

CALL TO ORDER

Mayor Severino opened the meeting at 7:02 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically 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: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek

Absent:

Others Present: J. Peter Jost, Esq., Bob Clerico, Engineer, Robert Vance, Tax Assessor, Ella M. Ruta Municipal Clerk,

APPROVAL OF PRIOR MEETING MINUTES

Regular and Executive Meeting Minutes of October 6, 2010. Mayor Severino made a correction to remove “Non-Profit 501C3” on page 1 under Visitors.

Mr. Bischoff made a motion to approve the corrected Regular Meeting Minutes of October 6, 2010. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza. Abstain: - Mr. Haynes, Mrs. Dziubek. Motion carried.

VISITORS

– Pat Lingelbach - Historical Preservation: Hoffman House and Milligan Farm.

Recommendations for Milligan House – the four barns are historically important because of the vista and they are the cornerstone of the Rockhill Historical District and should be preserved. As for the house, it should not be dismantled.

Hoffman House - historically speaking it is a house that has some character to it and belonged to a very prominent business person who made a name for himself, the house itself is not a famous house it does have a small portion that dates back to the 1880’s. The feeling of the Historical Committee if there is a viable solution for the township to save that house they should try to do that. There are some architectural items in the house that make it worth saving it if you are going to save it. That is our recommendation.

The Attorney asked about an easement for the preservation of the Milligan barns. Pat Lingelbach will check the maps at the County Historical Committee.

– Michele McBride – Stewardship Committee. Discussion of the revised information on asbestos removal at the Milligan House.

OUT OF AGENDA ORDER

Discussion/Approval - Request for putting barricades in the Brass Castle neighborhood on Halloween.

Mr. Mazza made a motion to permit the limited closing of entrance to Brass Castle development including corners of Stires Way and Wyckoff Drive and Groom Rd. on October 31, 2010 between the hours of 6:00 p.m. to 9:00 p.m. Adults will attend barricades so that they can be opened to allow residents of the development access to

homes. There will be a temporary no parking signs installed at the above-mentioned corners and subject to the Association providing an Insurance Certificate naming Union Twp. as additional insured. Local Fire Dept. and State Police will be notified. Mrs. Dziubek seconded the motion. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

RETURN TO AGENDA ORDER

Mr. Rob Vance, Tax Assessor has a matter for Executive Session. Litigation – State Tax Court

EXECUTIVE SESSION – the following resolution introduced for adoption:

RESOLUTION 2010-133

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on October 20, 2010, at 7:22 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

At 7:38 pm, Mrs. Dziubek made a motion to come out of the Executive Session. Mr. Bischoff seconded. Vote – Ayes: - Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

Discussion/Motion: Clinton Block, Block 22, Lot 30.04, State Tax Court Pending 2009 and 2010 . The Tax Assessor reviewed the pending settlement figures.

Mr. Bischoff made a motion to agree to the State Tax Court Settlement for Clinton Block. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

RETURN TO AGENDA ORDER**VISITORS**

– Michael Helbing – Metrotrails. Hoffman House.

Mayor made comments on the submission. Two concerns: Home will be your residence and not a public facility. Second, the lack of funding to secure the necessary improvements needed. At this point the Committee has two options 1) to re-advertise the RFP or 2) Reject Mr. Helbing's proposal.

– Debbie Hirt commented on the proposal vs. demolition.

The following motion was presented for approval:

Mr. Bischoff made a motion to re-advertise the original RFP for the Hoffman House. Mrs. Dziubek seconded. Vote: Ayes – Mr. Haynes. Nays – Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion defeated.

Discussion of salvage and demolition of the Hoffman House. Attorney will send a letter to the county with the decision on the Hoffman House. The following motion was presented for approval:

Mr. Bischoff made a motion to instruct the Township Attorney to prepare specifications for salvage and demolition and also to write a letter to the County and explain the township wishes to proceed in this regard and their permission to do it. Mrs. Dziubek seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Nays – Mr. Haynes. Motion carried.

REPORTS RECEIVED

- Road Dept - Weeks Ending 9/24/10; 10/01/10; 10/08
- Animal Control Officer
- Engineer Report
 - Tax Map Revisions - will estimate cost to update tax maps pending deeds from Tax Assessor.
 - Perryville Road State Aid Grant – Section 2A under review by Transportation Trust Fund. Section 2B DOT approval of UT request to reduce the project limits. Deadline to award contract July 2011.

The following motion was presented for approval:

Mr. Mazza made a motion to authorize the Township Engineer to proceed with the design work for Perryville Road Section 2B, subject to certification of funds by CFO. Mrs. Dziubek seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

- Lookout Pointe – The Attorney has been unsuccessful in reaching the Berrys to discuss the planting of trees on the Berry lot.
- Wachovia Bank Site completed the installation of most of the site improvements.
- St. Catherine's Church Parking Lot – completing final inspection prior to sign off.

Mr. Haynes asked about the deed for the small parcel in Perryville Estates. The Attorney will investigate.

- Tax Collector
- UTEC –

CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mrs. Dziubek mentioned the following correspondence:

- Resignation letter from Traci Fleming, Animal Control Officer. Discuss in Executive Session.
- NJDEP Funding approved for Milligan Farm Park Trail and Trailhead \$15,600. The trail to be dedicated to Joseph Martin.
- League of Municipalities' Survey Measures Impact of Declining Property Values on Local Budgets.
- Funding Available to Municipalities for Hepatitis Inoculation for Public Responders. Copy sent to Fire Dept and EMT.
- COAH Meeting Agenda
- No Idling Law – send copy to school (Fax Advisory)

Mr. Mazza mentioned the following correspondence: None

Mr. Bischoff mentioned the following correspondence:

- Court Strikes Down COAH 3rd Round Regulations
- Brian Plushanski, Green Cycle – to Planning Board

Mr. Severino mentioned the following correspondence: None

PUBLIC COMMENTS

- Pat Lingelbach - neighborhood asking when Historical Old Municipal Building will be painted. Committeeman Mazza suggested that the Township get bids for scraping old lead paint and repaint the building.
- Discussed Hoffman House situation.

PUBLIC HEARING - None

OLD BUSINESS

Discussion – Accepting Property Tax Payments via Credit and Debit cards – Info from Tax Collector. Will not be pursue further at this time.

Discussion - The Proposed Renewable Energy Ordinance. The Planning Board to work it through with Mr. Hintz.

NEW BUSINESS

a. The following resolution was presented for adoption:

**RESOLUTION #2010-134
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND REDEMPTION TO LIENHOLDER**

WHEREAS, Tax Sale Certificate #2010-003 was issued on September 28,2010, to Rainbow Associates, LLC, in the amount of \$2,878.05 for delinquent 2009 taxes on Block 24, Lot 2, Qual.C1005; and

WHEREAS, Rainbow Associates has paid additional delinquent taxes and interest; and

WHEREAS, the lien was redeemed on October 12, 2010, in the amount of \$5,410.07 in accordance with provisions of NJSA 54:5-60 et. seq.; and

NOW, THEREFORE, BE IT RESOLVED, on this 20th day of October, 2010, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. That the Treasurer issue a check in the amount of \$5,410.07 payable to Rainbow Associates, LLC, PO Box 117, Morris Plains, NJ 07950.
2. That the check be sent to Rainbow Associates, LLC, upon receipt of the Tax Sale Certificate, duly endorsed for cancellation.
3. That this Resolution shall take effect immediately upon adoption.

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

b. The following resolution was presented for adoption:

RESOLUTION #2010-135
2010 Professional Services Contract-Environmental Consulting Services
ESI Consultants, Steven Balzano

Whereas, Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano (“Contractor”) has been appointed to provide environmental consulting services for the Township of Union, Hunterdon County, New Jersey, (“Municipality”) for the calendar year 2010; 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 20 day of October, 2010, 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 Contract Law, Contractor represents (1) that 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 if the service requires knowledge of an advance type of 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 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, 2010 through December 31, 2010. Funding for the first ninety (90) days of this contract has been appropriated by the governing body pursuant to the 2010 temporary 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 of claims.
- 6. 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 does hereby attest that Contractor, its subsidiaries, assign 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 19:44 A-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 on 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.
- 7. 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 a part of this contract.
- 8. Exhibit C (Business Registration Certificate), Exhibit E (Political Contribution Disclosure Form) are attached to and made a part of this contract.
- 9. Assignment: This contract shall not be assigned.

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

c. The following resolution presented for adoption:

RESOLUTION 2010-136

**ESCROW REFUND
Frank Goldberg, 64 Cooks Cross Road
Pittstown, NJ 08867**

WHEREAS, Frank Goldberg. did post an escrow account for a planning board application on block 28 Lot 25, and

WHEREAS, the application was complete and all invoices for professional services have been paid,

WHEREAS, there is a remaining balance of \$859.50 in the escrow account,

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$859.50 be refunded to Frank Goldberg.

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

d. The following resolution presented for adoption:

RESOLUTION 2010-137

**ESCROW REFUND
Ikaria, Inc**

WHEREAS, Ikaria, Inc.. did post an escrow account for a planning board application on block 23 Lot 2.04, and

WHEREAS, the application was complete and all invoices for professional services have been paid,

WHEREAS, there is a remaining balance of \$1,137.00 in the escrow account,

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$1,137.00 be refunded to Ikaria, Inc..

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

e. The following resolution presented for adoption:

RESOLUTION #2010-138

**UNION TOWNSHIP, HUNTERDON COUNTY
ESTABLISHING AND DECLARING A JUVENILE CURFEW IN THE
TOWNSHIP OF UNION**

WHEREAS, P.L. 1992, Chapter 132 (N.J.S.A. 40:48-2.52 et seq.) authorizes and empowers a municipality to enact an ordinance making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by the juvenile’s parent or guardian, or unless engaged in, or traveling from, a business or activity which the laws of this State authorize a juvenile to perform and making it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours; and

WHEREAS, the Township Committee of the Township of Union on October 6, 1993, adopted on final reading “An Ordinance to Provide for the Establishment of a Curfew for Juveniles in the Township of Union and Providing Penalties for the Violation thereof”; and

WHEREAS, said Ordinance provides that whenever the Governing Body shall determine the need for a curfew for juveniles, the Governing Body may by resolution declare a curfew in the municipality for a period of not more than 90 days and for such hours and under such conditions as may be prescribed by the Township Committee, provided that such curfew shall commence not earlier than 10:00 p.m. and shall end not later than 6:00 a.m. during each of the curfew dates established;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union as follows:

1. Establishment of Juvenile Curfew. A juvenile curfew is hereby established and declared in the Township of Union commencing at 10:00 p.m. and ending at 6:00 a.m. of the following day, during each of the following curfew dates:

Saturday, October 30, 2010
Sunday, October 31, 2010; Trick or Treat Hours 12:00 p.m. to 9:00 p.m.

2. Condition of Curfew. During the curfew established herein, it shall be unlawful for any juvenile under the age of 18 years to be on any public street, or in a public place, either on foot or in a vehicle, within the Township of Union during the above designated times.
3. Exception to Curfew. The above-established curfew shall not apply to a juvenile:
 - a) When the juvenile is engaged in an errand involving a medical emergency;
 - b) When the juvenile is in attendance at an extra-curricular school activity, or an activity sponsored by a religious or community-based organization, or other cultural, educational, or social events;
 - c) When work time of the juvenile who is gainfully and lawfully employed overlaps the curfew hours.
 - d) When the juvenile is an attendant as a bona fide student at an evening school of institution.
 - e) When the juvenile is accompanied by a parent or guardian or other adult having the care and custody of the juvenile.
 - f) When the juvenile is on an emergency errand or legitimate business directed by the juvenile's parent/guardian.
4. Responsibility of Parent or Guardian. During the curfew herein established, it shall be unlawful for any parent or guardian of a juvenile to allow an unaccompanied juvenile to be on a public street or in any public place in violation of the above-referenced Ordinance and the curfew established hereunder.
5. Posting, Publication and Distribution of Curfew Notice. Copies of this Resolution shall be posted in such public or quasi-public places as may be designated by the Township Committee and may be published in such newspapers as the Township Committee shall designate. Copies shall also be supplied to area schools with a request that they make students aware of the curfew. Failure to post, publish or distribute this Resolution shall not relieve any person from the obligation of complying with the terms of the curfew imposed hereunder.
6. Notification to Law Enforcement Agencies. Certified copies of this Resolution and the above-referenced Ordinance shall be sent by the Municipal Clerk to law enforcement agencies, including the Municipal Police Department, if any, and the New Jersey State Police.

Mr. Bischoff made a motion to adopt the above Resolution. Mr. Mazza seconded. Vote: Ayes- Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

NEW ORDINANCE – 1st Reading

REPORTS

Attorney's Report – Mr. Jost reported the following:

- A matter for Executive Session.
- Spoke with Mr. Wilson re: Parisi development of 61 units near entrance of Union Gap Village. Town of Clinton has been supportive.
- Attorney Jost presented the following Ordinance for adoption:

NOTICE

Please Take Notice that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 20th

day of October, 2010. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 1st day of December, 2010, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

ORDINANCE 2010-7

AN ORDINANCE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, PRESCRIBING FEES FOR THE COPYING OF PUBLIC RECORDS

WHEREAS, P.L. 2010, c.75, Section 5, effective September 10, 2010, operative November 9, 2010, has Amended N.J.S.A. 47:1A-5, with regard to the fees that may be charged for copies of government records;

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 as follows:

I. Examination and Copying of Government Records:

1. A copy or copies of a government record as defined in N.J.S.A. 47:1A-1.1 may be purchased by any person upon payment of the fee prescribed by law or regulation. Except as otherwise provided by law or regulation, the fee assessed for the duplication of a Township government record embodied in the form of printed matter shall be \$0.05 per letter sized page or smaller, and \$0.07 per legal size page or larger.
2. If the Township can demonstrate that its actual costs for duplication of a government record exceeds the foregoing rates, the Township shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or other overhead expense associated with making the copy except as provided for in N.J.S.A. 47:1A-5(c).
3. Access to electronic records and non-printed materials shall be provided free of charge, but the Township shall charge for the actual costs of any needed supplies such as computer disks.
4. In accordance with N.J.S.A. 47:1A-5(c), whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the Township may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies; provided, however, that in the case of a municipality, rates for the duplication of particular records when the actual cost of copying exceeds the foregoing rates shall be established in advance by ordinance. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.
5. In accordance with N.J.S.A. 47:1A-5(d), The Township custodian shall permit access to a government record and provide a copy thereof in the medium requested if the Township maintains the record in that medium. If the Township does not maintain the record in the medium requested, the custodian shall either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record: (1) in a medium not routinely used by the Township; (2) not routinely developed or maintained by the Township; or (3) requiring a substantial amount of manipulation or programming of information technology, the Township may charge, in addition to the actual cost of duplication, a special charge that shall be

reasonable and shall be based on the cost for any extensive use of information technology, or for the labor cost for personnel providing the service, that is actually incurred by the Township or attributable to the Township for the programming, clerical, and supervisory assistance required, or both.

- II. **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,
- III. **Repealer.** All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
- IV. **Effective Date.** This Ordinance shall take effect after final passage, adoption and publication according to law.

Mrs. Dziubek made a motion to introduce Ordinance 2010-7. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek . Motion carried.

– Williams Pipeline – Meeting needs to be scheduled.

Mayor's Report - Mayor Severino reported the following:

- Mayor and Attorney met with State Police Sgt. Burke and Lt. Tiernan. Explored idea of Township Enforcement Officer currently done in Bloomsbury. Supportive of Trooper visit to Committee Meeting once a month. Talked about Exit 11.
- Health inspection at Finn Park Pavilion completed, waiting for written report.
- Spoke with Hampton Boro Clerk about agreement with UT schools to pick up their recyclables.
- Free energy audit for Township from State.

Mr. Mazza made a motion to authorize free energy audit for Township. Mr. Severino seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

Committee Report

Mr. Haynes reported the following: None

Mrs. Dziubek reported the following:

- Email from CFO recommendation requiring all employees move health benefits coverage into NJ15 plan, impact of change is additional \$5 co-pay per doctor visit.

RESOLUTION #2010-139 UNION TOWNSHIP, HUNTERDON COUNTY

Mrs. Dziubek made a motion to require all eligible employees presently covered under the Township's medical plan to enroll in the NJ 15 Plan. Mr. Bischoff seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Abstain – Mr. Haynes. Motion carried.

Mr. Mazza reported the following: None

Mr. Bischoff reported the following:

- "What this country needs is more unemployed politicians". Edward Langley, Artist 1928 to 1995.
- Stuart Koenig – executive session.
- Appreciation Dinner for Volunteers.
- Spoke with Mr. Hintz about Highlands invoices.

Mr. Severino reported the following: None

Clerk’s Report

Clerk asked the Committee if they plan to hold the 2010 Appreciation Dinner for the Township volunteers.

Mr. Mazza made a motion to approve the Appreciation Dinner on Thursday, December 2nd at the Mountain View Chalet subject to a corrected invitation list. Mrs. Dziubek seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

PUBLIC COMMENTS

Michele McBride – Thanked the Mayor and Atty. Jost for meeting with the State Police.

PAYMENT OF THE BILLS

Mr. Haynes moved that the approved list of bills and 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, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

EXECUTIVE SESSION

The following resolution introduced for adoption:

RESOLUTION 2010-140

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

2. _____ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on October 20, 2010 at 9:13 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

At 9:33 pm, Mrs. Dziubek made a motion to come out of the Executive Session. Mr. Haynes seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

The following motion was presented for approval after coming out of Executive Session:

Mr. Bischoff made a motion to authorize the expenditure of an additional \$3,000.00 to the coalition of 20 municipalities administered by Clinton Township to be utilized for the lawsuit being handled by Mr. Stuart Koenig in the matter of the COAH litigation. Mr. Haynes seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek.

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

Meeting adjourned at approximately 9:35 p.m.

Respectfully submitted,

Ella M. Ruta, RMC, Twp. Clerk
Prepared by Pat Essig, Administrative Assistant