

1. CALL TO ORDER

Mayor McBride called the meeting to order at 7:00 p.m.

- 2. **"Sunshine Law" Announcement**-Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE

4. ROLL CALL

	Present	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt		X
/Ms. McBride	X	
Mr. Bischoff	X	

Also present: J.P. Jost, Attorney, and Ella M. Ruta, Municipal Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of May 1, 2013.
Mr. Bischoff has a correction to the Regular Minutes on page 7, change “p/h” to “per hour”.

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

Motion carried as amended

6. VISITORS

7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 04/26/13; 5/03/13
- b. Zoning – April 2013
- c. Tax Collector
- d. Engineer’s Report

- Race Street project: I spoke with Mr. Cozze yesterday and he said he will be signing the easement form and will get back to Mr. Jost.
- There is a section of Race St., where the stream bank is very close to the edge of the road right-of-way because of Hurricane Irene. The Township has been working with FEMA to obtain some federal disaster money to fix the embankment before the road becomes part of the stream. The Mayor asked what would be the steps that we need to follow at this point. A discussion and overview of next project steps.

- Tax Map – waiting for the assessor to give me the deeds to start. Mayor requested me to send email to Assessor that I am ready.
- Perryville Road – It was reported at last meeting that the Township received \$150,000.00 grant for construction for the segment of Perryville Road in front of the Municipal building. I will send a budget outline of what is left to do.
- I met with Transco last week to get an update on their Patrick Dr. crossing and they have multiple crews working on the pipeline working from the west to east. Discussion followed.
- ROSI 2013 parameters: I did put something together based on the tax map following those parameters and issued a memo today. The Attorney said there are three parts of the Recreation and Open Space Inventory. What DEP is looking for under this new set of parameters is mapping which was not part of the prior classifications. They are looking for a key map that in our case would be the tax map of the properties in question. There was further discussion. I will meet with the Attorney and look at his files.
- The Mayor asked about the old municipal building and if she and the Engineer could inspect the building and review the project list for any omissions that should be included. The Committee agreed and the Mayor will set up the meeting.
- Mr. Mazza asked about Highland Ridge and stated that storm drains are collapsing, sinking below the road surface. I gave reasons why this may be happening. Mr. Mazza will have Road Dept. Foreman and I meet and inspect the storm drains.
- Brass Castle - Mr. Mazza asked Engineer if it is ok to put back in the stop bars that have faded from sunlight. Answer: yes.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Mazza reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- Mayor's Advisory Re: FEMA Filing Deadline Looms. We were the first Municipality in Hunterdon County to file, according to OEM Coordinator Tom Cannan.
- Mayor's Advisory Re: COAH meets and authorizes the taking of municipal housing trust funds. We are taking action on that issue tonight.
- Raritan Twp. Re: Resolution Opposing JCP&L Petition for a Rate Increase. Mayor requested that the Committee look at resolution and if no objections we could have a similar resolution for the next meeting.

Mr. Severino reported the following correspondence: None

Ms. McBride reported the following correspondence:

- Clean Communities Grant Award money received.
- In the Engineer's absence next week, he will assign Transco situation to another engineer in his office.

7:33 p.m. Mr. Clerico left the meeting

- NJ COAH Re: Municipal Affordable Housing Trust Fund Current Balance. COAH sent us a letter attempting to seize a portion of our municipal COAH funds. Last Fall they told us they were going to seize all of the COAH funds that we had that was more than three years old. The COAH sub-committee did an excellent job of determining that we could use those COAH funds to pay down the Milligan debt service for a portion of the land where this COAH building was to be built. Over \$600,000.00 transferred last year. It appears that now they are going to be doing this every six months looking for the new funds that have aged and they will go after them. They came back to us and determined that we had approximately \$50,000.00 that had aged

into the three years and older category and said that money had to go to them or it had to be committed by May 22nd. Later in the agenda, we will discuss an authorization to sign the certification for the Housing Trust Fund that will take the aging funds until the end of the year and commit that to the Milligan debt service.

9. PUBLIC COMMENTS

Amanda Lambert, 10 Grove Farm Road. In the process of trying to obtain a turn on the lane at the entrance of Wellington West neighborhood on CR 513 south, I met with Thomas Matthews the supervising engineer for Hunterdon County. Mr. Matthews did not feel a designated lane was warranted, however suggested that a 125' deceleration lane could be designated as a no stopping or standing lane. This would require a resolution written by Union Township and submitted to the County. Mr. Matthews said that he would support the resolution and the County would provide for the installation of and the sign. Would you be willing to write this resolution? The Committee agreed and Ms. Lambert will provide written information to the Committee for the resolution.

10. PUBLIC HEARING

**ORDINANCE #2013 - 3
AN ORDINANCE ADOPTING A FEE SCHEDULE FOR
RECREATION PROGRAMS AND THE USE OF
RECREATION FACILITIES IN THE TOWNSHIP OF UNION,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

Motion to Open Public Hearing

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

Motion carried.

Motion to Close Public Hearing

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

Motion carried.

Motion to Adopt

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

Motion Carried

11. OLD BUSINESS

12. NEW ORDINANCE – 1ST Reading

13. NEW BUSINESS

a. Following Resolution introduced for adoption:

**RESOLUTION #2013- 70
UNION TOWNSHIP, HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR
ENVIRONMENTAL CONSULTING SERVICES FOR 2013**

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

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, anticipated term of this contract is one year; and,

WHEREAS, **Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano** has submitted a proposal indicating that the fee for all environmental consulting services rendered shall be \$125.00 per hour; and

WHEREAS, **Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano** has completed and submitted a Business Entity Disclosure Certification which certifies that **Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano** has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit **Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano** from making any reportable contributions through the term of the contract; and,

WHEREAS, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Environmental Consulting Services, OE; and,

NOW THEREFORE, BE IT RESOLVED that the Township Committee authorizes the Mayor and Clerk to enter into a contract with **Environmental Strategies Inc. t/a ESI Consultants and Steven Balzano** as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and,

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the Hunterdon County Democrat.

CERTIFICATION

Certified to be a true copy of a Resolution adopted by the Mayor and Township Committee of the Township of Union at a meeting held on May 15, 2013.

Ella M. Ruta, RMC, Municipal Clerk

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

Motion carried subject to Equal Opportunity Certificate

b. **Authorizing Mayor to Sign:** Certification of Municipal Affordable Housing Trust Fund Status

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

Motion carried

14. REPORTS

a. **Attorney’s Report**

- Green Acres – Resolution next meeting for open space funding.
- Pilot has moved ahead and has quotes, we will see if the quotes are enough to cover everything.
- Tax Appeals – CFO. We had tax appeals in Flemington yesterday there were nine appeals, one was withdrawn, one was placed on the record because it was filed by our CFO.
- I received the Sports Recreation Contract. Spoke with the CFO and she has problems with it because of the so-called 48 hour rule that funds that are paid must be deposited into our account within 48 hours. Discussion followed. Meet with the CFO tomorrow .
- Executive session
- Sunesys, Inc. – I will look at it for the next meeting.

b. **Committee Report**

Mr. Mazza reported the following:

- Lisa Coster at the last meeting asked about the missing trash can lids at Finn Road Park. They have been found and she can pick them up at the Road Dept.
- In next two weeks we will be fertilizing the park again.
- Discussed details of one golf outing to benefit all the volunteer fire companies i.e., Clinton, High Bridge, Quakertown, Pattenburg.

Mr. Bischoff reported the following:

- Quote: “Just because you do not take an interest in politics doesn’t mean politics won’t take an interest in you!” – Pericles (430 B.C.)
- LOSAP Financial Statement
- Executive Session, contract negotiations.

- Received a letter from Clinton Township, signed by the Clerk, approving the contract between Clinton Township and Union Township Shared Services for Parking Enforcement.
- With regard to road noise, Bill Harclerode contacted me to see what I could do to help with a bill in the Senate.

Mr. Severino reported the following:

- Last weekend was the first time mini-dump was integrated into the recycling area and it went well. Signage worked well.
- I am waiting for three quotes from electronics recycling firms that might be able to replace Don Jon.
- I solicited three quotes for the air conditioning and heat pump for the downstairs courtroom. Discussion of the details with the Committee and agreement to award Old York Heating because of the much higher efficiency of the equipment. There are funds sufficient funds available.

Motion: Award the contract to Old York Heating & Cooling in the amount of \$7,965.00 to replace the air conditioning and heat pump for the downstairs courtroom.

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

Motion carried

c. Mayor’s Report

- Asbestos, old municipal building. I am working with the low bidder on the asbestos testing for the old municipal building I need him to test both buildings. I think we can get it done for \$1000.00.
- I received a call from the neighbors across from the old municipal building concerned about illegal parking at the old municipal building and school buses using it for parking practice and the fertilizer company truck that gets there early and waits at the municipal building at 5:00 a.m. until the fertilizer plant opens. A whole range of issues and I told her that I would get back to her after I talked to the Committee. I can tell her that when we demo the municipal building we are going to cut down the size of that parking area and put grass there. Also, put up a sign “No Trespassing, No Parking, Authorized Vehicles Only.”
- Mr. Mazza commented about the road speed limit sign for Highland Ridge.
- The CFO reminded me that we are paying \$3,000 a quarter for hydrants from Clinton Water. The Attorney will look for the agreement.
- Executive Session for negotiation.
- I forwarded a copy of the SEM utility information to the CFO who said she was aware of it and would get back to us with her comments about feasibility for Union Township..
- Linda Peterson, NRCS talked about the FEMA worksheet for Race St. We must review it prior to grant from NRCS.
- Received a letter from the OEM and I forwarded to Clerk to forward to all of you. It has to do with the JCP&L video on first responders working with downed wires. OEM reported that FEMA vegetation removal estimate is \$30,500.00.
- Letter from Mr. Harclerode and Col. Fuentes from the NJ State Police stating NJ State Police are beginning to do enforcement of excessive noise statute beginning in April 2013. Statute 39:33 prohibits the operation of any motor vehicle without a properly working muffler. Thank you, Road Noise Group.

- New volunteer Angela Bates, a Township resident will be working on a major project downstairs emptying file boxes from Maser and filing in document room..
- Highlands meeting on May 9th with our sub-committee, Steve Balzano and Carl Hintz working on the last issues we need to resolve. Mr. Balzano and Mr. Hintz have some work to do and they will be back to us shortly. The next steps will be a meeting with the Council representatives and a presentation to the Committee.
- Mr. Mazza and I met with the Pattenburg Volunteer Fire Co. President and Chief on Saturday. We reviewed the goals for the year and progress to date. It was a good meeting and they will provide an update at one of our September meetings. We asked if they could do quarterly status updates.
- Men in Heels Relay charity event on Saturday and there will be the Mayor’s Team representing the Township.

d. Clerk’s Report

- Executive session, potential litigation and negotiation

15. PUBLIC COMMENTS

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 paid and that all checks listed hereinafter issued in payment thereof.

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

Motion carried

17. EXECUTIVE SESSION

The following Resolution introduced:

RESOLUTION #2013- 71
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:

MINUTES OF REGULAR MEETING May 15, 2013

1. _____ *Matters Required by Law to be Confidential:* Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____ *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. _____ *Matters Involving Individual Privacy:* Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. _____ *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. _____ *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. _____ *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7. X *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 required in order for the attorney to exercise his ethical duties as a lawyer.
8. _____ *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.
9. _____ *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union assembled in public session on May 15, 2013, at 8:37 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	X			
Mr. Mazza			X			
Mr. Hirt						X
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

Motion to come out of Executive Session – 8:57 p.m.

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

Motion carried

18. ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn the meeting at 9:00 p.m. Mr. Bischoff seconded the motion. Motion carried by unanimous favorable roll call vote.

Motion to reopen the meeting

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

Motion carried by unanimous favorable roll call vote

PUBLIC COMMENT: Union Township resident. I live across the street from the old municipal garage that has been there for quite a while. I have been in the Township for 26 years and I understand that the upkeep of it is detrimental to what is going on in the economy now. Because of nuisance activities is there something you can do to put up a fence, a no trespassing sign, and no idling sign. The Mayor responded that her comments were considered earlier in the meeting tonight and the Committee will be doing 1) Road Dept. put a sign together that says “No Trespassing, Authorized Vehicles Only” 2) in the longer term we will take down the building and change the driveway, most of the gravel will be gone, it will be grass and plant shrubs along the road.

Mr. Bischoff made a motion to adjourn this special session at 9:06 pm. Mr. Severino seconded. Motion carried by unanimous favorable roll call vote.

Patricia Essig, Deputy Clerk

Michele McBride, Mayor