

1. CALL TO ORDER

Mayor Bischoff opened the meeting at 7:05 p.m.

- 2. “Sunshine Law” Announcement:** Adequate notice of this public meeting has been provided by annual notice published in the Hunterdon Democrat on January 12, 2012 and The Courier News on January 13, 2012; posted on the Municipal public bulletin board in the Municipal Building and remain continuously posted as the required notices under the Statutes; posted on the Union Township website, and on file in the Municipal Clerk’s Office.

3. FLAG SALUTE

- 4. ROLL CALL** Present: Mr. Mazza, Mr. Hirt, Ms. McBride, Mr. Bischoff
 Absent: Mr. Severino
 Others Present: J. Peter Jost, Esq., Ella Ruta Clerk, Bob Clerico, PE

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Session Meeting Minutes of May 2, 2012.

- Correction by Ms. McBride. P. 2, Correspondence, Ms. McBride, 1st paragraph, replace last sentence with “Spoke with Chuck LaTournas about considering a grant opportunity to put together a bio-retention basin for drainage of the Municipal parking lot.
- P. 8 insert “Wengryn” in blank space.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried with corrections

Executive Session Meeting Minutes of May 2, 2012 corrections and approval later in the meeting.

6. VISITORS

7. REPORTS RECEIVED

- a. Dept of Roads & Facilities – Week Ending 4/27/12; 5/04/12; 5/11/12.
- b. Animal Control Officer – Jan-April 2012
- c. Engineer’s Report
 - Hoffman Park - review of bids
 - Perryville Road –Completed initial field work.
 - Race Street - Awaiting meeting with DEP and FEMA funding.
 - Panella – Update on driveway progress.
 - Item for Executive Session
 - Mr. Mazza asked the status of the response to letter from Robyn Hill Farm. The Attorney suggested that a copy of the Engineer’s letter with a cover letter be sent to Mrs. Soltres for her information.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence: None

Ms. McBride mentioned the following correspondence:

- NJLM Mayors Advisory, re: Energy Receipts Restoration Bill Introduced.

Mr. Hirt mentioned the following correspondence: None

Mr. Bischoff mentioned the following correspondence:

- NJLM, re: New User Fee Cap Bill Introduced. The Attorney will review applicability to Union Township.
- Twp of Monroe, re: Resolution in Support for Fair Distribution of State Aid for Education. I will contact Senator Doherty for his views.
- Mayor to write a letter re: Energy Tax Receipts.

9. PUBLIC COMMENTS

10. OLD BUSINESS

11. PUBLIC HEARING

ORDINANCE #2012-7

AN ORDINANCE APPROPRIATING THE SUM OF \$40,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, FOR THE DEMOLITION OF VARIOUS BUILDINGS ON THE PROPERTY KNOWN AS BLOCK 19 LOT 12 – HOFFMAN PARK

To open

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X				
Mr. Hirt						
Ms. McBride	X					
Mr. Bischoff						

Motion carried by unanimous favorable vote

To close

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X					
Mr. Hirt						
Ms. McBride		X				
Mr. Bischoff						

Motion carried by unanimous favorable vote

To adopt

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt				X		
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

12. NEW ORDINANCE – 1ST Reading

ORDINANCE #2012-8

AN ORDINANCE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY ESTABLISHING A MOTOR VEHICLE RECORD (MVR) POLICY FOR PERSONS OPERATING TOWNSHIP VEHICLES

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

ORDINANCE #2012-9

AN ORDINANCE APPROPRIATING THE SUM OF \$95,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, FOR THE DEMOLITION OF VARIOUS BUILDINGS, PHASE II, ON THE PROPERTY KNOWN AS BLOCK 19 LOT12 – HOFFMAN PARK

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

13. NEW BUSINESS

a. The following resolution was introduced for adoption:

**RESOLUTION #2012-87
UNION TOWNSHIP; HUNTERDON COUNTY
2012 SALARY RESOLUTION**

MINUTES OF REGULAR MEETING May 16, 2012

WHEREAS, a salary ordinance has been adopted by the Township of Union, Township Committee, indicating salary ranges; and

WHEREAS, the Township committee has determined the amount that each employee is to be paid for the year 2012as follows:

Salaries are for a period of one year unless otherwise noted:

ADMINISTRATIVE

Mayor	\$ 4,800.00
Township Committee	4,500.00
Township Clerk	52191.46
Administrative Assistant	18.82 p/h
Registrar	4,182.00
Tax Collector	15,000.00
Tax Assessor	29,000.00
Certified Municipal Finance Officer	31,775.00
Payroll Administrator	4,920.00
Accounts Payable Clerk	3,280.00
Emergency Management Coordinator	0.00
Deputy Emg. Mgm. coordinator	1,131.09
911 Coordinator	2,706.00

DEPARTMENT OF ROADS AND FACILITIES

Foreman	66,480.17
Public Works Staff No. 1	47,142.83
Public Works Staff No. 2	46,299.25
Public Works Staff No. 3	41,977.85
Public Works Staff No. 4	39,882.00
Part Time Snow Plow Staff	30.00 p/h
Part Time Parks Mower	14.00 p/h
Part Time/Emergency Employee (By Appointment)	12.50/hr.

PUBLIC SAFETY

Public Safety Officer	5,200.00
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LAND USE DEPARTMENT

Zoning Officer	11,500.50
Deputy Zoning Officer	1.00
Planning Bd./Bd. of Adjustment Secretary	28,741.00

MISCELLANEOUS

Recycling Coordinator	9,385.41
Dog & Cat Registrar	4,862.60
Animal Control Officer	9,532.50
Recycling Attendant/Dumpster Attendant	13.34 p/h
Recycling Attendant Helper/Dumpster Attendant Helper	11.18 p/h

MISCELLANEOUS – Travel expenses, training and education expenses, overtime, health and disability insurance, retirement and life insurance, paid holidays, sick pay, leaves of absence, paid vacations, equipment allowances, emergency meal allowances and other benefits shall be as set forth in the current Union Township Personnel Manual, or in accordance with applicable law.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X		X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

b. The following resolution was introduced for adoption:

**RESOLUTION #2012 - 88
TOWNSHIP OF UNION, HUNTERDON COUNTY**

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **2011** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local

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Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

c. The following resolution was introduced for adoption:

**RESOLUTION #2012 - 89
Corrective Action Plan**

WHEREAS, the Annual Audit Report for the year 2011, as prepared by the Township’s Auditor, Suplee, Clooney & Company, contained “General Comments” and “Recommendations” regarding the financial practices of the Township of Union; and

WHEREAS, the Chief Finance Officer has prepared a Corrective Action Plan to address all issues raised by the Auditor and submitted said Plan for approval by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of The Township of Union, in the County of Hunterdon and State of New Jersey that the Corrective Action Plan prepared by the Chief Finance Officer with regard to the 2011 Audit is hereby approved and adopted.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

d. The following resolution was introduced for adoption:

**RESOLUTION 2012-90
CHAPTER 159 RESOLUTION
CLEAN COMMUNITIES GRANT**

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WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director of may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union in the County of Hunterdon, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sun of \$12,380.25, which is now available from the State of New Jersey in the amount of \$12,380.25.

BE IT FURTHER RESOLVED, that the like sum of \$12,380.25 is hereby appropriated under the caption Clean Communities, Other Expenses; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey in the amount of \$12,380.25.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

e. The following resolution was introduced for adoption:

**RESOLUTION #2012-91
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND DUPLICATE PAYMENT OF 2012 TAXES**

WHEREAS, the Tax Collector received a duplicate payment from Haggerty, Kevin and Mary Jo of \$3,070.13 for 2nd quarter 2012 taxes on Block 29.01, Lot 18; and

WHEREAS, Haggerty, Kevin and Mary Jo has requested a refund of \$3,070.13.

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of May, 2012, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Tax Collector shall reverse the duplicate payment of 2nd quarter 2012 taxes.
2. The CFO shall refund \$3,070.13 to Haggerty, Kevin and Mary Jo, 19 Wyckoff Drive, Pittstown, NJ 08867 for Block 29.01, Lot 18.
3. This Resolution shall take effect immediately upon adoption.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X

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Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- f. **Motion to Approve:** Application for Special Permit for Social Affair – Rogers’ Rescue

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

- g. **Motion to Approve:** Jersey Man Triathlon on May 19, 2012.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- h. **Discussion:** Award of Contract for Hoffman Park Base Demolition Bid.

- i. The following resolution was introduced for adoption:

RESOLUTION #2012-92

WHEREAS, the Township of Union advertised, and subsequently received bids, for the Hoffman Park Demolition and Salvage Project on April 12, 2012, and;

WHEREAS, five (5) bids were received for the **Demolition Contract** as follows:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alt #1 Bid</u>	<u>Alt #2 Bid</u>
ATG, Inc., Fairfield, NJ	\$33,000.00	\$47,000.00	\$79,000.00
Yannuzzi & Sons, Hillsborough, NJ	\$54,850.00	\$72,150.00	\$142,150.00
Brennan Bros, Old Bridge, NJ	\$57,301.20	\$68,851.25	\$128,447.50
KM Construction, Irvington, NJ	\$124,000.00	\$172,000.00	\$276,000.00
SMAC Corp., Paterson, NJ	\$189,000.00	\$244,000.00	\$442,000.00

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WHEREAS, the Township Engineer and Township Attorney reviewed the bids submitted and determined that the bid submitted by ATG, Inc., Fairfield, NJ for Alt #1 and Alt #2 was non responsive, and;

WHEREAS, the Township Engineer and Township Attorney reviewed the bids submitted and determined that ATG, Inc., Fairfield, NJ submitted the lowest responsive bid under the Base Bid option, and;

WHEREAS, the Mayor and Committee adopted Resolution #2012-81 at their meeting on April 18, 2012 which rejected all the Alternate #1 and Alternate #2 bids along with the Base Bids except for ATG, Inc., and;

WHEREAS, the Township of Union has appropriated sufficient funds to cover the base bid, and;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Union that the bid for the Base Bid Option for **Hoffman Park Demolition Contract** be awarded to ATG, Inc., Fairfield, NJ for their bid of \$33,000.00 subject to the following conditions:

1. The award will become effective on the date of publication of the funding ordinance.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried effective upon publication of the funding ordinance.

14. REPORTS

- **Attorney’s Report**
- Rubber Mulch. Discussion of the pros and cons of various types of mulch.

Motion: Authorize the CFO to prepare the necessary paperwork for purchase of 34.5 tons of the black rubberized mulch in the amount of \$11,100.00.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

Item not listed and added to the agenda at the meeting

**RESOLUTION #2012-93
Re: Amendment to Local Supplemental Violations Schedule**

WHEREAS, Ordinance No. 2012-1 “AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER VII, SECTION 7-10, OF THE CODE OF THE TOWNSHIP OF UNION, PROHIBITING

STOPPING OR STANDING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS ON THE STREETS AND ROADS OF UNION TOWNSHIP, HUNTERDON COUNTY NEW JERSEY”, was adopted on final reading by the Union Township Committee on February 15, 2012; and good cause appearing.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey that the payable amount for violation of the above named ordinance shall be \$54 per violation, allocated as a fine of \$30 and costs of \$24; and

BE IT FURTHER RESOLVED, that the Union Township Municipal Court Administrator is hereby requested to submit the above named ordinance and payable amount to the Administrative Office of the Courts (AOC), with a request to enter said payable amount into the ATS/ACS system, and upon approval of same by AOC, to submit said ordinance and payable amount to the Assignment Judge of Vicinage 13 for her approval pursuant to Rule 7:12-4(c) to add said payable amount to the Local Supplemental Violations Schedule of the Union Township Municipal Court; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately, subject to applicable provisions of law.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

a. Mayor’s Report

- Quote “Society in every state is a blessing, but government, even in its best state, is but a necessary evil; in its worst state, an intolerable one.” Thomas Paine – Common Sense.
- NJ DOT/Pilot/ Union Township Meeting. I talked to contact today and he is still trying to work out a date. Location will probably be at DOT in Trenton. May 23rd is still a possibility.
- Memo re: County Tax Appeals.
- Ms. McBride and I met with Jehovah’s Witnesses on May 3rd about parking for the trailhead for the Milligan farm tract. Ms. McBride will call them before next meeting.
- The Union Township school parking lot paving project.
- I received a letter from Senator Paul Sarlo, Senator Linda Greenstein, and Assemblyman Troy Singleton asking us to support the return of energy tax receipts to the Municipalities.

b. Committee Report

Ms. McBride reported the following:

- Met with Adam Wengryn of Restoration Technologies on the Hoffman Park salvage/recycling work in progress.
- A grant opportunity to put together a bio-retention basin for drainage of the Municipal parking lot. UTEC identified the general area where a detention basin could be used, their decision expected in a few days.

Mr. Hirt reported the following:

- Adopt-A-Highway information from NJ DOT.
- Received information of David Strater of Maine an international general contracting service and interested in old houses and he has interest in the Hoffman House.
- Moisture in the walls. Mayor asked Mr. Hirt to get an expert to examine the moisture problem.

Mr. Mazza reported the following: None

c. **Clerk’s Report** – None

15. PUBLIC COMMENTS

16. PAYMENTS OF BILLS

The approved list of bills and 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.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

17. EXECUTIVE SESSION – Contract Negotiations

**RESOLUTION #2012-94
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 May 16, 2012, at 8:10 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.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

To come out 8:41 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

Motion: To approve the Minutes of the May 2, 2012 Executive Session as corrected.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried as corrected

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

Meeting adjourned at approximately 8:42 p.m.

Respectfully submitted,

Ella M. Ruta, RMC

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant