33.2 Shared Municipal Courts – Employees. In the case of shared municipal courts, any interlocal agreement with another municipality shall provide that the municipalities agree to appoint [the same persons as] municipal judges, prosecutors, public defenders, court administrators, and other court personnel, in accordance with applicable law. Said employees shall be compensated in the

manner provided by said interlocal agreement and as otherwise established according to law.

- III. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause of provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective,
- IV. Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
- V. Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

Mr. Severino made a motion to adopt the above ordinance on 1st reading and public hearing scheduled for May 7, 2008. Mrs. Dziubek seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

REPORTS

- a. **Engineer's Report** – Mr. Reymann reported the following/written report submitted:
 - The County has forwarded a set of the 513 & 579 intersection improvements plans to the Township for informational purposes.
 - Pilot Travel Centers – wrote a letter regarding their broken storm inlet.
 - Van Syckel's Road – prepared the design, which has to be forwarded to the NJDOT. The only outstanding issue regarding this project is an orphan bridge of which nobody is claiming the ownership.
 - Grand Colonial – spoke with Mr. Dallas and John Gull reminding them that TCO expires on April 21, 2008.
 - 327 Strotz Road – Issued driveway violation letter
- b. **Attorney's Report** – Mr. Jost reported the following:
 - Prepared and introduced the following resolution:

RESOLUTION 2008-64
Re: Setting Fees for Various Publications

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following fees are hereby established for the publications indicated:

1. Bid Specifications - \$25.00
2. Zoning/Land Use Code - \$160.00
3. Zoning Map - \$5.00
4. Master Plan - \$100.00

BE IT FURTHER RESOLVED that this resolution shall be effective for the calendar year 2008.

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

- Prepared resolution regarding a variety of problems with truck traffic/parking along Frontage Road; however, it requires publication before adoption. Will be presented for adoption at the next meeting.
- Received several phone calls regarding vacating a paper street on Mr. Gambony's property. Atty. Jost indicated that the issue had been before the Committee in the past. Issue raised at that time and never

followed up on was the potential use of that paper street as a hiking trail, biking path, horse trail etc. Atty. Jost made it clear that once it is dedicated, it is perpetual. The Committee could decide to vacate it, but once it is done, there is no turning back.

Mr. Bischoff mentioned that the issue was discussed at yesterday's Planning Board meeting. The decision of the Board was to retain the right. Mr. Bischoff asked Atty. Jost to request the Planning Bd. Secretary to reduce to writing the Pl. Bd. decision to the Committee. Atty. Jost will notify Mr. Gambony in writing of the Township's Committee decision.

- A workshop meeting on I-78 Scenic Highway Designation is scheduled for Friday, April 18th. Representatives from the State, County and Municipalities are going to attend. Atty. Jost mentioned that Mr. Brinton, Special Counsel, might be in the area to attend the meeting.

c. Clerk's Report

- As per Committee request, Township Clerk provided costs for Darlene Beam's Vital Statistic Registrar class in the amount of \$142.00 and Municipal Clerk's of NJ Conference for Ella Ruta in the amount of \$550.00.

Mrs. Dziubek made a motion to approve payments for Darlene Beam's and Ella Ruta's classes. Mr. Haynes seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

- Hot water heater in Municipal Building is in need of repair.
- Clerk asked for Committee permission to start electronic codification of Township's general and zoning ordinances. No objections expressed.

Grace Brennan asked that a resolution opposing proposed charges for the State Police services in the 2008-2009 State Budget be adopted by the Township. Atty. Jost mentioned that similar resolution was adopted in the past and it could be revisited again.

d. Mayor's Report

- None at this time.

e. Committee Report

Mr. Bischoff reported the following:

- Spoke with Atty. Jost who suggested reviewing personnel policy regarding responsibilities of various positions. He mentioned there is a lack of communication among employees. He thought it would be a good idea to prepare an organizational chart that would delineate duties of individual employees. The chart would have to be followed by employees and if they refused to comply, corrective action could be taken.
- Asked that Atty. Jost provide feedback regarding the memorandum to Darlene Beam and John Leonard. Atty. Jost said he would meet with Mr. Bischoff concerning personnel issues.

Mrs. Dziubek reported the following:

- E-mailed Ellen Hutchinson regarding progress on NFA letter for Milligan Farm. Has not received a response yet.
- Was told by Mr. Nargi that the Water Authority and Pam Their and everyone else involved are on the same page. The monuments have been planted. That deal should be closing soon.

- Have not heard any updates regarding COAH from Mrs. Lonergan or Mr. Koenig. She would like to schedule a discussion on impact data for developers and maybe revisit the way fees are calculated paid by developers.
- The Paris Grant is still in the works. We have leveraged our portion of the grant to the Hunterdon County and are now waiting to see what is going to be available to us.

Mr. Haynes reported the following:

- Together with Twp. Engineer inspected west end of Van Syckel's Road where the flooding problem has been an issue. Would like the Committee to authorize John Reymann to estimate cost of draining a near by pond. Committee members had no objections.

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. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

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

Meeting adjourned at approximately 10:26 PM

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk